

AGENDA ITEM # 5

PLANNING COMMISSION COMMUNICATION FORM

FROM: Seth Lorson, City Planner (Ext. 280)

THROUGH: John Eastman AICP, Planning Services Manager (Ext. 275)

DATE: May 28, 2009

ITEM: Community Plan Future Land Use Map Amendment
#CP-09-01

NEXT STEP: If recommended for approval, the first reading of the resolution will be heard by City Council on June 16, 2009.

ORDINANCE
 RESOLUTION
 MOTION
 DIRECTION
 INFORMATION

PROJECT NAME: Community Plan Future Land Use Map Amendment #CP-09-01

PETITION: Community Plan Future Land Use Map (FLUM) Amendment to change the parcel of land known as Ptarmigan Inn Condos from Resort Residential to Resort Commercial through the attached resolution. (See Attachment 1)

APPLICANT: City of Steamboat Springs, Department of Planning Services, c/o City Planner, Seth Lorson, Centennial Hall, 124 10th Street, PO Box 775088, Steamboat Springs, CO 80477 970-879-2060

I. RECOMMENDED MOTION

Staff recommends the Planning Commission **approve** the attached draft resolution that amends the Community Plan Future Land Use Map to change the parcel known as Ptarmigan Inn Condos from Resort Residential to Resort Commercial.

II. BACKGROUND INFORMATION

Proposed concurrent with this Community Plan Future Land Use Map Amendment is a Zoning Map Amendment that rezones the parcel known as Ptarmigan Inn Condos from G-1 to G-2. This is being proposed because the Ptarmigan parcel is at the end of the proposed promenade and hence a recognized pedestrian area. G-2 will allow medium commercial land use by right. To allow this change in zoning, an amendment to the Community Plan Future Land Use Map is required.

III. CODE ANALYSIS:

CDC Sec. 26-32. Community plan future land use map amendments.

(a) *Purpose.* The purpose of this section is to set forth the requirements and procedures for amending the community plan future land use map, which is an element of the Steamboat Springs Area Community Plan.

(b) *Applicability.* It shall be the policy of the city to amend the community plan and any element, map or plan contained within, upon determination that an amendment is necessary to reflect the changing desires of the community with regard to its community plan, or when an error has been found. An amendment to the community plan future land use map (future land use map) is required for any petition to zone or rezone property located within the city where the proposed action is inconsistent with the land use designation on the future land use map. An amendment to the future land use map may be submitted and reviewed concurrently with a petition for annexation into the city and/or an application for rezoning of the property.

(c) *Community plan future land use map adoption.* The official future land use map and subsequent amendments shall be adopted by resolution of the city council after recommendation from the planning commission. The future land use map shall be filed in the office of the department of planning services.

(e) *Future land use map amendments.* No amendment shall be made in the future land use map except by resolution of the city council adopted in accordance with the application requirements set forth in this section.

- (1) ***City council initiated amendments.*** The city council, may on its own motion, or petition of any person in interest, or on initial recommendation of the planning commission amend, supplement, modify, or repair the community plan future land use map.

- (i) *Criteria for review and approval.* The council may approve an amendment to the future land use map if it is determined that one of the following applies:
 - (1) The current future land use map does not provide sufficient land with the requested designation and the location requested is the best site to provide such designation; or

Staff Finding:

N/A

- (2) The change in land use designation is not in conflict with the goals and policies of the community plan.

Staff Finding:

Consistent. The Future Land Use Map amendment does not conflict but compliments the following goals and policies of the Community Plan:

Goal SPA-2: Our community will continue to promote the Mountain Area as the focal point for tourism activity.

Policy SPA-2.1: Promote redevelopment of the Mt. Werner base area.

Policy SPA-2.2: Create a lively, year-round mixed-use commercial core for the Mountain area.

IV. STEAMBOAT SPRINGS AREA COMMUNITY PLAN MINOR AMENDMENT PROCESS ANALYSIS

PLAN MINOR AMENDMENT PROCESS AND PROCEDURES

A minor plan amendment shall be approved if the City Council makes specific findings that:

- 1. The existing Community Area Plan and/or any related element thereof is in need of the proposed amendment;

Staff finding. *Consistent.* The Mountain Town Sub-Area Plan cites as an objective:

B. Goals And Objectives of the Base Area Reinvestment Plan

- 5. Eliminate impediments to the redevelopment of key facilities within the Plan area.
- 2. The proposed amendment is compatible with the surrounding area, and the goals and policies of the Plan;

Staff finding. *Consistent. As noted above, Goal SPA-2, Policy SPA-2.1, and Policy SPA 2.2 of the SSACP support the FLUM Amendment. The subject parcel is 'beach front' on the ski slope, at the end of the proposed promenade, and has commercial property adjacent (the side with the promenade).*

3. The proposed amendment will have no major negative impacts on transportation, services, and facilities;

Staff finding. *Consistent. Staff does not foresee any negative impacts on transportation, services, and facilities.*

4. The proposed amendment will have minimal effect on service provision, including adequacy or availability of urban facilities and services, and is compatible with existing and planned service provision;

Staff finding. *Consistent. Adequacy of service is reviewed with applications for development.*

5. The proposed amendment is consistent with the City's ability to annex the property;

Staff finding. *N/A.*

6. The proposed amendment is consistent with the logical expansion of the Growth Management Area boundary;

Staff finding. *N/A.*

7. Strict adherence to the Plan would result in a situation neither intended nor in keeping with other key elements and policies of the Plan;

Staff finding. *Consistent. Strict adherence to the Plan would interfere with URA plans for redevelopment of the base area and the commercial and pedestrian vibrancy around the proposed promenade.*

8. The proposed plan amendment will promote the public welfare and will be consistent with the goals and policies of the Community Area Plan and the elements thereof.

Staff finding. *Consistent. The proposed amendment is part of a greater initiative to improve and encourage base area development. As noted above, the Mountain Town Sub-Area Plan encourages redevelopment in the base area. This amendment will allow for rezoning to commercial land use that will compliment current redevelopment initiatives in the base area such as the proposed promenade.*

V. SUMMARY

PLANNING COMMISSION COMMUNICATION FORM

Text Amendment to the Community Development Code #CP-09-01

May 28, 2009

Staff finds this Community Plan Future Land Use Map Amendment to be in compliance with the Community Development Code criteria for approval and the Steamboat Springs Area Community Plan – Plan Minor Amendment Process and Procedures and recommends **approval**.

VI. LIST OF ATTACHMENTS

Attachment 1 – Draft Resolution

Attachment 2 – Future Land Use Map (existing)

Attachment 3 – Future Land Use Map (proposed)

CITY OF STEAMBOAT SPRINGS, COLORADO

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF STEAMBOAT SPRINGS, COLORADO,
FINDING THE CHANGE OF THE FUTURE LAND USE DESIGNATION OF THE
PARCEL OF LAND KNOWN AS PTARMIGAN INN CONDOS FROM RESORT
RESIDENTIAL TO RESORT COMMERCIAL TO BE IN COMPLIANCE WITH
THE CRITERIA FOR APPROVAL OF A MINOR AMENDMENT TO THE
STEAMBOAT SPRINGS AREA COMMUNITY PLAN**

WHEREAS, the City Council desires to change the Future Land Use designation of the parcel of land known as Ptarmigan Inn Condos from Resort Residential to Resort Commercial to become consistent with current commercial and pedestrian plans for the ski base area; and

WHEREAS, the Steamboat Springs Area Community Plan and the Community Development Code expressly give the City Council the ability to make minor amendments to the Steamboat Springs Area Community Plan; and

WHEREAS, the Steamboat Springs City Council finds that the above mentioned Minor Amendment to the Community Plan meets all of the criteria for approval required of a Minor Amendment to the Community Plan;

NOW, THEREFORE, the CITY COUNCIL of the City of Steamboat Springs does hereby resolve as follows:

Section 1. Finding. The future land use designation of the parcel of land known as the Ptarmigan Condominium Inn is hereby changed from Resort Residential to Resort Commercial.

Section 2. Effective Date. This resolution shall be effective immediately upon passage by the City of Steamboat Springs City Council.

DULY AND REGULARLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO, THIS 16TH DAY OF JUNE, 2009, BY A VOTE OF:

AYES: _____ NAYES: _____ ABSENT: _____ ABSTAIN: _____.

CITY OF STEAMBOAT SPRINGS
CITY COUNCIL

PAUL ANTONUCCI, PRESIDENT

ATTEST:

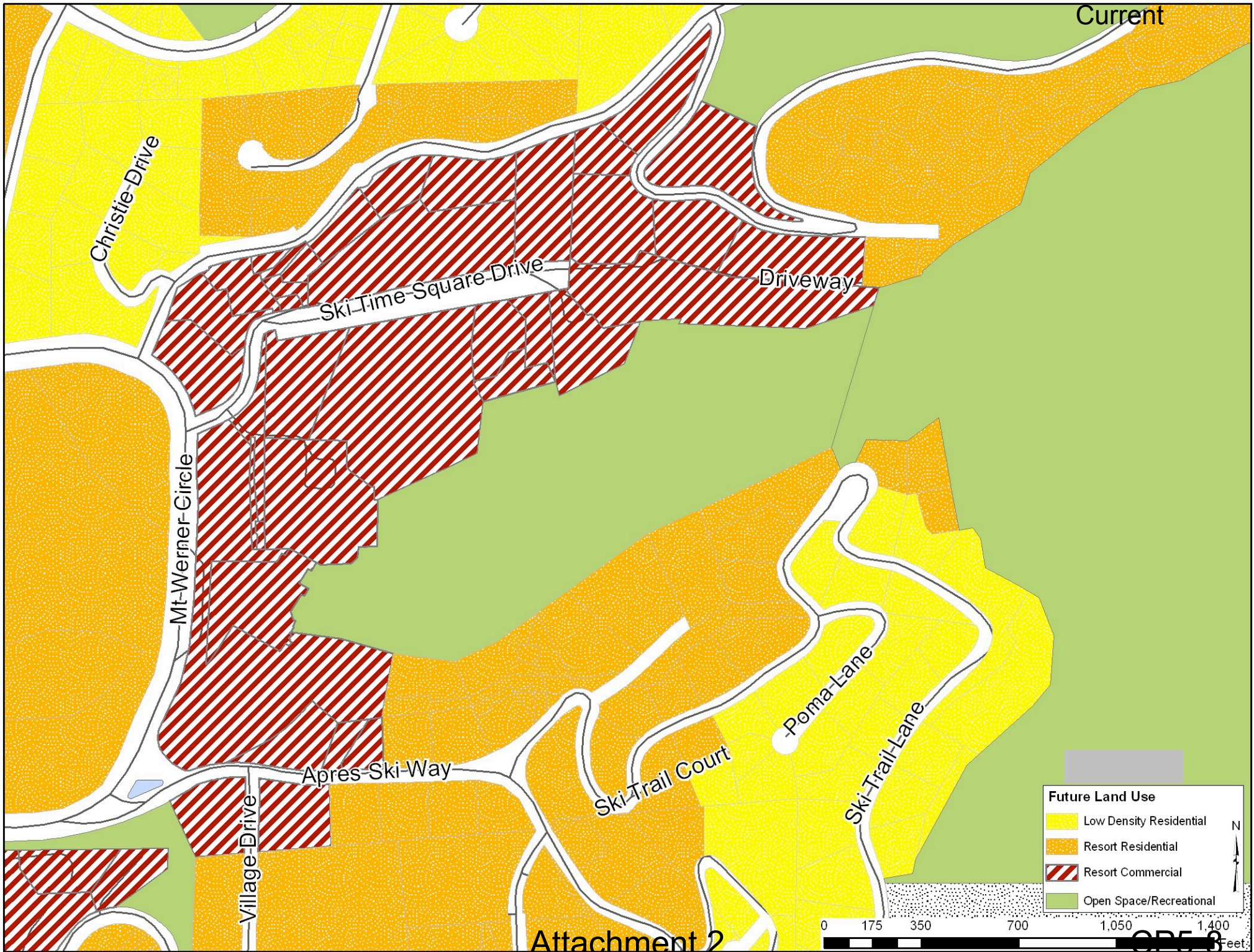
JULIE FRANKLIN, CITY CLERK

APPROVED AS TO FORM:

