



STAFF REPORT

To: Summit County Council
From: Patrick Putt, Community Development Director
Date of Meeting: October 24, 2018
Type of Item: Joint Work Session with Snyderville Basin Planning Commission—
Development Code Revision
Process: Work Session

A work session is scheduled for Wednesday evening with the County Council and the Snyderville Basin Planning Commission. The purpose of the work session is to hold a follow-up discussion on the revision/updating of the Snyderville Basin Development Code. The Planning Department seeks direction from the Council and the Commission on the following two fundamental questions:

What is the best strategy to implement the “Mixed-Use” areas designated on the Snyderville Basin General Plan’s Future Land Use Map? The General Plan identifies several current and future mixed-use neighborhoods in the Snyderville Basin. The General Plan contemplates the creation and adoption of zoning tools to guide future development in these areas. Staff and Commission, with the input of local design practitioners, have previously drafted two proposed Neighborhood Mixed-Use zones—One focusing on smaller infill areas; the other addressing larger, currently undeveloped properties which are adjacent or near existing tracts of public open space. These draft zoning districts are attached to this memorandum (See NMU-1 and NMU-2 Zones). Please note that these are draft concepts only and require further refinement and public input prior to any formal action.

One other option to address mixed-use areas is to overhaul and repurpose the existing Community Commercial (CC) Zone which currently allows both residential and commercial uses. The current CC Zone does not provide the desired neighborhood connectivity and alternative transportation standards or adequate design flexibility sought by the Commission and Council. The CC Zone also currently includes land uses that may not be compatible with mixed-use neighborhoods.

Rather than get too far out in front of the Council with the development of further mixed-use draft proposals, Staff seeks direction from the Council and Commission on which strategy is most suitable.

Should the existing Specially Planned Area (SPA) process be kept in the Development Code or should it be replaced by another land planning/project design review tool? Staff has drafted a proposed Master Planned Development (MPD) process (see attached MPD draft) as a possible replacement for SPA process. Whereas a SPA involves negotiating density, use, use, and design, the draft MPD process is intended to create a land planning and design tool using more predictable standards and offering incentive-based design flexibility in exchange for neighborhood connectivity, public space, alternative transportation strategies, and workforce housing. A key distinction between a SPA and the draft MPD process is that the MPD process does not permit increased density beyond that permitted by the zone with the exception for workforce housing. As with the mixed-use zone discussion, Staff seeks direction from the Council and Commission on which strategy is most suitable prior to moving forward refining the draft MPD.

Next Steps: Following the direction provided by the Council and Planning Commission, Staff will revise the proposed zoning amends as necessary and schedule these items for work session and public hearing discussions.

The Planning Commission has completed its review, public hearing process, and recommendation for Chapter 1: Title, Purpose, Authority, and Applicability; and Chapter 2: User Guide. The Planning Commission is currently reviewing the Rural Residential (R-R), Hillside Stewardship (HS), and Mountain Remote zoning districts, including the associated Land Use Table. A second public hearing on these amendments is scheduled for November 13, 2018. It is Staff's objective to get the mixed-use and MPD (or SPA) amendments back to the Planning Commission in December.

FOR PRELIMINARY SBPC DISCUSSION

MASTER PLANNED DEVELOPMENTS

A. INTENT

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

B. APPLICABILITY

Required: The Master Planned Development process shall be required in all zones for the following:

1. Any proposal for a rezone to the Neighborhood Mixed Use-1 zone.
2. Any proposal for a rezone to the Neighborhood Mixed Use-2 zone.
3. Any proposal for a rezone to the Community Commercial (CC) zone.
4. Any proposal for a rezone to the Neighborhood Commercial (NC) zone
5. Any proposal for a rezone to the Service Commercial (SC) zone
6. All subdivisions using base density resulting in 4 or more Lots or Parcels of land.
7. All new Commercial, Retail, Office, or Public projects not located within a Specially Planned Area with more than 10,000 square feet of Gross Floor Area.

C. USES

A Master Planned Development (MPD) can only contain Uses, which are Permitted or Conditional in the zoning district(s) in which it is located or subsequently rezoned to. When the project area includes more than one (1) zoning district, Uses may be relocated across zoning district lines if the County Council determines that relocation results in a project design that advances the goals set forth in the Snyderville Basin General Plan.

