



COALVILLE CITY PLANNING COMMISSION MEETING AND WORK SESSION NOTICE AND AGENDA

Notice is hereby given that the Coalville City Planning Commission will hold its Regular Meeting and a Work Session on **Monday, June 17, 2019** at the Coalville City Hall located at 10 North Main Street, Coalville Utah. The meeting will begin at **6:00 P.M.** The agenda will be as follows:

1. Roll Call
2. Pledge Of Allegiance
Work Session Agenda:
3. Discussion And Review Of The Master Planned Development (MPD)
Phase III Code Revisions
Regular Meeting Agenda:
4. **Public Hearing: Recommendation Of Phase III Amendments To The Coalville City Development Code For Master Planned Development (MPD) Provisions, Ordinance 2019-4**
5. Planning Commission Updates
6. Consultant Updates
7. Review and Possible Approval of Minutes
8. Adjournment

** Coalville City reserves the right to Change the order of the meeting agenda as needed.*

Dated this 14th day of June, 2019.

Nachele D. Sargent, City Recorder

****In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Hall (435-336-5981) at least three days prior the meeting.**

Mayor

Trever Johnson

Council

Adrianne Anson
Cody Blonquist
Arlin Judd
Rodney Robbins
Tyler Rowser

Posted: June 14, 2019 City Hall, Coalville City Website, Utah State Public Notice Website

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Coalville City Planning Commission
Regular Meeting & Work Session
HELD ON
June 17, 2019
IN THE
CITY HALL

Commissioner Isaac Rackliffe called the meeting to order at 6:10 P.M.

PLANNING COMMISSION MEMBERS PRESENT: Chair: Linda Vernon (excused)
Vice Chair: Shoat Roath (excused)
Commissioners: Tonja Hanson,
Nathanael Davenport
Isaac Rackliffe
Dusty France (excused)

CITY STAFF PRESENT:

Don Sargent, Consultant
Sheldon Smith, City Attorney

PUBLIC IN ATTENDANCE:

Tom Rees, Sheryl Rees, Jim Boyden, Dave
Boyden, Eric Langvardt, Kim Bowen

Item 1 – Roll Call:

A quorum was present.

Item 2 – Pledge of Allegiance:

Commissioner Isaac Rackliffe led the Commissioners, Staff, and Public in the Pledge of Allegiance.

Work Session:

Item 3 – Discussion And Review Of The Master Planned Development (MPD) Phase III Code Revisions:

Don Sargent stated the Master Planned Development provisions were part of the Phase III Code revisions. He stated there were certain thresholds that would trigger the MPD process. He stated the current Code was difficult to apply because the criteria for a density bonus was very subjective. Don stated the goal was to simplify the criteria and tie down

the benefit package for the City. He stated an MPD produced a higher quality development than a typical subdivision. The MPD provisions would allow the Developer to produce a higher design with the flexibility of provisions for mixed use, lot line exceptions, setbacks, and clustering for innovative design. Don stated these provisions would replace the current Title 8 Chapter 6 in its entirety. Don reviewed the Staff report (Exhibit A) and stated Chair Linda Vernon had provided some comments for review (Exhibit B). Don and the Planning Commissioners discussed the following:

Page 3, 8-6-020, Item E, verified it was 25,000 square feet.

Page 4, 8-6-030, Item C, discussion for removing mobile and manufactured home parks and the downside of leaving it in or taking it out including leaving it in until the Code for mobile home parks was specifically addressed and revised, using the MPD provision for more density with a mobile home park, but not as high quality if it was left in, and leaving it out and relying on the old Code. The Commissioners decided to rely on the old Code.

Page 4, 8-6-030, Item D, discussion of generally or limited to and decided generally was okay for flexibility.

Page 5, 8-6-050, verified the project would be required to commence within five years.

Page 5, 8-6-050, Item C, discussion and agreement to clarify there were no extension opportunities

Page 6, 8-6-050, Item B, clarify to include the same revisions in Item A; "traffic and parking demand, service demand, etc."

Page 6, 8-6-060, Item B, #1, discussion on definition of open space and if private agricultural and golf course would be considered open space including, if improvement would mean a golf course, have open space defined as natural, note the property couldn't be developed, the definition of agricultural use, adding if the property was "unimproved" or "undeveloped", the definition of green space versus open space, allowing a public park being able to be used as open space, listing soft scape recreation, having an exception for a public park approved by the City, adding language for developed green space, reading the current definition for "development" from the Code, leaving it as it was with the "undeveloped" language, and adding the definition of scenic; like a river corridor or a mountain view shed. The Commissioners decided continued review and definitions were needed.

Page 8, 8-6-060, Item E, discussion if the minimum lot size should be .10 acre.

Page 9, 8-6-060, Item M, adding the provision to include trails and access by referencing the Trails Master Plan as applicable for all sections. (Page 10, 8-6-060, Item Q, #1C, Page 12, 8-6-080, Item I)

Sheldon Smith referred 8-6-060, Item B, #1A, the 10% open space, and stated Park City was 60% with some exceptions and some other cities were 30%. He stated they also had a provision for projects proposing redevelopment that they could be asked to add, like a park, or reduce other aspects of their development. Don Sargent stated it was listed a Developer could only use 25% of the non-developable land toward their deeded open space for density. He stated they could review that percentage, but there may be times when the view shed made it worth it to be considered as open space. He stated the downside would be the Developer would be forced to add more smaller development lots.

Commissioner Tonja Hanson stated she would like to see at least 30%. The Commissioner's agreed to raise it to 30% and to add the provision it could be in exchange for project enhancements. Commissioner Tonja Hanson questioned if the only benefit to the community with the MPD was open space. Don Sargent stated yes, deeded open land was the big benefit, but it was also to be more flexible to allow the City to look at the design as a whole project to get rid of the cookie cutter same lot configurations and have more integrated land planning projects. Commissioner Tonja Hanson questioned if infrastructure was part of the MPD. Don Sargent stated infrastructure was already taken care of in other areas in the Code and a Developer would be required to pay for any increase or extension necessary to serve the development.