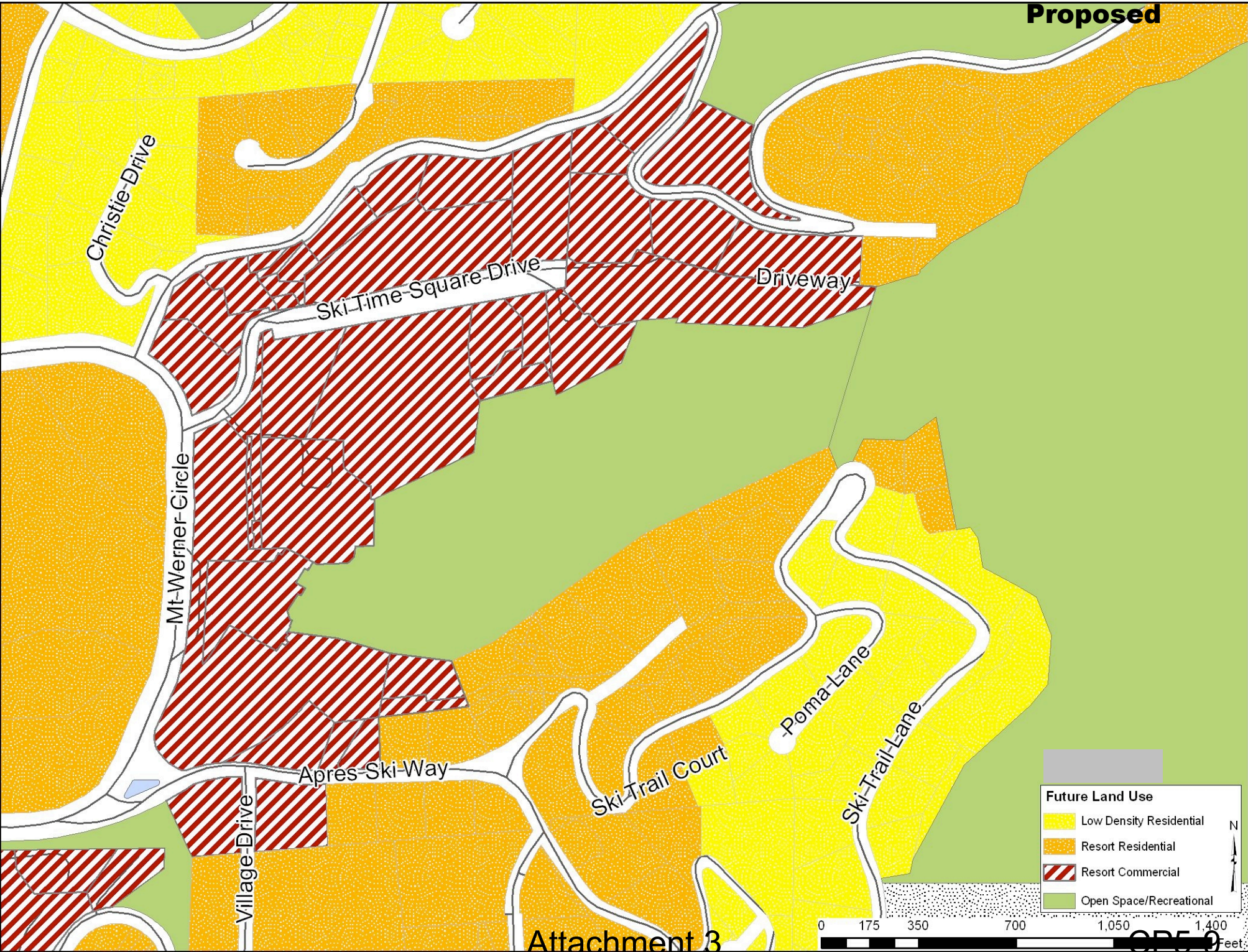
CITY ATTORNEY, ANTHONY B. LETTUNICH

FILED WITH THE CITY CLERK:

RESOLUTION NO. _____



Proposed



Attachment 3

OP5 9

AGENDA ITEM # 5

PLANNING COMMISSION COMMUNICATION FORM

FROM: Seth Lorson, City Planner (Ext. 280)

THROUGH: John Eastman AICP, Planning Services Manager (Ext. 275)

DATE: May 28, 2009

ITEM: Zoning Map Amendment to the Community Development Code
#ZMA-09-02

NEXT STEP: If recommended for approval, the first reading of the ordinance will be heard by City Council on June 16, 2009.

<input checked="" type="checkbox"/>	ORDINANCE
<input type="checkbox"/>	RESOLUTION
<input checked="" type="checkbox"/>	MOTION
<input type="checkbox"/>	DIRECTION
<input type="checkbox"/>	INFORMATION

PROJECT NAME: Zoning Map Amendment to the Community Development Code #ZMA-09-02

PETITION: Zoning Map Amendments to the Community Development Code to amend the zoning map in the base area to reflect the Future Land Use Map (FLUM) in the Steamboat Springs Area Community Plan (SSACP) by rezoning 10 parcels in the Gondola One (G-1) zone district and one parcel in the Resort Residential One (RR-1) zone district to Gondola Two (G-2) zone district, and one parcel in the RR-1 zone district to G-1 as outlined in the attached ordinance. (See Attachment 1).

APPLICANT: City of Steamboat Springs, Department of Planning Services, c/o City Planner, Seth Lorson, Centennial Hall, 124 10th Street, PO Box 775088, Steamboat Springs, CO 80477, 970-879-8280.

I. RECOMMENDED MOTION

Staff recommends the Planning Commission **approve** the attached draft ordinance to amend 12 parcels in the base area zoning map to reflect the Future Land Use Map (FLUM) in the Steamboat Springs Area Community Plan (SSACP) as outlined in the attached ordinance.

II. BACKGROUND INFORMATION

The Department of Planning and Community Development has recognized frustration with the current Base Area PUD process due to its negotiation between variances and public benefit. The general consensus between Planning staff and the development community is that a more predictable process is desired.

Planning staff has worked with the development community over the past few months through multiple meetings exploring a number of different options to provide a reasonable and predictable height for the base area and the associated public benefit. This conversation included the upzone of parcels in the base area zone districts as proposed, specifically around Ski Time Square and a couple parcels along the proposed Promenade.

The conclusion of the meetings found a consensus that the Steamboat Springs ski base area is a desirable place for redevelopment with greater density and intensity and hence the requisite zoning changes to accommodate. The City of Steamboat Springs and the Urban Renewal Authority (URA) have recognized two primary points of redevelopment focus: Ski Time Square and the parcels adjacent to the proposed Promenade. The proposed zone changes are specifically to accommodate this growth.

III. PRINCIPAL DISCUSSION ITEMS:

- Advantages vs. disadvantages

Staff finds the advantages of rezoning these properties significantly furthers the SSACP, the Mountain Town Sub-Area Plan, and the preferred direction of the URA.

- Compatibility to surrounding development

Staff finds the proposed zoning changes to be compatible with surrounding development in the spirit of a first class ski base area. Staff has had requests from a few surrounding properties to be rezoned as well. Dulany Condominiums requested a zone change from RR-1 to G-2 but staff found that G-1 would be more appropriate to the surrounding zone districts with “stepping down” zoning in mind (see discussion in the code analysis of ‘compatibility to surrounding development’). Also, Dulany Condominiums parcel is recognized in the FLUM as Resort Commercial. Bear Claw Condominiums and Ski Trails Condominiums requested a zone change from RR-2 to G-2 for which staff is not supporting. Both of the above mentioned parcels are recognized in the FLUM as Resort Residential and outside the area recognized by the URA and City staff as pedestrian/commercial areas. The Ptarmigan parcel is being rezoned from RR-1 to G-2 due to its proximity to the proposed promenade. It is expected that any parcel being zoned to G-2 will include some pedestrian level commercial

development. Staff received additional public comments from property owners at Ptarmigan House. (See Attachment 2 for public comments, rezone requests, and responses from staff.)

VII. CODE ANALYSIS:

CDC Sec. 26-62. Official Zoning Map Amendment.

In considering any petition for amendment to the Official Zoning Map, the following criteria contained in Section 26-62 shall govern unless otherwise expressly required by the CDC. The ordinance approving the rezoning amendment shall be approved and adopted only if it appears by *clear and convincing* evidence presented during the public hearing before City Council that the following conditions exist:

- (1) ***Justification.*** One of the following conditions exists:
- a) The rezoning is necessary to correct a mistake in the current zoning map; or
 - b) The amendment to the overlay zone district was an error; or
 - c) The rezoning is necessary to respond to changed conditions since the adoption of the current zoning map; or
 - d) The rezoning will substantially further the Community Plan's Preferred Direction and Policies, or specific area plans, and the rezoning will substantially conform to the Community Plan Land Use Map designation for the property, or is accompanied by an application for an amendment to the Community Plan Land Use Map and the amendment is approved prior to approval of the requested zoning map amendment.

Staff Finding:

Consistent. Staff finds this proposal is consistent with justifications (c) The rezoning is necessary to respond to changed conditions since the adoption of the current zoning map; as noted in the Background section of this report, the URA and City have recognized that these parcels are well fit to be upzoned to meet the preferred direction of the ski base areas growth. (d) The Future Land Use Plan in the Steamboat Springs Area Community Map (see Map 1) recognizes the subject parcels as Resort Commercial for which the proposed changes are consistent.

Map 1: Future Land Use Map



The following Steamboat Springs Area Community Plan (SSACP) policies are substantially furthered by this rezoning:

Mountain Planning Area Goals and Policies

Goal SPA-2: Our community will continue to promote the Mountain Area as the focal point for tourism activity.

Rationale

The Mountain area serves as the primary base facility for the Steamboat Ski Area and houses the majority of the resort accommodations in the community. It is the center for commercial resort activities and it provides the mainstay for the tourism economy. Resort and recreation commercial activity is concentrated around Ski Time Square. The area also contains several of the community's commercial shopping centers at US 40 and Pine Grove Road, and a US 40 and Mount Werner Drive.

PLANNING COMMISSION COMMUNICATION FORM

Text Amendment to the Community Development Code #ZMA-09-02

May 28, 2009

This ski base area began to develop in the 1960's. Over a thirty-year period the ski area has become one of the country's premier winter resorts. However the age and somewhat disjointed growth over time means that many of the structures and facilities are dated, and the circulation system and way finding is less than optimal. The community believes that the base area requires significant improvements to infrastructure and physical form to make it more functional and attractive. The Mountain Town Sub-Area Plan identifies the following improvements:

- Improve public spaces;
- Improve pedestrian connections between destinations in the core, especially between the base village and the ski mountain and reduce conflicts between pedestrian crossings and vehicles;
- Improve the road and path circulation patterns and "wayfinding" to make circulation less perplexing;
- Diversify the mix of retail to make it less seasonal and more vigorous on a year-round basis;
- Improve the quality of the architecture;
- Develop a multi-purpose Civic Center facility; and
- Increase the connections (visual and physical) with the natural environment in the mountain area.

Policy SPA-2.1: Promote redevelopment of the Mt. Werner base area.

Policy SPA-2.2: Create a lively, year-round mixed-use commercial core for the Mountain area.