D. PROCESS

1. PRE-APPLICATION CONFERENCE.

A required pre-application conference shall be held with the Planning Department staff in order for the applicant to become acquainted with the Master Planned Development procedures and related County requirements and schedules. The Planning Department staff may give preliminary feedback to the applicant based on information available at the conference and may inform the applicant of potential issues or special requirements which may result from the proposal.

2. THE MASTER PLANNED DEVELOPMENT APPLICATION.

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The Master Planned Development plan shall be submitted with a completed Application form supplied by the County. 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 assigned to a staff Planner who will review the Application for completeness. The Applicant will be informed if additional information is necessary to constitute a Complete Application.

3. PLANNING COMMISSION-COUNCIL REVIEW/PUBLIC HEARING/ACTION

The County Council is the Final Land Use Authority for Master Planned Developments. Prior to Final Action by the County Council, the Planning Commission is required to hold a minimum of one (1) Public Hearing prior to forwarding a recommendation to the County Council. The County Council shall approve, approve with conditions, or deny a requested Master Planned Development. County Council action shall be in the form of written findings of fact, conclusions of law, and in the case of approval, conditions of approval.

4. LENGTH OF APPROVAL

Construction, as defined by the International Building Code, will be required to commence within two (2) years of the date of the County 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 approved site plan and associated documents. It is anticipated that the specific project-phasing plan may require review and reevaluation of the project at specified points in the Development of the project. The Planning Commission may grant a one-time extension of a Master Planned Development for a period not to exceed one (1) year, when the Applicant is able to demonstrate good cause for an extension. Extension requests must be submitted prior to the expiration of the Master Planned Development and shall be noticed and processed with a public hearing according to the requirements in this Code.

5. MPD MODIFICATIONS.

- a. Minor Amendment: A "minor amendment" is defined as an amendment that does not increase square footage, density, or intensity of the previously approved Master Planned Development. A minor amendment shall be processed as a Low-Impact 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 minor amendment shall be processed as a Conditional Use Permit.

E. MPD REQUIREMENTS

All Master Planned Development applications 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, Snyderville Basin Planning Commission, or County Council.

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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 zone, except as otherwise provided in this section. In cases where a project site contains more than one (1) zoning district, the Planning Commission may permit a shift of Density between Zoning Districts if the shift results in the project advancing the goals set forth in the General Plan. Square footage associated with underground/structured parking areas within a Master Planned Development is exempt for MPD Density calculations. Square footage associated with deed-restricted affordable housing units within a Master Planned Development is exempt for MPD Density calculations.

1. INCENTIVE DENSITY (**Development**). Incentive Density (**Development**) for residential-only Master Planned Developments (Rural Residential, Hillside Stewardship, Mountain Remote Zones) **up to an additional** _____ units/acre may be permitted for projects that provide _____% of the project area for Open Space, trails, or combination thereof.

Incentive Density **Development** for non-residential Master Planned Developments (Community Commercial, Neighborhood Commercial, and Service Commercial Zones) up to _____ % may be permitted for projects that provide _____% of the project area (*dedicated/private/combination?*) for Open Space, public trails, or combination thereof.

The County Council may permit Incentive Density of _____ units/square feet for every additional 5% of affordable housing mitigation beyond the requirement set forth in Section _____ of this title.

Incentive Density for Master Planned Developments in the Neighborhood Mixed Use-1 (NMU-1) and Neighborhood Mixed Use-2 (NMU-2) Zones are set forth in Sections _____ of this title.

2. SETBACKS. The minimum Setback around the exterior boundary of a Master Planned Development 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 at the discretion of the County Council. The County Council may reduce Setbacks within the project from those otherwise required provided the project meets minimum International Building Code and Fire Code requirements and advances the goals set forth in the General Plan.
3. BUILDING HEIGHT. The maximum Building Height for all structures within a Master Planned Development shall not exceed the zoning district standard. The County Council may grant additional Building Height beyond the maximum zone district standard in exchange for underground/structured parking (See Criterion #6), or deed-restricted affordable housing.
4. REDUCTION OF MINIMUM LOT SIZE REQUIREMENTS. The County Council may reduce the minimum lot size if specified in a zoning district if it finds the proposed decrease in lot size improves the quality of the project.
5. OPEN SPACE. All Master Planned Developments shall provide at least the minimum zone-required Open Space unless further increased through Section _____ of this Chapter. Ownership and maintenance all Open Space lands shall be specified in the Master Planned Development Application.