Don stated he had made notes from their discussion and would apply those changes to the revision.

Regular Meeting:

Item 4 – Public Hearing: Recommendation Of Phase III Amendments To The Coalville City Development Code For Master Planned Development (MPD) Provisions, Ordinance 2019-4:

Commissioner Isaac Rackliffe opened the public hearing at 7:07 P.M.

Jim Boyden – Wohali Partner/Developer

Jim Boyden stated his comment was toward the open space provisions. He stated the requirements would not be a problem for their project, but he could see it becoming a problem for other developments. He stated they were discussing developments of six lots or greater using the MPD and on a site that would only be a couple of acres, to set aside 30% of that for open space would really pinch down the footprint they could create. He stated the trade-off would be vertical construction or the Developer would give up the whole project because giving up 30% of the space made it too impossible. Jim Boyden stated this may be too unreasonable for infill projects that may come in further down the line. Commissioner Nathanael Davenport questioned if they should look at tying the open space percentage to the size of the acreage or have tiers based on the development. Sheldon Smith stated the MPD provisions had the option for the Council to decrease the lot size for certain items. Commissioner Isaac Rackliffe stated he would just like the language to be emphasized that it would be at the Council's discretion so they could take a closer look at the options for each development.

Kim Bowen – 163 E Bench Way

Kim Bowen questioned if the City would be required to maintain it and if they would want to maintain the open space that was the tradeoff for the smaller developments for more density or if it would put a budget constraint on the City to maintain something like this.

Commissioner Tonja Hanson stated it would depend on the development and if they had a HOA, it would be their responsibility to maintain the open space. She stated it didn't mean the City would own it. Commissioner Nathanael Davenport questioned if there was a provision that required a development to have a HOA. Don Sargent stated there wasn't one. Sheldon Smith stated he didn't think the City could legally make a development have an HOA.

Eric Langvardt – Developer

Eric Langvardt suggested having the open space be based on the Zone. He stated the percentage could be less for the higher Zones and they could tier the open space requirement based on the Zone. He stated in the outer Zone they would be getting a hillside vista or in the denser area they would be getting a plaza or walkway connection or something like that. He stated a RA cluster project would maybe be more in line with larger open space. Sheldon Smith stated Park City did their open space on a tiered level. The Commissioner's agreed they liked the tiered open space based on the Zone idea. He stated Don Sargent stated he could look at this and come back with more options.

Jim Boyden - Wohali Partner/Developer

Jim Boyden questioned if they tabled this and brought it back to the next meeting if that would bump their public hearing to a later date.

Dave Boyden - Wohali Partner/Developer

Dave Boyden stated they would be fine with whatever the Commissioners decided to do.

The Commissioners discussed the options for meeting dates and agenda items. Don Sargent stated some of the MPD revised provisions would work well with the Wohali Project, but they could definitely proceed without it. He stated the project could be better and the City would get a better project with the new provisions, but it would be fine either way.

Commissioner Isaac Rackliffe closed the public hearing at 7:30 P.M.

Don Sargent, Sheldon Smith, and the Commissioners discussed the percentages of open space for each Zone and agreed with Ag – 30%, RA – 20%, R1- 15%, R2 – 15%, R4 – 10%, R8 – 10%.

A motion was made by Commissioner Nathanael Davenport to approve and give a positive recommendation to the City Council for the Master Planned Development (MPD) provisions amendment for the Coalville City Development Code, Ordinance 2019-3, as revised with the Open Space Percentages and all other changes discussed and

incorporated into the draft. Commissioner Tonja Hanson seconded the motion. All Ayes. Motion Carried.

Roll Call:

Commissioner Davenport – Aye
Commissioner Hanson – Aye
Commissioner Rackliffe - Aye

Item 5 – Planning Commission Updates:

There were no Planning Commission updates tonight.

Item 6 – Consultant Updates:

Don Sargent informed the Planning Commissioners that the City Council was still looking at the signing and lighting revisions. He stated it was scheduled for a continued public hearing on June 24th. He stated the Council was leaning toward being far less restrictive than what the Planning Commission had recommended. Don stated Chair Linda Vernon had drafted a letter to the Mayor and Council which was read into the minutes for public record. Sheldon Smith stated he and Linda Vernon's letter were the only side presented that represented the public and the problems with light pollution. Commissioner Nathanael Davenport stated a City Council Member from Toquerville City that was a photographer had presented an illustration on the night sky difference from two years ago to now and the affects of being located adjacent to St. George. He stated the Toquerville Council Member had sited medical research that referenced losing the night sky was a public health issue. He stated he would try and get a copy of it for review.

Don Sargent stated the meeting on July 15th would be the public hearing for the Wohali Project. He stated he would have a link to the drop box for the public. He stated this was a conceptual preliminary plan and not a final plan. The Commissioners discussed making sure the information was listed on the website and Facebook if possible. Don stated he would line out the work done to date in the Staff report.

Item 7 – Review And Possible Approval Of Minutes:

The Commissioners reviewed the minutes of the May 20, 2019 meeting.

A motion was made by Commissioner Nathanael Davenport to approve the minutes of May 20, 2019 as written. Commissioner Tonja Hanson seconded the motion. All Ayes. Motion Carried.

Item 8 – Adjournment:

**A motion was made by Commissioner Tonja Hanson to adjourn the meeting.
Commissioner Nathanael Davenport seconded the motion. All ayes. Motion Carried.**

The meeting adjourned at 7:40 P.M.

Commissioner Isaac Rackliffe

Attest:

Nachele D. Sargent, City Recorder



"Exhibit A"
Planning 6/17/19

Staff Report

Coalville City
Project Coordinator

To: Coalville City Planning Commission
From: Don Sargent, City Project Coordinator
Date of Meeting: June 17, 2019
Re: MPD Development Code Amendment – Title 8 Chapter 6
Action: Work Session and Public Hearing

MPD Development Code Text Amendment

REQUEST: The purpose of this work session and public hearing is to continue the review and discussion of the updated Master Planned Development (MPD) provisions of the development code. This item is scheduled for both a work session and public hearing.