Staff Analysis: The proposed rezone is a compliment to the proposed promenade in that it furthers **Policy SPA-2.1 & 2.2** by encouraging year-round mixed-use commercial development at the Mt. Werner base area. As these parcels develop many of the above mentioned goals for improving infrastructure and public spaces will come to fruition as necessitated by the development process.

(2) **Compatibility with Surrounding Development.** The type, height, massing, appearance and intensity of development that would be permitted by the proposed amendment will be compatible with surrounding zone districts, land uses, and neighborhood character, and will result in a logical and orderly development pattern within the community.

Staff Finding:

Consistent. Staff finds the proposed zone changes are consistent with surrounding development and neighborhood character. The parcels to be rezoned are being proposed with consideration for a 'stepping down' approach to mountain base area zoning. The area recognized for redevelopment with the most intense development (commercial core) shall have the tallest buildings catering to the lodging and commercial needs of the ski area tourist. And, the zone districts surrounding the commercial core shall be zoned to step down in height and intensity and the zone districts surrounding those zone districts to step down and so on.

(3) **Advantages vs. Disadvantages.** The advantages of the zone district proposed substantially outweigh the disadvantages to the community and/or neighboring land occasioned by the zoning amendment.

Staff Finding:

Consistent. Staff finds the advantages of rezoning the property promote the desired redevelopment in the mountain base area and consistent with the SSACP and the FLUM. The advantages are that the areas to be redeveloped as vibrant pedestrian and public spaces will be complimented by mixed-use commercial properties.

(4) **Consistent with Purpose and Standards of Zone District.** The amendment will be consistent with the purpose and standards of the zone district to which the property is proposed to be designated.

Staff Finding:

Consistent. This amendment will be consistent with the purpose and standards of the G-2 zone districts in that “ground level retail and other active uses, are strongly encouraged” –CDC Sec. 26-91(c) purpose and intent (G-2).

(5) **Effects on Natural Environment.** That the proposed amendment will not result in significant adverse effects on the natural environment, including water quality, air quality, wildlife habitat, vegetation, wetlands, and natural landforms.

Staff Finding

Consistent. The proposed amendment will not result in any significant adverse effects on the natural environment. Half of the parcels proposed for rezoning are already developed upon and the others are surrounded by development. In addition, the CDC text amendments being proposed concurrently with this ZMA will establish regulations requiring new development to be certified through a third-party program as using sustainable materials and building techniques such as UU Green Building Council’s LEED (Leadership in Energy and Environmental Design). See TXT-09-04.

VIII. SUMMARY

Staff finds this Zoning Map Amendment to be in compliance with the Community Development Code criteria for approval for an Official Zoning Map Amendment and recommends **approval**. The rezoning is consistent with the Future Land Use Map and desired character of the base area.

IX. ATTACHMENTS

Attachment 1 - Draft Ordinance #1 with attachment.

Attachment 2 – Public comment and response.

CITY OF STEAMBOAT SPRINGS

ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN PARCELS OF LAND ADJACENT TO SKI TIMES SQUARE FROM GONDOLA ONE (G-1) ZONE DISTRICT TO GONDOLA TWO (G-2) ZONE DISTRICT AND ONE PARCEL NORTH OF SKI TIMES SQUARE FROM RESORT RESIDENTIAL ONE (RR-1) ZONE DISTRICT TO GONDOLA TWO (G-2) ZONE DISTRICT AND ONE PARCEL ON THE SLOPE SIDE FROM GONDOLA ONE (G-1) ZONE DISTRICT TO GONDOLA TWO (G-2) ZONE DISTRICT, AND ONE PARCEL ON THE CORNER OF APRES SKI WAY AND VILLAGE DRIVE FROM RESORT RESIDENTIAL ONE (RR-1) ZONE DISTRICT TO GONDOLA ONE (G-1) ZONE DISTRICT.

WHEREAS, the City Council adopted the revised Community Development Code as Ordinance #1802 on July 23, 2001; and

WHEREAS, the City of Steamboat Springs committed to a regular, ongoing review of the Community Development Code so that the provisions contained therein are relevant and applicable to the community at any given point in time; and

WHEREAS, the City Council has determined that Ski Times Square is the commercial center and most intense area of the Steamboat Springs ski base area; and

WHEREAS, the City Council has determined that Gondola Two (G-2) zone district is the most appropriate zone district for the determined character of Ski Times Square; and

WHEREAS, the City Council has determined that the up-zoning of certain parcels is consistent with the Steamboat Springs Area Community Plan and creates desired transitions between zone districts; and

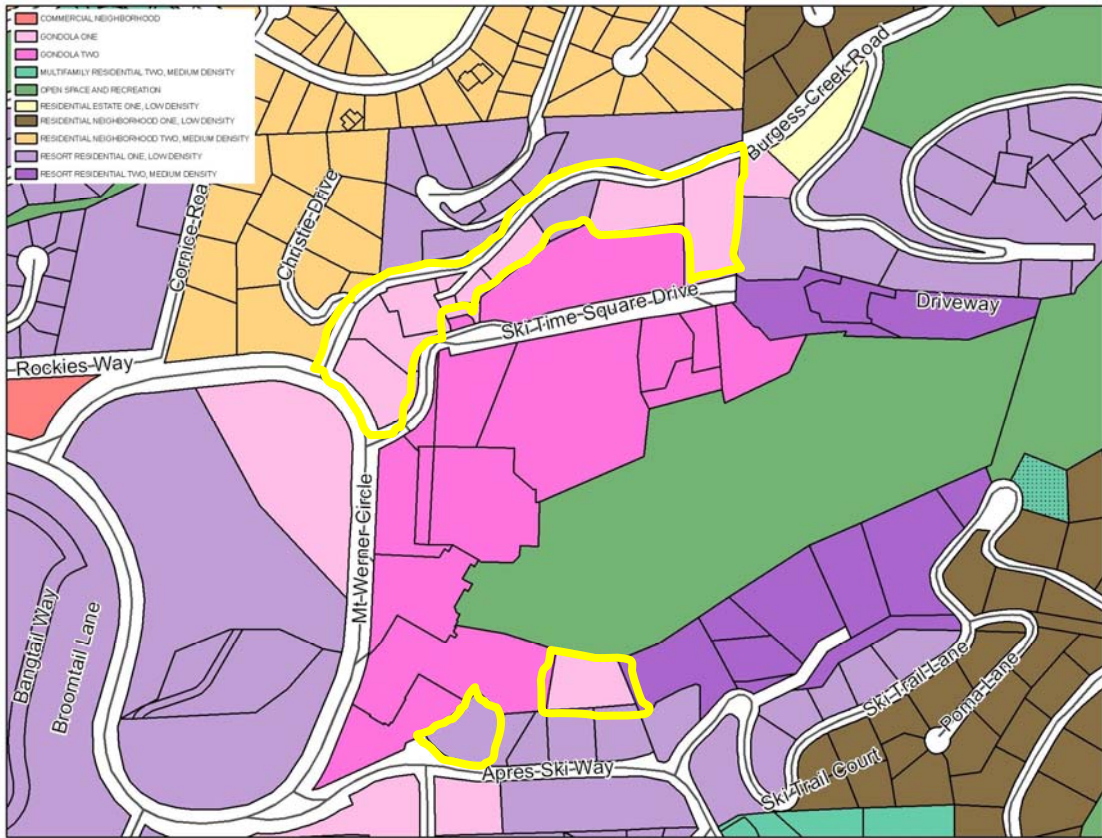
NOW, THEREFORE, the City Council of the City of Steamboat Springs ordains as follows:

SECTION 1

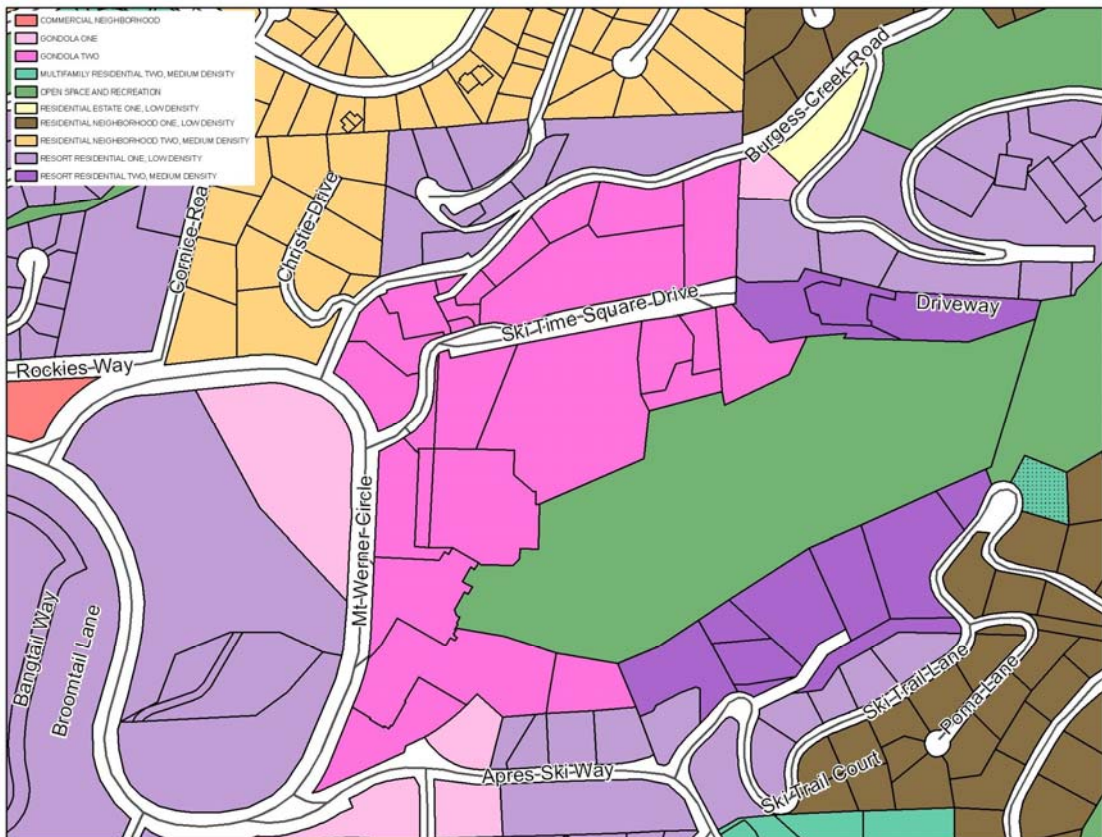
Zoning Map

Parcels highlighted on map below with the following Parcel Identification Numbers (PIN):

155977001, 936233009, 936223008, 176611001, 142700002, 135477001, 113477001, 936223021, 936223011, 936214001, 147377001, 118577001.



Shall be rezoned to G-2 and G-1 relatively and as shown on the following map:



SECTION 2

All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts, thereof, are in conflict herewith.

SECTION 3

If any section, subsection, clause, phrase or provision of this Ordinance is, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

SECTION 4

The City Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety.

SECTION 5

This Ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6 (h) of the Steamboat Springs Home Rule Charter.

INTRODUCED, READ, AND ORDERED PUBLISHED, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the _____ day of _____, 2009.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

Julie Franklin, City Clerk

FINALLY READ, PASSED AND APPROVED this _____ day of _____, 2009.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

Julie Franklin, City Clerk



Department of Planning & Community Development

May 5, 2009

FILE COPY

Dulany Condominium Association, Inc.
C/O Jonathan Melnick, President
P.O. Box 772995
Steamboat Springs, CO 80477

RE: Dulany Condominium Property Rezone

Dear Mr. Melnick,

Thank you for your letter dated April 16, 2009 requesting a rezone of the Dulany Condominium property from its current zone district Resort Residential One (RR-1) to Gondola Two (G-2) zone district.