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6. OFF-STREET PARKING. Unless modified pursuant to this chapter, all Master Planned Development shall meet the parking requirements set forth in Section _____ of this title.

The County 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 County Council may grant additional Building Height beyond the maximum permitted in the zone in exchange for structured parking (See Criterion #3). The County Council may grant additional exterior/surface parking provided such parking is designed in a visually and environmentally sensitive manner including, but not limited to, dispersed parking areas, permeable surfaces, and additional landscaping and buffering.

7. DESIGNING WITH THE TOPOGRAPHY. Master Planned Developments shall be designed to fit into the topography of the site. The County 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 make suitable provisions for the preservation of watercourses, drainage areas, wooded areas, rough terrain and similar natural features and areas.
8. DESIGNING WITH ADJACENT LAND USES. The Master Planned Development site plan shall take adjacent land uses into consideration. Development along the project perimeter shall adequately mitigate any potentially adverse influences, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances.
9. ACCESS. All Master Planned Developments shall have vehicular access from a state highway or County road. All developments shall have a secondary point of access/emergency access unless otherwise mitigated to the satisfaction of the Summit County Engineer and/or Fire Marshall. All roads/streets shall follow the natural contours of the site wherever possible to minimize the amount of grading.
10. UTILITIES. Existing or proposed utility 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 Development shall comply with all requisite Infrastructure standards found in Chapter __ of this Title.
11. 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.
12. CONNECTIVITY. Internal and external vehicular/pedestrian/bicycle circulation shall be demonstrated at the time of application. Pedestrian/ equestrian/bicycle circulation shall be separated from vehicular circulation wherever reasonable.

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13. SNOW STORAGE: Master Planned Developments shall include adequate areas for snow removal and snow storage. The landscape 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.
14. 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
15. COMPLIANCE WITH DEVELOPMENT EVALUATION STANDARDS: Unless otherwise permitted by this Chapter, all Master Planned Development shall comply with all requisite development evaluation standards found in Chapter 4 of this Title.
16. SITE DESIGN NARRATIVE. A Master Planned Development application shall include a written explanation of how the project plan addresses the following design questions:
 - a. Project Neighborhood Connectivity. How does the proposed development interconnect with the surrounding properties, neighborhood, and area?
Including but not limited to:
 - i. Where will vehicles enter and exit the site?
 - ii. Where will new streets be developed?
 - iii. How pedestrian and bicycle routes (including commuter pathways, trails and sidewalks) be provided through the project area?
 - b. 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.?
 - c. Housing Needs: How does the proposed development advance the community need for a mix of housing types and affordability.
 - d. Character: What are the design objectives for the built environment, including buildings and the public spaces that connect them? How do these design objectives address the local context, climate, and/or community needs?
 - e. Site Design: How is the proposed development designed to take advantage of the existing topography, landscape features, trees, wildlife corridors, existing structures, minimize site grading, etc.?
 - f. 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?
 - g. 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?

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- h. 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?
- i. External Storage and Service Facilities: How does the proposed project address needs for garbage collection, above ground utility equipment, mail facilities, service and delivery areas, equipment storage, etc.?

F. REQUIRED CONCLUSIONS OF LAW.

The County Council must find sufficient evidence that supports the following conclusions in order to approve a Master Planned Development. In some cases, conditions of approval will be attached to the approval to ensure compliance with these findings.

- a. The Master Planned Development is designed to fit well into the natural terrain, minimize excessive site grading and protect, preserve, and enhance the level of quality of the surrounding area.
- b. The Master Planned Development makes suitable provisions for the protection, preservation, and enhancement of watercourses, drainage areas, wooded areas, rough terrain and similar natural features and areas.
- 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.
- d. The Master Planned Development has direct vehicular access from a state highway or County road or suitable private road or driveway access meeting all requirements of the County Engineer and Fire Marshall.
- e. The Master Planned Development has a secondary point of access/emergency access or other mitigation satisfactory to the Summit County Engineer and Fire Marshall.
- 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 the most developable and least environmentally sensitive portions of the site. 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 pedestrian/equestrian/bicycle circulation.
- 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 the Development Code.
- m. The Master Planned Development, as conditioned, is consistent with the General Plan.

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- n. The Master Planned Development has been noticed and public hearing held in accordance with this Code.