BACKGROUND: The amendments include revisions in whole to Title 8 Chapter 6 of the Development Code. An initial work session was held with the Planning Commission in May. Direction was given to Staff to address several revisions and make clarifications to the draft MPD language and schedule a subsequent work session to review the document. Staff was also directed to schedule a public hearing to receive public comment and input on the proposed amendment language.

ANALYSIS: *Attachment A* includes the revised draft of Title 8 Chapter 6 Master Planned Development (MPD) provisions. The MPD amendments are to be applied city-wide as part of the on-going development code update effort.

The primary focus of the MPD amendments is to produce superior project design through flexible and innovative tools that advance the goals of the General Plan. The amendments are also designed to be quantifiable and provide assurances and benefits to the City beyond a typical development application.

Staff will be prepared to present the updated draft MPD amendments and address concerns and questions of the Planning Commission at the work session and public hearing.

RECOMMENDATION: Staff recommends the Planning Commission conduct a work session and make any additional revisions to the amendments in preparation for the public hearing.

Depending on the outcome of the public hearing, the Planning Commission may either recommend approval of the amendments to the City Council or continue the public hearing to address additional issues.

ATTACHMENTS

A. Draft Title 8 Chapter 6 - Master Planned Development (MPD) Provisions

ATTACHMENT A

Draft Title 8 Chapter 6 – Master Planned Development (MPD) Provisions

CHAPTER 6

MASTER PLANNED DEVELOPMENTS (MPD)

Commented [DS1]: This chapter in the existing development code is replaced in its entirety with the following provisions.

- 8-6-010: Purpose**
- 8-6-020: Applicability**
- 8-6-030: Uses**
- 8-6-040: Process**
- 8-6-050: Vesting of MPD Approval**
- 8-6-060: MPD Modifications**
- 8-6-070: MPD Requirements**
- 8-6-080: Required Findings**

8-6-010: PURPOSE

The purpose of the Master Planned Development (MPD) is to provide a comprehensive project design strategy to create projects, including mixed use development, that best address site conditions, the characteristics of the surrounding properties, as well as community and market demands. The master planned development process also creates tools to promote the efficient use of land resources as well as efficient public infrastructure and utility services. The goal of this strategy is to produce superior project design through flexibility and innovation so as to advance the goals of the General Plan and this chapter.

8-6-020: APPLICABILITY

The master planned development process shall be required in all zones for the following applications:

- A. Any application for a rezone.
- B. Any application to subdivide at base density resulting in six (6) or more lots or parcels (Major Subdivision).
- C. Any application which includes the transfer of base density or uses between zones on a single parcel which results in the creation of six (6) or more lots or parcels.
- D. Any application which includes a density bonus within a residential zone.
- E. All applications for commercial uses, retail commercial establishments, offices, institutional uses or industrial uses with more than twenty five thousand (25,000) square feet of floor area.

8-6-030: USES

A master planned development shall become supplementary to the provisions of the zones in which the MPD is located, including rezones.

- A. **Differing Zones:** When the project area includes parcels with differing zones, uses, including accessory uses, may be relocated across zone boundaries so long as the application is for a rezone and the City Council determines that relocation results in a project design that advances the goals set forth in the General Plan.
- B. **Attached Units:** Attached units may be allowed in all residential and commercial zones except the Residential Agricultural (RA) Zone.
- C. **Types of Developments:** Master Planned Developments may include commercial/industrial projects, cluster subdivisions, mixed use planned developments, twin or town homes, condominiums, resort units ~~and mobile and manufactured home parks~~ and subdivisions, combinations of housing types such as single units and multiple units, and zero lot line developments.
- D. **Zone Use Limitations:** Uses permitted in the MPD shall generally be limited to those uses permitted in the Zone District in which the MPD is proposed, with exceptions for support accessory uses in mixed use developments.

8-6-040: PROCESS

The MPD application process has three primary steps:

- A. **Pre-Application Conference:** A required pre-application conference shall be held with staff in order for the applicant to become acquainted with the master planned development procedures and related City requirements and schedules. Staff may give preliminary feedback to the applicant based on information available and may inform the applicant of potential issues or special requirements which may result from the proposal.
- B. **Master Planned Development Application:** A plan for the master planned development shall be submitted with a completed application form supplied by the City. A list of minimum requirements will accompany the application form. The application must include written consent by all owners of the property to be included in the master planned development. Once an application is received, it shall be reviewed for completeness. The applicant will be informed if additional information is necessary to constitute a complete application.
- C. **Planning Commission and City Council Review and Public Hearings:** The City Council is the Land Use Authority for master planned developments. Prior to final action by the County Council, the Planning Commission shall hold a minimum of one (1) public hearing prior to forwarding a recommendation to the City Council. The City Council shall also hold a minimum of one (1) public

Commented [DS2]: The existing MPD application form will need to be updated for consistency with the final adopted amendments.

hearing and take final action on the application. City Council action shall be in the form of written findings and in the case of approval, conditions of approval.

8-6-050: VESTING OF MPD APPROVAL

Construction, including infrastructure such as roads and utilities, within the MPD project area will be required to commence within ~~three (3)~~ five (5) years of the date of the City Council approval. After construction commences, the MPD shall remain valid as long as it is consistent with the approved ~~specific~~ project-phasing plan as set forth in the MPD approval and associated documents. It is anticipated that the specific project-phasing plan may require periodic review and re-evaluation of the project ~~at specified points~~ during the the development of the project.