With consideration for your request and the nature of the parcel in question, the City of Steamboat Springs is willing to support a zone change from RR-1 to Gondola One (G-1) zone district. This proposal will forward the desired character of the base area by maintaining consistency with the future land use map in the Steamboat Springs Area Community Plan and will create a transition between the slope side G-2 zone district and the RR (residential) zone districts to the south and east.

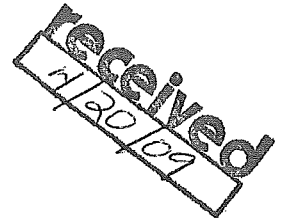
Please feel free to contact me should you have any questions or concerns.

Best regards,

Tom Leeson, AICP
Director of Planning and Community Development
City of Steamboat Springs

CC: Steamboat Resorts, Patrick Dulany

DULANY CONDOMINIUM ASSOCIATION, INC.
P.O. BOX 772995
STEAMBOAT SPRINGS, CO 80477



April 16, 2009

Mr. Tom Leeson
Director of Planning
City of Steamboat Springs
P.O. Box 775088
Steamboat Springs, CO 80477

RE: Dulany Condominium Property Rezoning

Dear Mr. Leeson:

It has come to the attention of the Dulany Condominium Association, Inc. that the City of Steamboat Springs is proposing changes to the current zoning of properties at the Base Area.

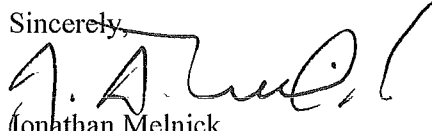
As you are aware, the Dulany property is currently zoned RR-1, and is also designated on the Future Land Use Map as Resort Commercial. It is our belief that a more appropriate zoning for this property would be G-2 for the following reasons:

1. The Dulany Condominium property is located with direct access to the ski base, with a ski easement directly to the building.
2. The existing Dulany Condominium building is five (5) stories tall which exceeds all allowable heights in the RR-1 zone district.
3. The Dulany is surrounded on the north and west sides by One Steamboat Place with intensities of development significantly higher than the Dulany property.
4. The Dulany property is closer to the base of the gondola than any property at the mountain base, with the exception of Sheraton and One Steamboat Place.
5. Future upgrades and improvements to this older property would be more easily financed if the existing building and proposed improvements were more consistent with the underlying property zoning. It is important to note that the existing Dulany project is approximately 30 years old.
6. The purpose and intent of the G-2 zone district, which describes properties "nearest to the gondola base facility," would seem to indicate that this might be the most appropriate rezone for the property.

In summary, the Dulany Condominium Association believes it is appropriate for the Dulany property to be included in this proposed Base Area rezoning at this time.

Please contact me if you have any questions.

Sincerely,



Jonathan Melnick
President

Cc: Bob Milne, President
Steamboat Resorts

City of
Steamboat Springs 

Department of Planning & Community Development

May 5, 2009

Ski Trails Condominium Association
C/O Claude C. Corkadel III, President
2403 Clubhouse Drive
Steamboat Springs, CO 80487
970.870.9856

FILE COPY

RE: Ski Trails Condominium Property Rezone

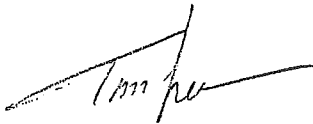
Dear Mr. Corkadel,

Thank you for your letter dated April 30, 2009 requesting a rezone of the Ski Trails Condominium property from its current zone district Resort Residential Two (RR-2) to Gondola Two (G-2) zone district.

With consideration for your request and the nature of the parcel in question, the City of Steamboat Springs does not support a zone district change at this time. The future land use map recognizes properties that are adjacent to pedestrian and commercial areas as best suited for commercial land uses for which the City would recommend approval of a zone change. The proposal to up-zone Ski Trails Condominium is inconsistent with the future land use map in the Steamboat Springs Area Community Plan. The parcel in question is recognized as Resort Residential in both the current zoning map and the future land use map.

Please feel free to contact me should you have any questions or concerns.

Best regards,



Tom Leeson, AICP
Director of Planning and Community Development
City of Steamboat Springs

Ski Trails Condominium Association

Received
5-4-09

April 30, 2009

Mr. Tom Leeson
Planning Director
City of Steamboat Springs
P.O. Box 775088
Steamboat Springs, CO 80477

RE: Steamboat Springs Base Area Rezoning

Dear Mr. Leeson:

The Ski Trails Condominium Association has discussed the proposed rezoning amendment for a number of properties located around the base of the existing ski area. The Association is in favor of rezoning a number of these properties at the base, and since the city is involved in this rezoning effort, I believe that it would be an appropriate time to include the Ski Trails Condominium property in this rezoning process. I further believe that G-2 would be an appropriate zone designation for this site.

In reading the zoning resolution for Steamboat Springs, it appears that the primary purpose and intent of the G-2 zone district is for properties "nearest to the gondola base facility", which would apply to Ski Trails Condominiums.

As part of this rezoning process, the Ski Trails Condominium Association respectfully requests that the city designate a change in zone for this property from RR-1 to G-2.

Please give me a call if you have any questions.

Sincerely,



Claude C. Corkadel III, President
Ski Trails Condominium Association
2403 Clubhouse Dr
Steamboat Springs, CO 80487
(970) 870-9856



Department of Planning & Community Development

May 5, 2009

FILE COPY

Bear Claw I & II Condominium Association
C/O Joseph M. Brennan
2420 Ski Trail Lane
Steamboat Springs, CO 80487
970.879.6100

RE: Bear Claw Condominium Property Rezone

Dear Mr. Brennan,

Thank you for your letter dated April 30, 2009 requesting a rezone of the Bear Claw I & II Condominium properties from its current zone district Resort Residential Two (RR-2) to Gondola Two (G-2) zone district.

With consideration for your request and the nature of the parcel in question, the City of Steamboat Springs does not support a zone district change at this time. The future land use map recognizes properties that are adjacent to pedestrian and commercial areas as best suited for commercial land uses for which the City would recommend approval of a zone change. The proposal to up-zone Bear Claw is inconsistent with the future land use map in the Steamboat Springs Area Community Plan. The parcel in question is recognized as Resort Residential in both the current zoning map and the future land use map.

Please feel free to contact me should you have any questions or concerns.

Best regards,

A handwritten signature in black ink, appearing to read "Tom Leeson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

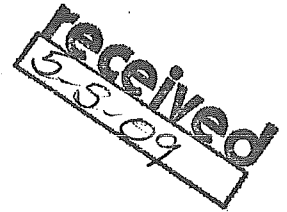
Tom Leeson, AICP
Director of Planning and Community Development
City of Steamboat Springs

ZMA5-16



Bear Claw I & II Condominium Association

April 30, 2009



Mr. Tom Leeson
Planning Director
tleeson@steamboatsprings.net
City of Steamboat Springs
P.O. Box 775088
Steamboat Springs, CO 80477

RE: Steamboat Springs Base Area Rezoning

Dear Mr. Leeson:

The Bear Claw I & II Condominium Associations have discussed the proposed rezoning amendment for a number of properties located around the base of the existing ski area. The Association is in favor of rezoning a number of these properties at the base, and since the city is involved in this rezoning effort, I believe that it would be an appropriate time to include Bear Claw I & II Condominium property in this rezoning process. I further believe that G-2 would be an appropriate zone designation for this site.

In reading the zoning resolution for Steamboat Springs, it appears that the primary purpose and intent of the G-2 zone district is for properties "nearest to the gondola base facility", which would apply to Bear Claw Condominiums more than many of the properties in Ski Time Square (which are part of this proposed zone change to G-2).

As you are aware, Bear Claw I & II are two of the closest properties to the existing gondola building, and have direct ski access to the base area. Furthermore, as you will recall, the proposed zoning was G-2 and changed at the last minute during the CD code revisions to RR. I have listed below some of the other pertinent information of the property:

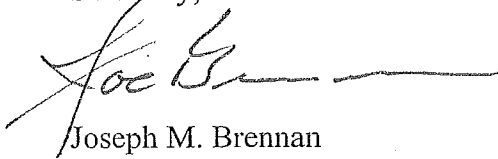
- Location adjacent to the ski area requires less traffic to and from the Gondola.
- Property has been primarily used for short term rentals.
- Assessor has classified parts of the building commercial.
- Property operates food and beverage services through a city "Tavern Liquor License" (since 1990).
- Property is located in the URA.
- Adjacent Edgemont is being developed at a higher density and height than our property.

Page 2

As part of this rezoning process, the Bear Claw I & II Condominium Association requests that the city designate a change in zone for this property from RR-1 to G-2.

Please give me a call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Brennan", with a long horizontal flourish extending to the right.

Joseph M. Brennan
Bear Claw I & II Condominium Association

cc: Eric Smith
Melinda Sherman

May 13, 2009

By Hand-Delivery
Planning Commission

Re: Proposed Ordinance Amending the Zoning of Certain Parcels

Planning Commission Members:

As a long time resident of the Ptarmigan House Condominiums, I vehemently oppose the proposed ordinance in which Certain Parcels of Land Adjacent to Ski Times Square From Gondola One (G-1) Zone District to Gondola Two (G-2) Zone District and One Parcel North of Ski Time Square from Resort Residential One (RR1) to Gondola Two (G-2) Zone District and One Parcel on the Slope Side from Gondola One (G-1) Zone District to Gondola Two (G-2) Zone District, and One Parcel on the Corner of Apres Ski Way and Village Drive from Resort Residential One (RR-1) Zone District to Gondola One (G-1) Zone District and the proposed Ordinances Amending Base Area Zone Districts RR-1, G-1 and Mountain Area Design Standards of the Steamboat Springs Community Development Code (CDC) (the “ Ordinances”)

There has been a substantial amount of time, energy, expense and public input during the past few years to arrive at the current zoning for areas the Ordinances propose to change.

It is abundantly clear, to all those involved both for and against this change that “follow the money” clearly describes what is happening. An out-state-investor hoping to **salvage** his overpayment for the Ptarmigan Inn is looking for a **bailout**. What is not so clear is why any planning commission member would even consider going along with such a transparent scheme. The Ordinances are not in keeping with the whole spirit of the Future Land Use Map...In addition, the manner in which the Ordinances are being **fast-tracked**, is at best ethically questionable and at worst, illegal. It is my intention and that of many other residents to continue to shine a bright light on the manner to which this matter is being handled and to commence legal action, if necessary, to prevent these, obviously selective and prejudicial Ordinances from being approved.

Vivian Raynor Owner and Resident of the Ptarmigan House

Ptarmigan House Condominium Association
P.O. Box 772995
Steamboat Springs, CO 80477

May 18, 2009

By Hand-Delivery
Planning Commission

Re: Proposed Ordinance Amending the Zoning of Certain Parcels

Planning Commission Members:

I am president of the Ptarmigan House Condominium Association, a Colorado nonprofit corporation ("Ptarmigan House") and submit this letter on behalf of Ptarmigan House in opposition to the proposed Ordinance Amending Certain Parcels of Land Adjacent to Ski Times Square From Gondola One (G-1) Zone District To Gondola Two (G-2) Zone District And One Parcel North Of Ski Times Square From Resort Residential One (RR-1) Zone District To Gondola Two (G-2) Zone District And One Parcel On The Slope Side From Gondola One (G-1) Zone District To Gondola Two (G-2) Zone District, And One Parcel On The Corner Of Apres Ski Way And Village Drive From Resort Residential One (RR-1) Zone District To Gondola One (G-1) Zone District (the "Rezoning Ordinance") and the proposed Ordinance Amending Base Area Zone Districts RR-1, G-1, G-2, and Mountain Base Area Design Standards of the Steamboat Springs Community Development Code (CDC) (the "Height Ordinance"). Ptarmigan House submits that the proposed Ordinances should be denied for the following reasons.