DRAFT

Neighborhood-Mixed Use-1 (NMU-1) Zone

A. Purpose: The purpose of the Neighborhood Mixed-Use 1 (NMU-1) Zone is to create new Development and redevelopment areas that are:

- Compact,
- Higher density,
- Mixed use,
- Pedestrian-focused
- Transit-oriented, and
- Performance-based.

The desired development pattern of the NMU-1 Zone shall be facilitated through flexible site and community design principles that:

- Provides a mix of land uses that are compatible, mutually supportive, and efficiently served by a variety of transportation options,
- Establishes convenient, safe, direct, and well connected transit and pedestrian linkages,
- Reduce the need for parking,
- Clusters Development to create functional and aesthetically pleasing public realm, including but not limited public spaces, plazas, and outdoor amenity areas; and
- Achieves sustainable infrastructure and building design

B. Rezoning Eligibility: Properties must meet all of the following criteria to be eligible for consideration for a rezone to NMU-1:

~~1.~~—The property(s) must be designated for mixed use on the Snyderville Basin General Plan, Future Land Use Map;

1.

2. The property(s) must be located in the ~~the~~Kimball Junction area, Lower Pinebrook/Quarry Village area, Rasmussen Road area, or Bitner Road area west of the Bitner Ranch traffic circle~~The property(s) must be located in the Kimball Junction area, Lower Pinebrook area, Rasmussen Road, or Bitner Road~~

3. The property(s) must be currently zoned Rural Residential (R-R), Community Commercial (CC), Service Commercial (SC), or Neighborhood Commercial (NC) or Town Center (TC); and
4. The property(s) must be adjacent to (or a redevelopment of) existing commercial, mixed use, or Institutional/civic Development.

C. Rezoning and Master Planned Development: A proposal for a rezone to the NMU-1 Zone shall be processed concurrently with a Master Planned Development application subject to Section _____ of this title.

D. Density/Floor Area Ratio and Open Space: The maximum Density in the NMU-1 shall be calculated pursuant to the following Floor Area Ratio.

Floor Area Ratio (FAR): 0.6

Density shall not be calculated on land required for Open Space.

1. Incentive Density: Incentive Density may be permitted By the County Council exchange for:

- a. Additional Deed-Restricted Affordable Housing: The County Council may permit additional Density of ____% for every additional 5% of affordable housing mitigation beyond the requirement set forth in Section ___ of this title.
- b. Parking Reduction Strategies: The County Council may permit additional Density of __% for the voluntary reduction of parking spaces and the provision of the on-going operation of parking reductions strategies including, but not limited to, employee transportation services, van pooling, care sharing, bike share subsidies, neighborhood public shuttle subsidies, or combinations thereof .

E. Affordable Housing: All Development in the NMU-1 Zone shall be subject to the Affordable Housing standards set forth in Section _____ of this title. The gross square footage of any deed-restricted Affordable Housing in the NMU-1 Zone shall not be counted towards the project Density.

F. Setbacks: Unless otherwise exempted by this title, all Setbacks in the NMU-1 Zone shall be established at the time of the Master Planned Development approval.

G. Height: Unless otherwise permitted through the Master Planned Development (MPD) process, the maximum building height in the NMU-1 Zone shall be forty-five (45) feet.

H. Performance Standards: In addition to compliance with all Master Planned Development criteria set forth in Section _____ of this title, the following performance criteria shall apply to the NMU-1 Zone.

1. Open Space: Unless otherwise approved through the Master Planned Development process, all Master Planned Developments in the NMU-1 Zone shall provide fifteen percent (~~30~~15%) of the project area for Open Space, outdoor space, plaza, pathways, and/or trails.
2. Mixed Use: All Master Planned Developments in the NMU-1 Zone shall have a minimum of three land uses (residential, commercial, office, recreation, civic, etc.) integrated into the project area. A range of different uses along the

street, as well as diversity in building design and scale is encouraged wherever practicable.