- A. **Final Subdivision Plat:** The initial final subdivision plat associated with a Master Planned Development ~~associated with a final subdivision plat~~ must be recorded within three (3) years of the date of the City Council MPD approval. In the event that the required final subdivision plat recordation and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the final subdivision plat shall be void.
- B. **Final Site Plan:** The initial final site plan associated with a Master Planned Developments ~~associated with a final site plan~~ must be approved ~~will be required to commence~~ within three (3) years of the date of the City Council MPD approval. In the event that required final site plan approval and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the final site plan shall be void.
- C. **Rezone:** Master Planned Developments associated with a rezone will be required to commence construction within ~~three (3)~~ five (5) years of the date of the City Council MPD approval. In the event that the required construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the zone(s) shall revert to the previous zone designation(s).
- D. **Phasing and Density Bonus:** For phased developments, it shall be necessary to record the Phase 1 Final Subdivision Plat within the prescribed three (3) year timeframe to vest the entire master planned development and density bonus. Thereafter, subdivision plats associated with subsequent phases of the master planned development shall be recorded in accordance with the overall phasing plan for the development.

8-6-060: MPD MODIFICATIONS

Modifications to an MPD shall be processed as a minor or major amendment as follows:

- A. **Minor Amendment:** A minor amendment is defined as an amendment that does not increase square footage, density, or intensity (traffic or parking demand,

service demand, etc.) of the previously approved master planned development. A minor amendment shall be processed as a minor permit.

- B. **Major Amendment:** A major amendment is defined as an amendment that increases square footage, density, or intensity of the previously approved master planned development. A major amendment shall be processed as a master planned development.

8-6-060: MPD REQUIREMENTS

All applications for a master planned development shall meet the following minimum requirements. Additional project information necessary for the project analysis may be required at the discretion of the Community Development Director, Planning Commission, or City Council.

- A. **Density:** The maximum density permitted on the project site will be determined as a result of a site analysis. The maximum density shall not exceed that set forth in the proposed or existing zone, except as otherwise provided in this section. In cases where a project site contains more than one (1) zone, the City Council may permit the clustering of density irrespective of zone boundaries so long as the relocation results in the project advancing the goals set forth in the General Plan.
- B. **Density Bonus:** A density bonus may be permitted in accordance with the following:
1. Deed Restricted Open Land. Deed restricted open land consists of land in a subdivision or MPD that is left undeveloped and is deed restricted for public or private agricultural, scenic, or recreational purposes. Deed restricted open land does not include open areas in private individual residential lots, public roads, private roads, parking spaces and drive aisles in parking lots, land covered by structures not designated for active civic recreational use, and outdoor storage areas.
 - a. Ten percent (10%) deed restricted open space is required in all master planned developments.
 - ~~a. Deed restricted open land is not a requirement for the development of base density, except in those instances where due to the number of lots an MPD is required.~~
 - b. Deed restricted open land, in addition to the ten percent (10%) base requirement of an MPD, is a requirement for the development of bonus density.
 2. Bonus Density Calculation. If the proposed number of lots in an MPD is greater than the base density, the applicant shall be entitled to the increased number of lots in excess of base density at a one-to-one

percentage ratio of the amount of deed restricted open land being set-aside.

- a. The amount of bonus density is calculated by multiplying the base density by the percentage of deed restricted open land being set-aside in addition to the ten percent (10%) base requirement of the MPD.
- b. The amount of the density bonus cannot exceed more than fifty percent (50%) of base density. The base density in each zone for Master Planned Developments shall be as follows:

Agriculture Zone (AG)	1 Dwelling Per Twenty Acres
Residential Agriculture Zone (RA)	1 Dwelling Per Five Acres
Low Density Residential (R-1)	1 Dwelling Per Acre
Medium Density Residential (R-2)	2 Dwellings Per Acre
High Density Residential (R-4)	4 Dwellings Per Acre
Very High Density Residential (R-8)	8 Dwellings Per Acre

- c. No more than twenty-five percent (25%) density bonus of the deed restricted open land can consist of undevelopable lands (steep slopes, wetlands, etc.)

Example for a ten (10) acre parcel in the R-1 Zone:

R-1 Zone base density (1U/AC) = 10 lots

10% + 30% (3 acres) deed restricted open land being set-aside = 3 bonus density lots

- C. **Setbacks:** The minimum setback around the exterior boundary of an MPD shall match the setbacks of the more restrictive/larger abutting zone setback. In some cases, that setback may be increased to create an adequate buffer to adjacent uses. The City Council may reduce or increase setbacks as determined by the overall density configuration, clustering, open land, and proposed product types within the project development from those otherwise required provided the project meets minimum Building Code and Fire Code requirements.
- D. **Building Height:** The maximum building height for all structures within a master planned development shall not exceed the zone standard. The City Council may grant additional building height beyond the maximum zone standard up to forty five feet (45') based on demonstrated good cause, related but not limited to, structured parking, affordable housing, deed restricted open land, community outdoor common area improvements, superior architectural design or provision of community support services.
- E. **Reduction of Minimum Lot Size Requirements:** The City Council may reduce the minimum lot size specified in a zone (minimum 0.10 acre) if it finds the

proposed decrease in minimum lot size improves the site design, clustering of buildings, and/or preservation of open land and natural resources. The City Council shall consider the proposed development clustering, provision of open land, efficiency of infrastructure and unique product type development in determining minimum lot sizes.

- F. **Open Land:** Master planned developments shall provide for open land of at least ten percent (10%) of the site area.
- G. **Off-Street Parking:** Master planned developments shall meet the following off-street parking standards:

a. Residential uses:	
(1) Single family dwelling unit	Minimum 2 spaces/unit
(2) Duplex dwelling unit	Minimum 2 spaces/unit (total of 4/building)
(3) Accessory dwelling unit	Minimum 1 space/unit
(4) Guest house	Minimum 1 space/unit
(5) Multi-unit (3 or more units)	Minimum 1 space/unit
b. Non-residential uses:	
(1) Commercial/retail	3 spaces/1,000 sq. ft. of net leasable floor area
(2) Commercial/restaurant-cafe	3 spaces/1,000 sq. ft. of net leasable floor area
(3) Hotel/lodging	1 space/guest room or suite; 2 spaces/1,000 sq. ft. <u>of net support commercial floor area</u>
(4) Offices	2.5 spaces/1,000 sq. ft. net leasable area

The off-street parking requirements for any other uses not listed above shall be determined by the City Council based on a project-specific parking study provided by the developer and prepared by a qualified traffic engineer.