The Rezoning Ordinance would "up-zone" a number of parcels that are currently zoned G-1 and RR-1. These proposed "up-zonings" in conjunction with the Height Ordinance would dramatically increase the overall height and lot coverage on the up-zoned parcels. Those parcels that were previously zoned RR-1 and G-1 will have their allowable overall height increased from 57 feet to 105 feet and increase the allowable lot coverage for RR-1 parcels from 50% to 65%. That's almost a doubling of the allowable height!

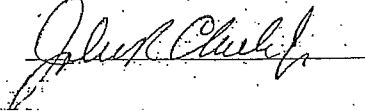
Ptarmigan House notes that the choice of which parcels to be up-zoned appears to be an arbitrary and capricious decision that, in addition to not being done pursuant to any sort of comprehensive review or hearing schedule, is also not in compliance with the Future Land Use Map. In fact, the Future Land Use Map designates the Ptarmigan Inn parcel as Resort Residential. *Thus, rather than being a candidate for up-zoning, it should be a candidate for down-zoning.*

By up-zoning essentially all of Ski Times Square and raising the overall allowable height, Ptarmigan House believes you will effectively be inviting a high-rise, canyon like effect all along the base area. Ptarmigan House strongly believes this will detract from the base area experience.

Finally, Ptarmigan House notes that without a comprehensive review of the entire base area and how each parcel is zoned, without a re-review of the Future Land Use Map,

and without public hearings on these issues, that to move forward with these selective up-zoning decisions would be a slap in the face to the community's prior work on the Future Land Use Map and Base Area Zoning. Please do what's best for this community and undertake a comprehensive review with public input of the zoning at the base area rather than approve this attempt by certain landowners to up-zone their parcels through this back-door method.

Respectfully,

A handwritten signature in cursive script, appearing to read "John Clark", written over a horizontal line.

John Clark
President, Ptarmigan House

AGENDA ITEM # 5

PLANNING COMMISSION COMMUNICATION FORM

FROM: Seth Lorson, City Planner (Ext. 280)

THROUGH: John Eastman AICP, Planning Services Manager (Ext. 275)

DATE: May 28, 2009

ITEM: Text Amendment to the Community Development Code
#TXT-09-04

NEXT STEP: If recommended for approval, the first reading of the ordinance will be heard by City Council on June 16, 2009.

<input checked="" type="checkbox"/>	ORDINANCE
<input type="checkbox"/>	RESOLUTION
<input checked="" type="checkbox"/>	MOTION
<input type="checkbox"/>	DIRECTION
<input type="checkbox"/>	INFORMATION

PROJECT NAME: Text Amendment to the Community Development Code #TXT-09-04

PETITION: Text Amendments to the Community Development Code to eliminate all references to the Base Area Planned Unit Development (PUD) and the like in the Mountain Base Area Design Standards; and to change dimensional standards for Base Area zone district RR-2 by eliminating its average plate height and changing its maximum overall height from sixty-seven (67) feet to seventy-five (75) feet, G-1 by eliminating its average plate height and changing its maximum overall height from fifty-seven (57) feet to seventy-five (75) feet, and G-2 by eliminating its average plate height and changing its maximum overall height from sixty-seven (67) feet to one-hundred-five (105) feet; and to amend the G-1 setback standards by eliminating all the setbacks and changing them to read "Per Mtn. Town Sub-Area Plan req. to provide public gathering space/ped. Corridor"; and to amend CDC Sec. 26-65 Development Plan to create variance criteria for zone districts RR-1, RR-2, G-1, and G-2; and to amend CDC Sec. 26-402. Definitions and use criteria to add a definition for *Height, base area*; and to amend the Mountain Base Area Design Standards to provide language to

require greater articulation in development design; and to amend the Mountain Base Area Design Standards to require mandatory public benefit in response to the elimination of the Base Area PUD, as outlined in the attached ordinance. (See Attachment 1)

APPLICANT: City of Steamboat Springs, Department of Planning Services, c/o City Planner, Seth Lorson, Centennial Hall, 124 10th Street, PO Box 775088, Steamboat Springs, CO 80477 970-879-2060

I. RECOMMENDED MOTION

Staff recommends the Planning Commission approve the attached draft ordinance that amends the Community Development Code to eliminate all references to the Base Area Planned Unit Development (PUD) and the like in the Mountain Base Area Design Standards; and to change dimensional standards for Base Area zone district RR-2 by eliminating its average plate height and changing its maximum overall height from sixty-seven (67) feet to seventy-five (75) feet, G-1 by eliminating its average plate height and changing its maximum overall height from fifty-seven (57) feet to seventy-five (75) feet, and G-2 by eliminating its average plate height and changing its maximum overall height from sixty-seven (67) feet to one-hundred-five (105) feet; and to amend the G-1 setback standards by eliminating all the setbacks and changing them to read “Per Mtn. Town Sub-Area Plan req. to provide public gathering space/ped. Corridor”; and to amend CDC Sec. 26-65 Development Plan to create variance criteria for zone districts RR-1, RR-2, G-1, and G-2; and to amend CDC Sec. 26-402. Definitions and use criteria to add a definition for *Height, base area*; and to amend the Mountain Base Area Design Standards to provide language to require greater articulation in development design; and to amend the Mountain Base Area Design Standards to require mandatory public benefit in response to the elimination of the Base Area PUD.

II. BACKGROUND INFORMATION

The Department of Planning and Community Development has recognized widespread frustration with the current Base Area PUD process due to its negotiation process between variances and public benefit. The general consensus is that a more predictable process is desired.

Planning staff has worked with the development community over the past few months through multiple meetings exploring a number of different options to provide a reasonable and predictable height for the base area and the associated public benefit. The attached draft ordinance is the result of these meetings.

The above-mentioned meetings gave recognition to the height that is typical of what has been approved through the Base Area PUD. These heights, as outlined in the Petition section of this report, would now be allowed by right with certain public benefits mandated as opposed to a negotiated process between height variance and public benefit. **No variations to height will be allowed in the base area zone districts should this ordinance be approved.**

III. PRINCIPAL DISCUSSION ITEMS:

Proposed dimensional standards vs. proposed public benefit.

Staff and the development community with assistance by Planning Commission recognized what was being approved in the mountain base area through the Base Area PUD process, and accordingly attempted to draft new dimensional standards and public benefit. The proposed dimensional standards increase the maximum overall height in zone districts RR-2, G-1, and G-2, and the proposed public benefit increases the amount of the required contribution to the URA and mandates sustainable materials and building techniques. (See Attachment 1)

IV. CODE ANALYSIS:

CDC Sec. 26-61. CDC text amendments.

(e) *Criteria for approval.* In considering any application for amendment to the CDC, the following criteria shall govern unless otherwise expressly required by the CDC. Approval of the amendment shall be granted only if it appears by clear and convincing evidence presented during the public hearing before planning commission or city council that the following conditions exist:

- (1) ***Conformance with the community plan.*** The amendment to the CDC will substantially conform with and further the community plan's preferred direction and policies.

The following Steamboat Springs Area Community Plan (SSACP) policies are substantially furthered by this text amendment:

Mountain Planning Area Goals and Policies

Goal SPA-2: Our community will continue to promote the Mountain Area as the focal point for tourism activity.

Policy SPA-2.1: Promote redevelopment of the Mt. Werner base area.

Policy SPA-2.2: Create a lively, year-round mixed-use commercial core for the Mountain area.

Economic Development and Sustainability Goals and Policies

Goal ED-1: Steamboat Springs will have a vital, sustainable, and diverse year-round economy.

Policy ED-1.1: Continue to support tourism-related land uses, businesses, and marketing.

Goal ED-3: Steamboat Springs will maintain its role as a regional economic center.

Policy ED-3.1: Continue to promote Steamboat Springs as the center of the community and the region.

Strategy ED-3.1(b): Focus on Ski Base Area Improvements – As one of the prime drivers of the region's economy, continue to focus improvements in the ski base area, as identified in the Mountain Town Sub-area plan and in the Special Planning Areas section of this Plan (see Special Planning Area Policies 2.1-2.4).

The following Steamboat Springs Mountain Town Sub-Area Plan policies are substantially furthered by this text amendment:

B. Goals And Objectives of the Base Area Reinvestment Plan

5. Eliminate impediments to the redevelopment of key facilities within the Plan Area;

Staff Analysis: The proposed CDC Text Amendment forwards the above-noted goals by encouraging base area development and redevelopment by creating greater predictability in the development review process.

Staff Finding:

Consistent. *The proposed CDC Text Amendment will substantially conform with and further the community plan's preferred direction and policies.*

- (2) **Error or goal/objective.** The amendment to the CDC will correct an error, or will further a public goal or objective.

Staff Finding:

Consistent. *The proposed Text Amendment will not be correcting an error but will be furthering public goals and objectives as outlined above.*

- (3) **Public safety.** The amendment to the CDC is necessary to ensure public health, safety and welfare.

Staff Finding:

Consistent. *The proposed Text Amendment addresses the “welfare” portion of this criteria by forwarding community goals as described in the SSACP and the 2005 Mountain Town Sub-Area Plan Update*

V. SUMMARY

PLANNING COMMISSION COMMUNICATION FORM

Text Amendment to the Community Development Code #TXT-09-04

May 28, 2009

Staff finds this CDC Text Amendment to be in compliance with the Community Development Code criteria for approval for a CDC Text Amendment and recommends **approval**. The text amendment is consistent with the Steamboat Springs Area Community Plan and desired character of the base area.

VI. LIST OF ATTACHMENTS

Attachment A – Draft Ordinance

CITY OF STEAMBOAT SPRINGS

ORDINANCE NO. _____

AN ORDINANCE AMENDING BASE AREA ZONE DISTRICTS RR-1, RR-2, G-1, G-2, AND MOUNTAIN BASE AREA DESIGN STANDARDS OF THE STEAMBOAT SPRINGS COMMUNITY DEVELOPMENT CODE (CDC).

WHEREAS, the City Council adopted the revised Community Development Code as Ordinance #1802 on July 23, 2001; and

WHEREAS, the City of Steamboat Springs committed to a regular, ongoing review of the Community Development Code so that the provisions contained therein are relevant and applicable to the community at any given point in time; and

WHEREAS, the City of Steamboat Springs has determined that establishing clear and definitive standards for predictable development in the base area by eliminating the negotiable Base Area Planned Unit Development; and

WHEREAS, the City of Steamboat Springs has found the current Base Area Planned Unit Development process is difficult to administer and desires an approval process that provides greater predictability and consistency; and

WHEREAS, the City of Steamboat Springs relies on the Mountain Base Area Design Standards to provide desirable form and design; and

WHEREAS, the City of Steamboat Springs recognizes that the elimination of the current Base Area Planned Unit Development process requires revisions to the Mountain Base Area Design Standards to balance dimensional standards with public benefit; and

WHEREAS, the City of Steamboat Springs has determined that one-hundred five (105) feet is an appropriate maximum height in the Gondola Two (G-2) zone district, and seventy-five (75) feet is an appropriate maximum height in the Gondola One (G-1) zone district and the Resort Residential Two (RR-2) zone district; and

WHEREAS, the City of Steamboat Springs has determined that the setback standards in Gondola One (G-1) zone district shall be “Per Mtn. Town Sub-area Plan req. to provide public gathering space/ped. Corridor”; and

WHEREAS, the City Council has determined that it is necessary and proper to establish sustainable building design and community amenities as an important qualities to the base area;

NOW, THEREFORE, the City Council of the City of Steamboat Springs ordains as follows:

SECTION 1

CDC Sec 26-82. Base area planned unit development.

(Delete entirely)

SECTION 2

CDC Sec. 26-81. Planned unit development.