3. **Limitation on Direct Retail Sales:** No single retail use may exceed 45,000 square feet.
4. **Single-Story Commercial Building Prohibition:** Unless otherwise approved through the Master Planned Development process, no single-story commercial structures are permitted in the NMU-1 Zone.
5. **Access to Public Transportation:** All Master Planned Developments in the NMU-1 Zone shall provide facilities to promote the use of alternative public transportation options. Unless otherwise permitted through the Master Planned Development process, all Master Planned Developments in the NMU-1 Zone shall provide a Transit Center, transportation stops and other improvements to access to the public transit system necessary to meet the needs of the Development. Unless otherwise permitted through the Master Planned Development process, all Transit Centers shall include a building with a waiting area, restrooms; bicycle lockers, and bike racks. All transportation stops shall include shelters and bicycle racks to meet the needs of the neighborhood. The gross square footage associated with Transit Center buildings shall not be counted towards the project Density. The gross square footage of any commercial uses within a Transit Center building shall count towards the project Density.
6. **Neighborhood Connectivity:** All Master Planned Developments in the NMU-1 Zone shall provide hierarchy of direct, continuous, convenient, and safe pedestrian and bicycle linkages within the project area as well as connections to adjacent/off site sidewalk, pathway, and trail systems.
7. **The Public Realm:** All Master Planned Developments in the NMU-1 Zone shall provide a project-specific Public Realm Plan for the integration of a functional, safe, healthy, and quality environment for all areas to which the public has access including but not limited to streets, plazas, parking areas, sidewalks, pathways, and associated green spaces. The design of all utilities, infrastructure, and signs/wayfinding shall be included with the plan.
8. **Parking:**
 - A. **Residential Uses:** Unless otherwise modified by the Master Planned Development process, residential parking shall comply with Section _____ of this title.

Exception: No off-street parking is required for non-residential uses equal to or less than 3000 square feet, unless modified by the Master Planned Development process

B. Non-Residential Uses: Unless modified through the Master Planned Development process, non-residential uses in excess of 3000 square feet shall comply with Section _____ of this title.

C. Parking Design: To minimize the potential adverse visual impacts of exterior parking, the following requirements shall apply to all parking areas:

1. Off-street parking areas shall be located to the rear of the building, including exterior parking lots and parking structures. Parking structures shall be designed to have the appearance of horizontal storied buildings; reflect the character of adjacent buildings; and have storefronts on the street level.
2. Parking facilities are part of the public realm and therefore shall be readily accessible by pedestrian/bicycle linkages and associated facilities.
3. Unless otherwise approved by the Master Planned Development process exterior parking lots or parking garages shall not be adjacent to a community plaza/square or adjacent to or opposite a street intersection.

9. Architecture and Building Construction: The project architecture shall foster a distinct neighborhood character and sense of place. Designs shall be context base, climate responsive and sensitive to the unique landscape and topography of the site. While new structures are not required to mimic historic structures or themed designs, buildings in the NMU-1 Zone should reflect local and regional practices regarding materials, roof forms, fenestration, textures and colors. Streetscapes should respond to the human, pedestrian scale rather than the automobile. Architecture that relies on standardized corporate designs, mechanical climate control and automobile accessibility is strongly discouraged.

10. Sustainability: Projects should be socially, economically and environmentally sustainable. Buildings should be designed, oriented and constructed to maximize the potential for improved efforts in regard to:

- a. energy efficiency
- b. on-site energy generation
- c. solar orientation, natural light and ventilation
- d. thermal and light reduction
- e. sustainable materials
- f. water efficient landscaping

Neighborhood-Mixed Use 2 (NMU-2) Zone

A. Purpose: The purpose of the Neighborhood Mixed-Use 2 (NMU-2) Zone is to create opportunities to increase the community's preserved open space lands by providing development that is:

- Compact,
- Mixed use,
- Transit-oriented, and
- Performance-based,

The desired development pattern of the NMU-2 Zone shall be facilitated through flexible site and community design principles that:

- Create preserved community public open space,
- Cluster Development to reduce impacts to Critical Lands and natural resources,
- Improve the function and aesthetic quality of the public realm,
- Provide a mix of land uses that are compatible, mutually supportive, and efficiently served by well connected transportation options,
- Establish convenient, safe, direct, and well connected transit and pedestrian linkages,
- Minimize parking, and
- Achieve sustainable infrastructure and building design

B. Rezoning Eligibility: Properties must meet all of the following criteria to be eligible for consideration for a rezone to NMU-2:

1. The property(s) must be designated for mixed use on the Snyderville Basin General Plan, Future Land Use Map.
2. The property(s) must be currently zoned Rural Residential (R-R), ~~Community Commercial (CC), Service Commercial (SC), or Neighborhood Commercial (NC).~~
3. The property(s) must be 200 acres in size or greater.
4. The property(s) must be adjacent to undeveloped lands and/or large areas of preserved open space.