The City Council may reduce or increase the overall parking requirement for a master planned development based upon the applicant demonstrating reasonable justifications for the increase/decrease in parking spaces.

The City Council may grant additional exterior/surface parking provided such parking is designed to include permeable surfaces, additional landscaping and buffering.

- H. **Designing With The Topography:** Master planned developments shall be designed to fit into the topography of the site. The City Council may consider flexibility in the siting of development so as to best fit into the natural terrain, minimize excessive site grading and mitigate impacts on the natural environment and resources of the surrounding area. The project design shall demonstrate the preservation of watercourses, drainage areas, wooded areas, rough terrain and similar natural features and areas.
- I. **Designing With Adjacent Uses:** The master planned development shall take adjacent land uses into consideration. Development along the project perimeter shall adequately mitigate any potentially adverse effects, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances.
- J. **Access:** All master planned developments shall have vehicular access from a public road. All projects shall have a secondary point of access to the satisfaction of the City Engineer and/or Fire Marshal. All roads/streets shall follow the natural contours of the site wherever possible to minimize the amount of grading.
- K. **Utilities:** Existing or proposed utilities, including private and public services for master planned developments will be adequate to support the proposed project at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources. Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite infrastructure standards found in Chapter 4 of this title.
- L. **Building Locations:** All buildings shall be located to avoid, to the extent practicable, wetlands, riparian areas, steep slopes and ridgelines. Building locations and associated lot configurations should be oriented to encourage active and passive solar design principles wherever practicable.
- M. **Connectivity:** Internal and external vehicular/pedestrian/bicycle circulation should be demonstrated at the time of application as deemed necessary by the City Council. Pedestrian/equestrian/bicycle circulation should be separated from vehicular circulation wherever reasonable.
- N. **Snow Storage:** Master planned developments shall include adequate areas for snow removal and snow storage. An appropriate form of landscaping plan shall

allow for snow storage areas. Structures shall be set back from any hard surfaces so as to provide adequate areas to remove and store snow. The assumption is that snow should be able to be stored on site or hauled to a location within the MPD and not removed to an off-site location.

- O. **Outdoor Lighting:** All outdoor lighting shall be down directed and fully shielded. All outdoor lighting shall be designed and installed to prevent light trespass on adjacent properties. Lighting of the United States flag is exempt from this provision.
- P. **Compliance With Development Evaluation Standards:** Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite development evaluation standards found in this title.
- Q. **Site Design Narrative:** An application for a master planned development shall include a written explanation of how the project plan addresses the following design questions:
1. Community Connectivity: How does the proposed development interconnect and the surrounding properties, neighborhood, and area? Including but not limited to:
 - a. Where will vehicles enter and exit the site?
 - b. Where will new streets be developed?
 - c. Is there a need for pedestrian and bicycle routes (including trails and sidewalks) through the project area? If so, how are such needs addressed?
 - d. Availability of Neighborhood Facilities and Services: Is the location of the proposed development within reasonable proximity (including walking and biking) to community facilities such as schools, retail centers, parks, etc.?
 - e. ~~Meeting~~ Housing Needs: How does the proposed development advance the community need for a mix of housing types and affordability, as prescribed in the General Plan?
 - f. Character: What are the architectural design character objectives of the proposed development? How do these design objectives address the local context, climate, and/or community needs?
 - g. Site Design: How is the proposed development designed to ~~take advantage of~~ intergrate with the existing topography, landscape

features, riparian areas, trees/vegetation, wildlife corridors, existing structures, minimize site grading, etc.?

- h. Complete Street Design: How is the proposed development street/circulation system designed to accommodate a variety of transportation modes (where appropriate), easy route finding, and safe speeds?
- i. Parking Areas: How does the proposed development balance the need for parking with the need to design parking areas in a manner that minimize visibility, site grading, and exterior lighting?
- ~~j.~~ Public And Private Outdoor Spaces: What are the proposed development's need(s) for outdoor space, open space, habitat/wildlife areas, parks, or outdoor amenity areas? How does the proposed development address these needs?

~~k.~~

~~How does the proposed development address these needs?~~

- ~~h.~~ External Storage: How does the proposed project address needs for garbage collection, equipment storage, etc.?

~~m.~~ ~~k.~~ How does the project preserve and protect critical wildlife habitat, riparian areas, water recharge zones and other natural resources?

8-6-080: REQUIRED FINDINGS

The City Council must find sufficient evidence that supports the following conclusions to approve a master planned development. In most cases, conditions of approval will be attached to the final action to ensure compliance.

- A. The master planned development is designed to fit well into the natural terrain, minimize excessive site grading and protect and preserve the surrounding area.
- B. The master planned development makes suitable provisions for the protection, preservation, and enhancement of wildlife habitat, watercourses, riparian areas, drainage areas, wooded areas, rough terrain and similar natural features.
- C. The master planned development takes adjacent land uses into consideration and mitigates potential impacts, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances, through careful planning. Integration of connectivity with adjacent properties, as applicable, has also been considered and provided.

DRAFT

06/17/2019

- D. The master planned development has direct vehicular access from a public road or suitable private road or driveway access meeting all requirements of the City Engineer and Fire Marshal.
- E. The master planned development has a secondary point of access/emergency access or other mitigation satisfactory to the City Engineer and Fire Marshal.
- F. All roads/streets within master planned development follow the natural contours of the site wherever possible to minimize the amount of grading.
- G. Existing or proposed utility and public services are adequate to support the proposed master planned development at normal service levels and are designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources.
- H. The proposed structures within the master planned development are located on reasonably developable portions of the site as determined by the site analysis and sensitive lands determinations. The open areas within the master planned development are designed so that existing significant vegetation can be maintained to the greatest degree possible.
- I. The master planned development includes adequate internal vehicular and, where deemed necessary, pedestrian/equestrian/bicycle circulation, as prescribed in the General Plan.
- J. The master planned development includes adequate areas for snow removal and snow storage.
- K. All exterior lighting within the master planned development is down directed and fully shielded.
- L. The master planned development, as conditioned, complies with all the requirements of this chapter.
- M. The master planned development, as conditioned, is consistent with the General Plan.
- N. The master planned development has been noticed and a public hearing held in accordance with this chapter.