(e) *Public purposes for PUDs.* (~~Base area PUD is exempt from this section.~~)

SECTION 3

CDC Sec 26-133. Building and architectural design standards. (e) Zone district specific standards.

(5) *G-1 Gondola one zone district.* All development in the G-1 zone district is subject to the approval of a development plan and/or final development plan, ~~and base area PUD, section 26-82,~~ and shall comply with the Mountain Base Area Design Standards.

(6) *G-2 Gondola two zone district.* All development in the G-2 zone district is subject to the approval of a development plan and/or final development plan, ~~and base area PUD, section 26-82,~~ and shall comply with Mountain Base Area Design Standards.

SECTION 4

CDC Sec. 26-91. General. (c) *Zone districts established.* (1) *Standard zone districts.*

h. G-1 Gondola one zone district.

1. *Purpose and intent.* The purpose of the Gondola one zone district is intended to provide residential accommodation for guests, second homeowners, and new residents looking for a high-level of amenities as provided by a resort environment. New development shall be physically connected to the resort by an integral system of

streets, sidewalks, and recreational paths. New development should have a resort-like character with higher development intensity and scale than development within the RR districts, but lower intensity than the G-2 district. ~~All development in the G-1 zone district shall require approval of a PUD and shall be subject to the provisions of section 26-86.~~

i. G-2 Gondola two zone district.

2. *Purpose and intent.* The purpose of the Gondola two zone district is for properties nearest to the gondola base facility to have the densest development in the city. Because of the special characteristics and importance of this area to the general welfare of the city, this zone district is intended to allow for flexibility and creativity in the development of land in order to provide a quality pedestrian-oriented environment that furthers the goals of the master plans applicable to the area. Special emphasis shall be placed on the location of uses within structures, the massing and design of structures, the provision of public spaces and gathering areas, pedestrian corridors and how those elements relate with the pedestrian environment. Multi-use buildings, with pedestrian-oriented ground-level retail and other active uses, are strongly encouraged in the G-2 zone district. ~~All development in the G-2 zone district shall require approval of a PUD and shall be subject to the provisions in section 26-86.~~

SECTION 5

CDC Sec. 26-132. Dimensional standards.

Standards		OR	RE-1,RE-1/S	RE-2,RE-2/S	RN-1	RN-2	RN-3	RR-1	RR-2
Lot Area	Max	No max.	No max.	No max.	No max.	No max.	No max.	No max.	No max.
	Min	2,500 sf	1 acre	13,500 sf	P/Sec. -10,000 sf Dup. - 20,000 sf	P/Sec. - 8,000 sf Dup. - 16,000 sf	P/Sec. - 6,000 sf Dup. - 12,000 sf	6,000 sf	No min.
Lot Width	Max	No max.	No max.	No max.	No max.	No max.	No max.	No max.	No max.
	Min	25 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	25 ft.	25 ft.
Lot Coverage	Max	No max.	0.25	0.35	0.35	0.35	0.35	0.50	0.65
	Min	No min.	No min.	No min.	No min.	No min.	No min.	No min.	No min.
Units Per Lot	Max		RE-1 - 1 RE-1/S - 2	RE-2 - 1 RE-2/S - 2	2	2	2	Determined by FAR	Determined by FAR
	Min		No min.	No min.	No min.	No min.	No min.	No min.	No min.
Floor Area Ratio	Max	No max.	No max.	No max.	No max.	No max.	No max.	No max.	No max.
	Min	No min.	No min.	No min.	No min.	No min.	No min.	No min.	No min.
Building height	Max	Institutional use: APH - 32 ft., OH - 44 ft. Low impact rec. use: APH - 10 ft., OH - 20 ft. Outdoor rec. use: APH - 22 ft., OH - 34 ft.	APH - 28 ft. OH - 40 ft.	APH - 28 ft. OH - 40 ft.	APH - 28 ft. OH - 40 ft.	APH - 28 ft. OH - 40 ft.	APH - 28 ft. OH - 40 ft.	APH - 35 ft. OH - 57 ft.	APH - 46 ft. OH - 67 ft. HBA - 75 ft. Significant variation in building height, including differences of multiple stories, is required in an effort to break up the mass of structures.
	Min	No min.	No min.	No min.	No min.	No min.	No min.	No min.	No min.
Front Setback	Max	No max.	No max.	No max.	No max.	No max.	No max.	No max.	No max.
	Min	P - 25 ft. Acc. - 25 ft.	P - 25 ft. Acc. - 25 ft.	P - 25 ft. Acc. - 25 ft.	P - 20 ft. Acc. - 25 ft. Att. garage - 25 ft.	P - 20 ft. Acc. - 25 ft. Att. garage - 25 ft.	P - 15 ft. Acc. - 20 ft. Att. garage - 20 ft.	P(1st/2nd St. - 20 ft. P(3rd St.) - 25 ft. Porch - 15 ft. Acc. - 25 ft.	P - 20 ft. Porch - 15 ft. Acc. - 25 ft. If front setback is ski slope edge - 0 ft.
Side Setback	Max	No max.	No max.	No max.	No max.	No max.	No max.	No max.	No max.
	Min	P - 25 ft. Acc. - 15 ft.	P - 25 ft. Acc. - 15 ft.	P - 15 ft. Acc.-10 ft.	P - 15 ft. Acc. - 10 ft. Att. garage - 15 ft.	P - 10 ft. Acc. - 10 ft. Att. garage - 10 ft.	P - 10 ft. Acc. - 5 ft. Att. garage - 10 ft.	P - 15 ft. Acc. - 15 ft.	P - 15 ft. Acc. - 10 ft. If front setback is ski slope edge - 0 ft.
Rear Setback	Max	No max.	No max.	No max.	No max.	No max.	No max.	No max.	No max.
	Min	P - 20 ft. Acc. - 15 ft.	P - 25 ft. Acc. - 15 ft.	P -15 ft. Acc.-15 ft.	P - 15 ft. Acc. - 10 ft. Att. garage - 15 ft.	P - 10 ft. Acc. - 10 ft. Att. garage - 10 ft.	P - 10 ft. Acc. - 5 ft. Att. garage - 10 ft.	P - 15 ft. Acc. - 15 ft.	P - 15 ft. Acc. - 10 ft. If front setback is ski slope edge - 0 ft.

P = Principal structure P/Sec = Principal structure w/ or w/out a secondary unit located on the same lot Acc. = Accessory structure Dup. = Duplex Sec. = Secondary unit Emp. = Employee unit Att. garage = Attached garage St. = Story F.A. = Floor area M.H. = Mobile home APH = Ave. plate height OH = Overall height Rec. = Recreation HBA = Height, Base Area

Standards		RO	MH	MF-1	MF-2	MF-3	G-1	G-2
Lot Area	Max	12,500 sf	No max.	No max.	No max.	No max.	No max.	No max.
	Min	P/Sec. - 6,000 sf Dup. - 12,000 sf	4,000 sf	12,000 sf	12,000 sf	12,000 sf	Resid. - 6,000 sf Comm. & mixed use - 3,000 sf	No min.
Lot Width	Max	100 ft.	No max.	No max.	No max.	No max.	No max.	No max.
	Min	25 ft.	25 ft.	40 ft.	40 ft.	40 ft.	25 ft.	25 ft.
Lot Coverage	Max	0.35	No max.	0.35	0.40	0.45	0.60	0.65
	Min	No min.	No min.	No min.	No min.	No min.	No min.	No min.
Units Per Lot	Max	2 (uses by right and uses with criteria only)	1 unit per 4,000 sf	Determined by FAR	Determined by FAR	Determined by FAR	Determined by FAR	Determined by FAR
	Min	No min.	No min.	No min.	No min.	No min.	No min.	No min.
Floor Area Ratio	Max	P -0.45 Acc. - 0.20 Total all structures - 0.45	F.A./unit – 2,500 sf	0.40	0.45	0.50	No max.	No max.
	Min	No min.	No min.	No min.	No min.	No min.	No min.	No min.
Building height	Max	APH - P - 22 ft. OH - P - 34 ft. APH - Acc. - 18 ft. OH - Acc. - 24 ft. APH - Acc w/ sec. - 16 ft. OH - Acc. w/ sec. - 28 ft.	APH - 28 ft. OH - 28 ft.	APH - 35 ft. OH - 57 ft. Single-family: APH - 28 ft. OH - 40 ft.	APH - 35 ft. OH - 57 ft. Single-family: APH - 28 ft. OH - 40 ft.	APH - 35 ft. OH - 57 ft. Single-family: APH - 28 ft. OH - 40 ft.	APH - 35 ft. OH - 57 ft. HBA - 75 ft. Significant variation in building height, including differences of multiple stories, is required in an effort to break up the mass of structures.	APH - 46 ft. OH - 67 ft. HBA - 105 ft. Significant variation in building height, including differences of multiple stories, is required in an effort to break up the mass of structures.
	Min	No min.	No min.	No min.	No min.	No min.	No min.	No min.
Front Setback	Max	No max.	No max.	No max.	No max.	No max.	No max.	See Min.
	Min	P - 15 ft. Acc. - 20 ft. Att. garage - 20 ft. P(porch) - 9 ft.	P(subdiv.) - 20 ft. P(park) - 20 ft. Acc. - 20 ft.	P(1st/2nd St.)-20 ft. P(3rd St.) - 25 ft. P(porch) - 15 ft. Acc. - 25 ft.	P(1st/2nd St.) - 15 ft. P(3rd St.) - 20 ft. P(porch) - 10 ft. Acc. - 20 ft.	P(1st/2nd St.) - 15 ft. P(3rd St.) - 20 ft. P(porch) - 10 ft. Acc. - 20 ft.	P(1st/2nd St.) - 20 ft. P(3rd St.) - 25 ft. Porch - 20 ft. Acc. - 25 ft. Per Mtn. Town Sub-Area Plan req. to provide public gathering space/ped. Corridor	Per Mtn. Town Sub-Area Plan req. to provide public gathering space/ped. corridor
Side Setback	Max	No max.	No max.	No max.	No max.	No max.	No max.	See Min..
	Min	P- 10 ft. Acc. - 5 ft. Att. garage - 10 ft.	P(subdiv.) - 10 ft. P(park) - 0 ft. Side separation (Park) - 15 ft. Acc. - 10 ft.	P - 15 ft. Acc. - 5 ft.	P - 15 ft. Acc. - 5 ft.	P - 10 ft. Acc. - 5 ft.	P - 15 ft. Acc. - 10 ft. Per Mtn. Town Sub-Area Plan req. to provide public gathering space/ped. Corridor	Per Mtn. Town Sub-Area Plan req. to provide public gathering space/ped. corridor

rear setback	Max	No max.	No max.	No max.	No max.	No max.	No max.	See Min.
	Min	P - 10 ft. Acc. - 5 ft. Att. garage - 10 ft.	P(subdiv.) - 10 ft. P(park) - 10 ft. Acc. - 10 ft.	P - 15 ft. Acc. - 5 ft.	P - 15 ft. Acc. - 5 ft.	P - 10 ft. Acc. - 5 ft.	P - 15 ft. Acc. - 10 ft. Per Mtn. Town Sub-Area Plan req. to provide public gathering space/ped. Corridor	Per Mtn. Town Sub-Area Plan req. to provide public gathering space/ped. corridor
P = Principal structure P/Sec = Principal structure w/ or w/out a secondary unit located on the same lot Acc. = Accessory structure Dup. = Duplex Sec. = Secondary unit Emp. = Employee unit Att. garage = Attached garage St. = Story F.A. = Floor area M.H. = Mobile home APH = Ave. plate height OH = Overall height Rec. = Recreation HBA = Height, Base Area								

Standards		CO	CY	CN	CC	CS	I
Lot Area	Max	22,000 sf	Adj. to Lincoln Alley - 22,000 sf Riverside of Yampa Street - 14,000 sf	14,000 sf on Oak St. No max. all others	No max.	No max.	No max.
	Min	3,000 sf	3,000 sf	3,000 sf	No min.	No min.	No min.
Lot Width	Max	150 ft.	100 ft.	100 ft.	No max.	No max.	No max.
	Min	25 ft.	25 ft.	25 ft.	40 ft.	40 ft.	30 ft.
Lot Coverage	Max	No max.	Adj. to Lincoln Alley - .85 Adj. to Yampa River - .65	0.50	0.50	0.50	0.60
	Min	No min.	No min.	No min.	No min.	No min.	No min.
Units Per Lot	Max	Determined by FAR	Determined by FAR	Determined by FAR	Determined by FAR	Determined by FAR	Determined by FAR
	Min	No min.	No min.	No min.	No min.	No min.	No min.
Floor Area Ratio	Max	2.0	1. Adj. to Lincoln Alley - 1.5 2. Adj. to Lincoln Alley w/3rd Floor Resid. - 2.0 3. Adj. to Yampa River - 1.0	1. .60 2. Adj. to alley b/w Lincoln Ave. and Oak St. - 1.0 3. Adj. to alley b/w Oak and Pine St. - .50	1. .50 (50% of emp. unit sf exempt) 2. F.A. per res. unit - 1,400 sf	1. .50 2. F.A. per res. unit - 1,400 sf	.60
	Min	No min.	No min.	No min.	No min. Min. F.A. per UBC	No min. Min. F.A. per UBC	No min.
Building height	Max	Pub. Facilities: APH - 42 ft., OH - 42 ft. W/out resid. units on uppermost floor: APH - 28 ft., OH - 28 ft. W/ resid. units on uppermost floor: APH - 38 ft., OH - 38 ft.	Adjacent to river: APH - 24 ft., OH - 36 ft. Pub. facilities adj. to Lincoln Alley: APH - 42 ft., OH - 42 ft. W/out resid. units on uppermost floor adj. to Lincoln Alley: APH - 28 ft., OH - 28 ft. W/ resid. units on uppermost floor adj. to Lincoln Alley: APH - 38 ft., OH - 38 ft.	Not on Oak St.: APH - 28 ft., OH - 40 ft. On Oak St.: APH - 20 ft., OH - 32 ft.	APH - 35 ft. OH - 57 ft.	APH - 35 ft. OH - 57 ft.	APH - 28 ft. OH - 32 ft. Spec. work areas: APH - 40 ft. OH - 40 ft.
	Min	No min.	No min.	P/acc. - No min.	P/Acc. - No min.	P/acc. - No min.	P/acc. - No min.

P = Principal structure **P/Sec** = Principal structure w/ or w/out a secondary unit located on the same lot **Acc.** = Accessory structure **Dup.** = Duplex **Sec.** = Secondary unit **Emp.** = Employee unit **Att. garage** = Attached garage **St.** = Story **F.A.** = Floor area **M.H.** = Mobile home **APH** = Ave. plate height **OH** = Overall height **Rec.** = Recreation **HBA** = Height, Base Area

Standards		CO	CY	CN	CC	CS	I
Front Setback	Max	1. Portion of structure from natural grade to 28 ft. - Public ROW or as required for public gathering space (recessed entries excepted). 2. Portion of structure greater than 28 ft. from natural grade - No max.	No max.	P - 30 ft. Acc. - No max.	P/acc. - No max.	P/acc. - No max.	P/acc. - No max.
	Min	1. Portion of structure from natural grade to 28 ft. - Public ROW or as required for public gathering space. 2. Portion of structure greater than 28 ft. from natural grade - 15 ft.	P - 10 ft. for portion of structure from natural grade to 28 ft. P - 25 ft. for portion of structure greater than 28 ft. from natural grade; decks/porches - 5 ft. Acc. - 15 ft.	P - 10 ft. Acc. - 15 ft. Adj. To Hwy. 40 - 30 ft.	P/acc. - 20 ft. P/acc. adj. to Hwy. 40 (N. of Walton Creek) - 100 ft. from centerline of Hwy. P/acc. adj. to Hwy. 40 (S. of Walton Creek) - 150 ft. from centerline of Hwy. In cases where the right-of-way is not contained within the prescribed setback, additional setback may be required.	P/acc. fronting Hwy. 40 - 50 ft. from ROW P and acc. for all others - 20 ft.	P/acc. - 15 ft.
Side Setback	Max	P/Acc. - Public ROW, 0 ft., or as required for public gathering space.	No max.	P/acc. - No max.	P/acc. - No max.	P/acc. - No max.	P/acc. - No max.
	Min	P/Acc. - Public ROW, 0 ft., or as required for public gathering space.	P adj. to Lincoln Alley - 0 ft. P adj. to Yampa River - 0 ft. on one side/7.5 ft. on other side. P Adj. to Butcherknife Creek - 30 ft. (from ordinary high water mark) Decks/porches adj. to Lincoln Alley - 5 ft. Decks/porches adj. to Yampa River - 0 ft. Acc adj. to Lincoln Alley - 5 ft. Acc adj. to Yampa River - 0 ft.	P - 10 ft. Acc. - 5 ft.	P/acc. - 30 ft.	P/acc. - 20 ft.	P/acc. - 10 ft.
Rear Setback	Max	P/acc. - No max.	P/acc. - No max.	P/acc. - No max.	P/acc. - No max.	P/acc. - No max.	P/acc. - No max.
	Min	P/acc. - 10 ft.	P adj. to Lincoln Alley - 10 ft. P adj. to Yampa River - 30 ft. (from ordinary high water mark) Decks/porches adj. to Lincoln Alley - 20 ft. Decks/porches adj. to Yampa River - 10 ft. (from ordinary high water mark) Acc adj. to Lincoln Alley - 10 ft. Acc adj. to Yampa River - 15 ft.	P - 10 ft. Acc. - 5 ft.	P/acc. - 20 ft.	P/acc. - 15 ft.	P/acc. - 10 ft.

P = Principal structure **P/Sec** = Principal structure w/ or w/out a secondary unit located on the same lot **Acc.** = Accessory structure **Dup.** = Duplex **Sec.** = Secondary unit **Emp.** = Employee unit **Att.** = Attached garage **St.** = Story **F.A.** = Floor area **M.H.** = Mobile home **APH** = Ave. plate height **OH** = Overall height **Rec.** = Recreation **HBA** = Height, Base Area

(Ord. No. 1802, § 5.2, 7-23-01; Ord. No. 1815, §§ 4, 5, 11-6-01; Ord. No. 1850, § 41, 5-21-02; Ord. No. 1951, § 3, 6-1-04; Ord. No. 2029, § 7, 11-15-05; Ord. No. 2032, § 5, 12-6-05; Ord. No. 2088, § 2, 12-19-06)

SECTION 6

CDC Sec. 26-65. Development Plan. (d) *Criteria for review and approval.*

(8) *Variance criteria.* Development plans, **in all Zone Districts with the exception of the Gondola One (G1), Gondola Two (G-2), Resort Residential One (RR-1), and Resort Residential Two (RR-2)** seeking variation from up to two (2) of dimensional, development or subdivision standards listed in article V, development standards and article VII, subdivision standards, where such variances do not qualify as minor adjustments shall meet the following criteria for approval in addition to the criteria in subsections 26-65(e)(1)--(8):

- a. *Legal use.* The property and the use of such property for which the variance is requested is in full compliance with all requirements of the zone district in which the property is located, or there is a legal nonconforming structure or lot, or there is a conforming structure housing a legal nonconforming use. No variance may be granted which would permit or expand any unlawful use of property
- b. *Injury to adjoining property mitigated.* The variance will not permanently injure or adversely impact legal conforming uses of adjacent property; or the applicant has accurately assessed the impacts of the proposed variance and has agreed to mitigate those impacts. In making this determination the city council shall begin with the assumption that variations from development standards create impacts on adjacent properties, and shall place the burden of proof on the applicant to show:
 1. Impacts to adjacent properties are presumed.
 2. That there are no impacts, or that the impacts have been adequately mitigated. Unsupported opinions of impacts from surrounding property owners shall not be conclusive evidence of impacts.
- c. *Advantages outweigh disadvantages.* The applicant shall bear the burden of proof and demonstrate that the advantages of the variance substantially outweigh its disadvantages to the community and to neighboring lands.
- d. *Superior development.* The applicant shall demonstrate that the requested variation(s) from the dimensional or development standards will result in a development which

better meets the intent of the underlying zone district and adopted plans.

- e. *Minimum relief.* The applicant shall demonstrate that the requested variation(s) is (are) the least modification possible of the CDC that will meet the design goals of the development.

(9) *Variance criteria.* Development plans, in the Gondola One (G1), Gondola Two (G-2), Resort Residential One (RR-1), and Resort Residential Two (RR-2) Zone Districts seeking variation from any dimensional, development or subdivision standards listed in Article V, Development Standards and Article VII, Subdivision Standards, shall meet the following criteria for approval in addition to the criteria in subsections 26-65(d)(1)--(7): (Note: No variations are permitted to height or the Base Area Design Standards per this Variance process.)

- a. *Legal use.* The property and the use of such property for which the variance is requested is in full compliance with all requirements of the zone district in which the property is located, or there is a legal nonconforming structure or lot, or there is a conforming structure housing a legal nonconforming use. No variance may be granted which would permit or expand any unlawful use of property.
- b. *Equal enjoyment.* The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zoning district in which the subject property is located.
- c. *Hardship.* The special circumstances of the subject property make the strict enforcement of the provisions of this CDC an unnecessary hardship to the property owner.
- d. *Hardship not self-imposed.* The special circumstances of the subject property are not the result of the actions of the applicant.
- e. *Special circumstances.* The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zoning district in which the subject property is located.
- f. *Height Variation.* Under no circumstances will variances to the maximum height in the Gondola One (G1), Gondola Two (G-2),

- g. *Design Standards Variation.* Under no circumstances will variances to the Mountain Base Area Design Standards in the Gondola One (G1), Gondola Two (G-2), Resort Residential One (RR-1), and Resort Residential Two (RR-2) zone districts be permitted.**

SECTION 7

CDC Sec. 26-81. Planned unit development.

(a) *Purpose.* The purpose of the planned unit development (PUD) is to provide flexibility from the strict application of certain standards of this CDC so as to encourage innovative site planning and, thereby, to achieve a more desirable environment than would be possible through the strict application of the minimum standards of this CDC. Specifically, it is the purpose of a PUD to: **(Note: The Planned Unit Development is not applicable within the Gondola One (G1), Gondola Two (G-2), Resort Residential One (RR-1), and Resort Residential Two (RR-2) Zone Districts.)**

- (1) *Allow creativity.* Allow a creative approach to the development and use of land and related physical facilities to produce better developments, obtain amenities for the public and/or the users of the project, and to maximize choice in the type of environments available in the city.
- (2) *Permit integrated and efficient land use patterns.* Permit the integration rather than the separation of land uses, to provide opportunities for traditional community living, so commercial, recreational, and educational facilities can be conveniently located in relation to a mix of housing types, establish land use patterns that promote and expand opportunities for public transportation, and for street and utility networks that are safe, compact, and efficient.
- (3) *Preserve valued features.* Encourage better siting of development that preserves valued environmental and cultural resource lands, minimizes the disturbance of natural hazard areas, and increases the amount of functional open space within the development or creates functional public spaces.
- (4) *Authorize variations.* Provide authority to grant variations from certain standards of the CDC that cannot be obtained through a minor adjustment in section 26-69 or with a development plan in section 26-65, provided such variations are consistent with the community plan, and allow the project to achieve one or more of the public purposes for PUDs described in subsection 26-81(e).
- (5) *Commercial over twelve thousand (12,000) square feet, PUD review*

required. Provide authority to review any single tenant commercial tenant over twelve thousand (12,000) square feet and any multiple commercial tenants in a single building twenty thousand (20,000) square feet or greater.