"Exhibit B"
Planning 6/17/19
Notes from Linda Vernon -
6/17/19

DRAFT
06/17/2019

CHAPTER 6

MASTER PLANNED DEVELOPMENTS (MPD)

Commented [DS1]: This chapter in the existing development code is replaced in its entirety with the following provisions.

- 8-6-010: Purpose
- 8-6-020: Applicability
- 8-6-030: Uses
- 8-6-040: Process
- 8-6-050: Vesting of MPD Approval
- 8-6-060: MPD Modifications
- 8-6-070: MPD Requirements
- 8-6-080: Required Findings

8-6-010: PURPOSE

The purpose of the Master Planned Development (MPD) is to provide a comprehensive project design strategy to create projects, including mixed use development, that best address site conditions, the characteristics of the surrounding properties, as well as community and market demands. The master planned development process also creates tools to promote the efficient use of land resources as well as efficient public infrastructure and utility services. The goal of this strategy is to produce superior project design through flexibility and innovation so as to advance the goals of the General Plan and this chapter.

8-6-020: APPLICABILITY

The master planned development process shall be required in all zones for the following applications:

- A. Any application for a rezone.
- B. Any application to subdivide at base density resulting in six (6) or more lots or parcels (Major Subdivision).
- C. Any application which includes the transfer of base density or uses between zones on a single parcel which results in the creation of six (6) or more lots or parcels.
- D. Any application which includes a density bonus within a residential zone.
- E. All applications for commercial uses, retail commercial establishments, offices, institutional uses or industrial uses with more than twenty five thousand (25,000) square feet of floor area.

X 20,000? what was discussed

8-6-030: USES

A master planned development shall become supplementary to the provisions of the zones in which the MPD is located, including rezones.

- A. **Differing Zones:** When the project area includes parcels with differing zones, uses, including accessory uses, may be relocated across zone boundaries so long as the application is for a rezone and the City Council determines that relocation results in a project design that advances the goals set forth in the General Plan.
- B. **Attached Units:** Attached units may be allowed in all residential and commercial zones except the Residential Agricultural (RA) Zone.
- C. **Types of Developments:** Master Planned Developments may include commercial/industrial projects, cluster subdivisions, mixed use planned developments, twin or town homes, condominiums, resort units ~~and mobile and manufactured home parks~~ and subdivisions, combinations of housing types such as single units and multiple units, and zero lot line developments.
- D. **Zone Use Limitations:** Uses permitted in the MPD shall generally be limited to those uses permitted in the Zone District in which the MPD is proposed, with exceptions for support accessory uses in mixed use developments.

x generally or limited to?

8-6-040: PROCESS

The MPD application process has three primary steps:

- A. **Pre-Application Conference:** A required pre-application conference shall be held with staff in order for the applicant to become acquainted with the master planned development procedures and related City requirements and schedules. Staff may give preliminary feedback to the applicant based on information available and may inform the applicant of potential issues or special requirements which may result from the proposal.
- B. **Master Planned Development Application:** A plan for the master planned development shall be submitted with a completed application form supplied by the City. A list of minimum requirements will accompany the application form. The application must include written consent by all owners of the property to be included in the master planned development. Once an application is received, it shall be reviewed for completeness. The applicant will be informed if additional information is necessary to constitute a complete application.
- C. **Planning Commission and City Council Review and Public Hearings:** The City Council is the Land Use Authority for master planned developments. Prior to final action by the County Council, the Planning Commission shall hold a minimum of one (1) public hearing prior to forwarding a recommendation to the City Council. The City Council shall also hold a minimum of one (1) public

Commented [D52]: The existing MPD application form will need to be updated for consistency with the final adopted amendments.

hearing and take final action on the application. City Council action shall be in the form of written findings and in the case of approval, conditions of approval.

8-6-050: VESTING OF MPD APPROVAL

Construction, including infrastructure such as roads and utilities, within the MPD project area will be required to commence within ~~three (3)~~ five (5) years of the date of the City Council approval. After construction commences, the MPD shall remain valid as long as it is consistent with the approved ~~specific~~ project-phasing plan as set forth in the MPD approval and associated documents. It is anticipated that the specific project-phasing plan may require periodic review and re-evaluation of the project at specified points ~~during the~~ the development of the project.

X 5 or 3 ?
What was discussed?

- A. **Final Subdivision Plat:** The initial final subdivision plat associated with a Master Planned Development associated with a final subdivision plat must be recorded within three (3) years of the date of the City Council MPD approval. In the event that the required final subdivision plat recordation and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the final subdivision plat shall be void.
- B. **Final Site Plan:** The initial final site plan associated with a Master Planned Development associated with a final site plan must be approved. will be required to commence within three (3) years of the date of the City Council MPD approval. In the event that required final site plan approval and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the final site plan shall be void.
- C. **Rezone:** Master Planned Developments associated with a rezone will be required to commence construction within ~~three (3)~~ five (5) years of the date of the City Council MPD approval. In the event that the required construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the zone(s) shall revert to the previous zone designation(s).
- D. **Phasing and Density Bonus:** For phased developments, it shall be necessary to record the Phase 1 Final Subdivision Plat within the prescribed three (3) year timeframe to vest the entire master planned development and density bonus. Thereafter, subdivision plats associated with subsequent phases of the master planned development shall be recorded in accordance with the overall phasing plan for the development.