(6) *Building supplies and lumberyard, over twelve thousand (12,000) square feet, PUD review required.* Provide authority to review any tenant business space in this land use classification, larger than twelve thousand (12,000) square feet, net floor area.

(b) *Overview of PUD process.*

(1) *Lands to which PUD may be applied.* An applicant may apply for a PUD on any land within the city **with the exception of those located within the Gondola One (G1), Gondola Two (G-2), Resort Residential One (RR-1), and Resort Residential Two (RR-2) Zone Districts.** If the PUD is approved, then the PUD designation shall be placed on the official zone district map.

SECTION 8

CDC Sec. 26-402. Definitions and use criteria.

Height, overall. **Applicable for all zone districts except Resort Residential One (RR-1), Resort Residential Two (RR-2), Gondola One (G-1), and Gondola Two (G-2).** The maximum distance, measured vertically plumb, from the highest point of a roof, directly above that point of grade. Grade shall be from existing grade, or as specified during the development review process and indicated on a final grading plan as part of a final development plan or final plat.

Height, base area. **Applicable only for zone districts Resort Residential One (RR-1), Resort Residential Two (RR-2), Gondola One (G-1), and Gondola Two (G-2).** Any point on the structure, measured vertically plumb, to the nearest adjacent existing grade, or adjacent proposed grade as determined through the development review process (if applicable). The greatest of these measurements is the overall building height. Should a point on a building be equidistant to adjacent grade the lower of the two grades shall be used to determine height.

SECTION 9

Mountain Base Area Design Standards

Section II. General Provisions

D. Planned Unit Development (PUD) Criteria
See City Ord. #2029 for PUD Criteria.

(Delete entirely)

SECTION 10

Mountain Base Area Design Standards

Section III. Design Standards. A. Building Design and Character. 2. Building Massing and Form.

b) Design Standards

(1) Composition of Building Elements

(a) The mass of a single building or group of buildings shall be organized so that it appears to be an arrangement of smaller-scale connected structures comprised of simple building forms. **The structures shall be arranged to demonstrate significant changes, of multiple stories in roof height.**

(b) Buildings shall be visually anchored with masonry elements at the base level to provide a sense of permanence. Base level masonry elements may include:

- (i) Columns;
- (ii) Piers;
- (iii) Pilasters,
- (iv) Foundations; and
- (v) Walls.

(c) Base level masonry elements shall be functional parts of the vertical load-bearing structure of the building (or appear to be so). These elements shall provide a continuous visual line by wrapping corners, window wells, and other architectural features. They shall not appear as though they have been “tacked on” to a single façade or building element.

(d) Spanning elements and lintels across masonry openings shall be constructed of materials traditionally associated with these functions such as:

- (i) Heavy timber;
- (ii) Painted steel;
- (iii) Concrete; or
- (iv) Articulated masonry arches (e.g., semicircular, segmental, flat arches, or soldier courses.)

(2) Stepping back of building mass

a. ~~To the maximum extent feasible,~~ Above grade step backs in the building’s form shall be provided to achieve the following objectives:

- (i) ~~Frame or otherwise maintain important views or view corridors;~~

- (ii) Relate to the surrounding development context;
 - (iii) Provide human scale adjacent to streets, pedestrian walkways, plazas, or other public spaces
 - (iv) Provide a transition in scale from pedestrian scale to large scale, and;
 - (v) **Provide modulation and articulation of large expansive walls.**
- b. The above standard only applies where primary building walls that exceed 3 stories or 45 feet in un-broken height (as measured from finish grade to the underside of the eaves).
- c. Step backs shall:
- i. Be at least 8 feet in depth;
 - ii. Generally occur between 12 feet and 45 feet above the finish grade (dependant upon the height of the structure and the surrounding development context) to meet one or more of the objectives listed in Standard a above.
 - iii. Where large variations in topography exist (e.g., a building is backed up to an adjacent hillside) or where other unique site constraints exist, alternatives to the building massing and height configurations required above may be approved.
- d. **The intent of these standards is not to create a “wedding cake” form; however, Taller structures may require** multiple step backs, or variations in building massing and height **are required** in order to meet the objectives stated in standard a., above.
- (3) Prominent Entry Features
- a. Primary building entrances shall be clearly distinguished through the use of two or more of the following architectural features (Figure 4):
 - i. Covered walkways or arcades;
 - ii. Awnings, canopies, or porches;
 - iii. Portal frame composed of an articulated post-and-beam opening;
 - iv. Projected or recessed building mass; or
 - v. Special window or door elements.
 - b. At least one major entrance and a related public interior space for each building shall be related to the Mountain Base Area’s system of pedestrian walkways and public plazas through the use of the above architectural features.
- (4) Pedestrian/Street-Level Interest
- a. To the maximum extent feasible, building entrances, retail storefronts, and other active spaces shall be oriented towards adjacent streets, public plazas, and primary pedestrian walkways and shall exhibit a high degree of transparency.
 - b. Where a direct physical and visual connection cannot be made between interior and exterior spaces for programmatic reasons, building walls shall be articulated at ground level in a manner that

- i. Windows;
 - ii. Masonry columns;
 - iii. Decorative wall insets or projections;
 - iv. Awnings;
 - v. Balconies;
 - vi. Changes in color or texture of materials;
 - vii. Pedestrian furniture such as benches, seat walls, or
 - viii. Integrated landscape planters.
- (5) Service Areas
- a. Service areas shall be located away from primary pedestrian walkways and public plazas to the maximum extent practicable, to limit the interruption of the pedestrian environment.

SECTION 11

Mountain Base Area Design Standards

Section III. Design Standards. A. Building Design and Character.

- 5. Sustainable Design
 - a. Intent
 - To promote energy efficient buildings.
 - To promote the use of sustainable building materials and techniques.
 - To establish the city as a leader in environmental design.
 - b. Design Standards
 - 1. Materials and Building Techniques
 - a. The **certification from a third party of the** use of sustainable building materials and construction techniques **via program completion** is ~~encouraged~~ **required**. Standards and programs for sustainable building that may be utilized can include, but are not limited to:
 - US Green Building Council's LEED (Leadership in Energy and Environmental Design) program for commercial (including lodging), multi-family, and existing buildings.
 - Green Globes.
 - Built Green Colorado for single-family residential buildings.
 - **Any other nationally recognized and accepted program that is equal to or greater than the above listed programs in terms of sustainable qualities.**

2. Green Roof Systems

- a. The use of green roof systems shall be encouraged on flat roof sections
- b. If a green roof occupies more than 50% of the total area of any building's primary roof surface, the minimum requirement for pitched roof provision shall be waived provided the building design complies with the other major design standard intentions. (See section III.A.7, below.)

SECTION 12

Mountain Base Area Design Standards

Section III. Design Standards. B. Site Layout and Development Pattern.

3. Pedestrian Circulation and Connections

a. Intent

- To ensure that new development is well-integrated with the Mountain Base Area's overall pedestrian and vehicular circulation system and is consistent with pedestrian and roadway improvements recommended by the Mountain Town Sub-Area Plan Update and the Streetscape Plan.
- To ensure that pedestrian systems are designed to accommodate the efficient removal of snow and promote pedestrian safety.

b. Design Standards

1. Connections

- a. An on-site system of pedestrian walkways shall, ~~to the maximum extent feasible,~~ be designed to be consistent with the sidewalks/pedestrian pathways depicted in the circulation element of the Mountain Sub-Area Plan and the city sidewalk study, when completed. The system shall provide direct access and connections to and between the following:
 - i. The primary entrance or entrances to each building and parking structure;
 - ii. To any existing sidewalks or pedestrian pathways on adjacent properties that extend to other locations within the Mountain Base Area;
 - iii. Any adjacent existing or proposed sidewalk, trail, or promenade located on the Public Roadway Network Plan or the Pedestrian Network Plan contained in the Mountain Town Sub-Area Plan Update; and
 - iv. Any adjacent public plaza.

2. Design of Pedestrian Facilities

- a. Integrated snowmelt systems shall be provided on all primary pedestrian walkways identified by the Mountain Town Sub-Area Plan Update’s Pedestrian Network Plan and city sidewalk study, when completed.
- b. Pedestrian walkways shall be clearly defined through the use of consistent pavers and signage, as specified in the Streetscape Plan¹.
- c. Pedestrian walkways shall be designed to minimize potential conflicts with snow management operations and ensure pedestrian safety by:
 - i. Limiting grade changes where possible; and
 - ii. Using ramps instead of stairs where a change in grade is necessary.

4. Public Spaces/Community Amenities

a. Intent

- To establish a unified appearance for public spaces within the Mountain Base Area that is consistent with the Streetscape Plan.
- To ensure that the quality and design of community amenities placed in the Mountain Base Area’s public spaces is comparable to that required for adjacent structures.

b. Design Standards

1. Quantity

a. Projects with an estimated construction cost of more than \$250,000 shall provide community amenities on site (where appropriate) in an amount equal to $\frac{1}{2}$ 1% of the construction cost valuation, as determined by the Routt County Building Department, or provide a contribution for community amenities, or provide a combination of community amenities and a contribution. The contribution shall be paid at the time the building permit is issued for the project.

In addition, projects with an estimated construction cost of more than \$250,000 shall provide a contribution to the Urban Renewal Authority (URA) in the amount equal to 1/4% of the construction cost valuation, as determined by the Routt County Building Department. The contribution shall be paid at the time the building permit is issued for the project.

2. Community Amenities

a. The Community Amenity contribution shall be administered by the Urban Renewal Authority and shall be applied to the types of amenities identified in the unified Streetscape Plan. The types of amenities may include, but are not limited to:

- a. ~~Fountains or other water elements;~~
- b. Wall murals;
- c. Permanent outdoor art work or sculptures; or

¹A major aspect of a creating a successful pedestrian circulation system for the Mountain Base Area is the need to adopt a unified Streetscape Plan (as recommended in the updated Mountain Town Sub-Area Plan). The plan should address unifying design elements such as paving, streetscape and lighting.

- d. Rotating artwork or sculptures.
- e. ~~Bicycle racks;~~
- f. ~~Public lockers;~~
- g. ~~Public meeting room;~~
- h. ~~Ski racks;~~
- i. Bus/shuttle shelters;
- j. Fire pits;
- k. Public restrooms;
- l. Public seating (e.g., benches, seat walls integrated with base of building or landscape areas or outdoor patio that is open to public);
or
- m. ~~Public drinking fountains.~~

3. Site Planning and Design

- a. Plazas and other community amenities shall be constructed of materials that are of a comparable quality and be of a compatible design as the building they are attached to or the public space in which they are placed and shall be consistent with the Streetscape Plan in terms of their design and location.
- b. Public plazas, seating areas, and other community amenities shall be designed to minimize potential conflicts with snow management operations and ensure pedestrian safety by:
 - i. Limiting grade changes where possible; and
 - ii. Using ramps instead of stairs, where possible, where a change in grade is necessary.

SECTION 13

All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts, thereof, are in conflict herewith.

SECTION 14

If any section, subsection, clause, phrase or provision of this Ordinance is, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

SECTION 15

The City Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety.

SECTION 16

This Ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6 (h) of the Steamboat Springs Home Rule Charter.

INTRODUCED, READ, AND ORDERED PUBLISHED, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the _____ day of _____, 2009.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

Julie Franklin, City Clerk

FINALLY READ, PASSED AND APPROVED this _____ day of _____, 2009.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

Julie Franklin, City Clerk