8-6-060: MPD MODIFICATIONS

Modifications to an MPD shall be processed as a minor or major amendment as follows:

- A. **Minor Amendment:** A minor amendment is defined as an amendment that does not increase square footage, density, or intensity (traffic or parking demand,

service demand, etc.) of the previously approved master planned development. A minor amendment shall be processed as a minor permit.

- B. **Major Amendment:** A major amendment is defined as an amendment that increases square footage, density, or intensity of the previously approved master planned development. A major amendment shall be processed as a master planned development.

X B- include the same revisions as above, traffic & parking demand & service demand

8-6-060: MPD REQUIREMENTS

All applications for a master planned development shall meet the following minimum requirements. Additional project information necessary for the project analysis may be required at the discretion of the Community Development Director, Planning Commission, or City Council.

- A. **Density:** The maximum density permitted on the project site will be determined as a result of a site analysis. The maximum density shall not exceed that set forth in the proposed or existing zone, except as otherwise provided in this section. In cases where a project site contains more than one (1) zone, the City Council may permit the clustering of density irrespective of zone boundaries so long as the relocation results in the project advancing the goals set forth in the General Plan.

- B. **Density Bonus:** A density bonus may be permitted in accordance with the following:

1. Deed Restricted Open Land. Deed restricted open land consists of land in a subdivision or MPD that is left undeveloped and is deed restricted for public or private agricultural, scenic, or recreational purposes. Deed restricted open land does not include open areas in private individual residential lots, public roads, private roads, parking spaces and drive aisles in parking lots, land covered by structures not designated for active civic recreational use, and outdoor storage areas.

a. Ten percent (10%) deed restricted open space is required in all master planned developments.

a. ~~Deed restricted open land is not a requirement for the development of base density, except in those instances where due to the number of lots an MPD is required.~~

b. Deed restricted open land, in addition to the ten percent (10%) base requirement of an MPD, is a requirement for the development of bonus density.

2. Bonus Density Calculation. If the proposed number of lots in an MPD is greater than the base density, the applicant shall be entitled to the increased number of lots in excess of base density at a one-to-one

percentage ratio of the amount of deed restricted open land being set-aside.

- a. The amount of bonus density is calculated by multiplying the base density by the percentage of deed restricted open land being set-aside in addition to the ten percent (10%) base requirement of the MPD.
- b. The amount of the density bonus cannot exceed more than fifty percent (50%) of base density. The base density in each zone for Master Planned Developments shall be as follows:

Agriculture Zone (AG)	1 Dwelling Per Twenty Acres
Residential Agriculture Zone (RA)	1 Dwelling Per Five Acres
Low Density Residential (R-1)	1 Dwelling Per Acre
Medium Density Residential (R-2)	2 Dwellings Per Acre
High Density Residential (R-4)	4 Dwellings Per Acre
Very High Density Residential (R-8)	8 Dwellings Per Acre

- c. No more than twenty-five percent (25%) density bonus of the deed restricted open land can consist of undevelopable lands (steep slopes, wetlands, etc.)

Example for a ten (10) acre parcel in the R-1 Zone:

R-1 Zone base density (1U/AC) = 10 lots

10% + 30% (3 acres) deed restricted open land being set-aside = 3 bonus density lots

- C. **Setbacks:** The minimum setback around the exterior boundary of an MPD shall match the setbacks of the more restrictive/larger abutting zone setback. In some cases, that setback may be increased to create an adequate buffer to adjacent uses. The City Council may reduce or increase setbacks as determined by the overall density configuration, clustering, open land, and proposed product types within the project development from those otherwise required provided the project meets minimum Building Code and Fire Code requirements.
- D. **Building Height:** The maximum building height for all structures within a master planned development shall not exceed the zone standard. The City Council may grant additional building height beyond the maximum zone standard up to forty five feet (45') based on demonstrated good cause, related but not limited to, structured parking, affordable housing, deed restricted open land, community outdoor common area improvements, superior architectural design or provision of community support services.
- E. **Reduction of Minimum Lot Size Requirements:** The City Council may reduce the minimum lot size specified in a zone (minimum 0.10 acre) if it finds the

proposed decrease in minimum lot size improves the site design, clustering of buildings, and/or preservation of open land and natural resources. The City Council shall consider the proposed development clustering, provision of open land, efficiency of infrastructure and unique product type development in determining minimum lot sizes.

- F. **Open Land:** Master planned developments shall provide for open land of at least ten percent (10%) of the site area.
- G. **Off-Street Parking:** Master planned developments shall meet the following off-street parking standards:

a. Residential uses:	
(1) Single family dwelling unit	Minimum 2 spaces/unit
(2) Duplex dwelling unit	Minimum 2 spaces/unit (total of 4/building)
(3) Accessory dwelling unit	Minimum 1 space/unit
(4) Guest house	Minimum 1 space/unit
(5) Multi-unit (3 or more units)	Minimum 1 space/unit
b. Non-residential uses:	
(1) Commercial/retail	3 spaces/1,000 sq. ft. of net leasable floor area
(2) Commercial/restaurant-cafe	3 spaces/1,000 sq. ft. of net leasable floor area
(3) Hotel/lodging	1 space/guest room or suite; 2 spaces/1,000 sq. ft. <u>of net support commercial floor area</u>
(4) Offices	2.5 spaces/1,000 sq. ft. net leasable area

The off-street parking requirements for any other uses not listed above shall be determined by the City Council based on a project-specific parking study provided by the developer and prepared by a qualified traffic engineer.

The City Council may reduce or increase the overall parking requirement for a master planned development based upon the applicant demonstrating reasonable justifications for the increase/decrease in parking spaces.

The City Council may grant additional exterior/surface parking provided such parking is designed to include permeable surfaces, additional landscaping and buffering.

- H. **Designing With The Topography:** Master planned developments shall be designed to fit into the topography of the site. The City Council may consider flexibility in the siting of development so as to best fit into the natural terrain, minimize excessive site grading and mitigate impacts on the natural environment and resources of the surrounding area. The project design shall demonstrate the preservation of watercourses, drainage areas, wooded areas, rough terrain and similar natural features and areas.
- I. **Designing With Adjacent Uses:** The master planned development shall take adjacent land uses into consideration. Development along the project perimeter shall adequately mitigate any potentially adverse effects, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances.
- J. **Access:** All master planned developments shall have vehicular access from a public road. All projects shall have a secondary point of access to the satisfaction of the City Engineer and/or Fire Marshal. All roads/streets shall follow the natural contours of the site wherever possible to minimize the amount of grading.
- K. **Utilities:** Existing or proposed utilities, including private and public services for master planned developments will be adequate to support the proposed project at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources. Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite infrastructure standards found in Chapter 4 of this title.
- L. **Building Locations:** All buildings shall be located to avoid, to the extent practicable, wetlands, riparian areas, steep slopes and ridgelines. Building locations and associated lot configurations should be oriented to encourage active and passive solar design principles wherever practicable.
- M. **Connectivity:** Internal and external vehicular/pedestrian/bicycle circulation should be demonstrated at the time of application as deemed necessary by the City Council. Pedestrian/equestrian/bicycle circulation should be separated from vehicular circulation wherever reasonable.
- N. **Snow Storage:** Master planned developments shall include adequate areas for snow removal and snow storage. An appropriate form of landscaping plan shall

X Connectivity - needs a provision to provide trails and/or access to trails from the MPD in accordance with the Trail System Plan

allow for snow storage areas. Structures shall be set back from any hard surfaces so as to provide adequate areas to remove and store snow. The assumption is that snow should be able to be stored on site or hauled to a location within the MPD and not removed to an off-site location.

- O. **Outdoor Lighting:** All outdoor lighting shall be down directed and fully shielded. All outdoor lighting shall be designed and installed to prevent light trespass on adjacent properties. Lighting of the United States flag is exempt from this provision.
- P. **Compliance With Development Evaluation Standards:** Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite development evaluation standards found in this title.
- Q. **Site Design Narrative:** An application for a master planned development shall include a written explanation of how the project plan addresses the following design questions:
 - 1. Community Connectivity: How does the proposed development interconnect and the surrounding properties, neighborhood, and area? Including but not limited to:
 - a. Where will vehicles enter and exit the site?
 - b. Where will new streets be developed?
 - c. Is there a need for pedestrian and bicycle routes (including trails and sidewalks) through the project area? If so, how are such needs addressed?
 - d. Availability of Neighborhood Facilities and Services: Is the location of the proposed development within reasonable proximity (including walking and biking) to community facilities such as schools, retail centers, parks, etc.?
 - e. Meeting Housing Needs: How does the proposed development advance the community need for a mix of housing types and affordability, as prescribed in the General Plan?
 - f. Character: What are the architectural design character objectives of the proposed development? How do these design objectives address the local context, climate, and/or community needs?
 - g. Site Design: How is the proposed development designed to take advantage of intergrate with the existing topography, landscape

-X Or if the proposed project falls within the outlined Trails Master Plan, are there provisions included in the project for appropriate easements & completion of trails

features, riparian areas, trees/vegetation, wildlife corridors, existing structures, minimize site grading, etc.?

- h. Complete Street Design: How is the proposed development street/circulation system designed to accommodate a variety of transportation modes (where appropriate), easy route finding, and safe speeds?
- i. Parking Areas: How does the proposed development balance the need for parking with the need to design parking areas in a manner that minimize visibility, site grading, and exterior lighting?

~~j.~~ Public And Private Outdoor Spaces: What are the proposed development's need(s) for outdoor space, open space, habitat/wildlife areas, parks, or outdoor amenity areas? How does the proposed development address these needs?

~~k.~~

~~How does the proposed development address these needs?~~

l. External Storage: How does the proposed project address needs for garbage collection, equipment storage, etc.?

m.k. How does the project preserve and protect critical wildlife habitat, riparian areas, water recharge zones and other natural resources?

8-6-080: REQUIRED FINDINGS

The City Council must find sufficient evidence that supports the following conclusions to approve a master planned development. In most cases, conditions of approval will be attached to the final action to ensure compliance.

- A. The master planned development is designed to fit well into the natural terrain, minimize excessive site grading and protect and preserve the surrounding area.
- B. The master planned development makes suitable provisions for the protection, preservation, and enhancement of wildlife habitat, watercourses, riparian areas, drainage areas, wooded areas, rough terrain and similar natural features.
- C. The master planned development takes adjacent land uses into consideration and mitigates potential impacts, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances, through careful planning. Integration of connectivity with adjacent properties, as applicable, has also been considered and provided.

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- D. The master planned development has direct vehicular access from a public road or suitable private road or driveway access meeting all requirements of the City Engineer and Fire Marshal.
- E. The master planned development has a secondary point of access/emergency access or other mitigation satisfactory to the City Engineer and Fire Marshal.
- F. All roads/streets within master planned development follow the natural contours of the site wherever possible to minimize the amount of grading.
- G. Existing or proposed utility and public services are adequate to support the proposed master planned development at normal service levels and are designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources.
- H. The proposed structures within the master planned development are located on reasonably developable portions of the site as determined by the site analysis and sensitive lands determinations. The open areas within the master planned development are designed so that existing significant vegetation can be maintained to the greatest degree possible.
- I. The master planned development includes adequate internal vehicular and, where deemed necessary, pedestrian/equestrian/bicycle circulation, as prescribed in the General Plan.
- J. The master planned development includes adequate areas for snow removal and snow storage.
- K. All exterior lighting within the master planned development is down directed and fully shielded.
- L. The master planned development, as conditioned, complies with all the requirements of this chapter.
- M. The master planned development, as conditioned, is consistent with the General Plan.
- N. The master planned development has been noticed and a public hearing held in accordance with this chapter.

X With consideration for trails in accordance with the trail system plan, or addition of new trails, not addressed by the trail system master plan -