C. Rezoning and Master Planned Development: A proposal for a rezone to the NMU-2 Zone shall be processed concurrently with a Master Planned Development application subject to Section _____ of this title.

D. Density/Floor Area Ratio and Open Space: The maximum Density in the NMU-2 Zone is a result of the NMU-2 Open Space requirement and the NMU-2 Floor Area Ratio. Density shall not be calculated on Open Space lands.

Open Space (minimum): 80% gross land area
Floor Area Ratio (FAR): 0.075

Incentive Density: Incentive Density may be permitted exchange for additional Incentive Open Space.

Incentive Open Space: 90% gross land area
Floor Area Ratio (FAR): 0.175

E. Affordable Housing: All Development in the NMU-2 Zone shall be subject to the Affordable Housing standards set forth in Section _____ of this title. The gross square footage of any deed-restricted Affordable Housing in the NMU-2 Zone shall not be counted towards the project Density.

F. Setbacks: Unless otherwise exempted by this title, all Setbacks in the NMU-2 Zone shall be established at the time of the Master Planned Development approval.

G. Height: Unless otherwise permitted through the Master Planned Development (MPD) process, the maximum building height in the NMU-2 Zone shall be forty-five (45) feet.

H. Performance Standards: In addition to compliance with all Master Planned Development criteria set forth in Section _____ of this title, the following performance criteria shall apply to the NMU-2 Zone.

1. **Mixed Use:** All Master Planned Developments in the NMU-2 Zone shall have a minimum of three land uses (residential, commercial, office, recreation, civic, etc.) integrated into the project area. A range of different uses along the street, as well as diversity in building design and scale is encouraged wherever practicable.
2. **Limitation on Direct Retail Sales:** No single retail use may exceed 45,000 square feet.
3. **Single-Story Commercial Building Prohibition:** Unless otherwise approved through the Master Planned Development process, no single-story commercial structures are permitted in the NMU-2 Zone.
4. **Access to Public Transportation:** All Master Planned Developments in the NMU-2 Zone shall provide facilities to promote the use of alternative public transportation options. All Master Planned Developments in the NMU-2 Zone shall provide a Transit Center, transportation stops and other improvements to access to the public transit system. Public transportation stops are encouraged to be no farther than ¼ mile from any part of developed area. Unless otherwise permitted through the Master Planned Development process, all Transit Centers shall include a building with a waiting area, restrooms, bicycle lockers, and bike racks. All transportation

stops shall include shelters and bicycle racks to meet the needs of the neighborhood.

The gross square footage associated with Transit Center buildings shall not be counted towards the project Density. The gross square footage of any commercial uses within a Transit Center building shall count towards the project Density.

5. **Neighborhood Connectivity:** All Master Planned Developments in the NMU-2 Zone shall provide hierarchy of direct, continuous, convenient, and safe pedestrian and bicycle linkages within the project area as well as connections to adjacent/off site sidewalk, pathway, and trail systems.
6. **The Public Realm:** All Master Planned Developments in the NMU-2 Zone shall provide a project-specific Public Realm Plan for the integration of a functional, safe, healthy, and quality environment for all areas to which the public has access including but not limited to streets, plazas, parking areas, sidewalks, pathways, and associated green spaces. The design of all utilities, infrastructure, and signs/wayfinding shall be included with the plan.
7. **Parking:**
 - A. **Residential Uses:** Unless otherwise modified by the Master Planned Development process, residential parking shall comply with Section _____ of this title.

Exception: No off-street parking is required for non-residential uses equal to or less than 3000 square feet, unless modified by the Master Planned Development process
 - B. **Non-Residential Uses:** Unless modified through the Master Planned Development process, non-residential uses in excess of 3000 square feet shall comply with Section _____ of this title.
 - C. **Parking Design:** To minimize the potential adverse visual impacts of exterior parking, the following requirements shall apply to all parking areas:
 1. Off-street parking areas shall be located to the rear of the building, including exterior parking lots and parking structures. Parking structures shall be designed to have the appearance of multi-horizontal storied buildings; reflect the character of adjacent buildings; and have storefronts when fronting a primary street on the street level.
 2. Parking facilities are part of the public realm and therefore shall be readily accessible by pedestrian/bicycle linkages and associated facilities.

3. Unless otherwise approved by the Master Planned Development process exterior parking lots or parking garages shall not be adjacent to a community plaza/square or adjacent to or opposite a street intersection.

8. Architecture and Building Construction: The project architecture shall foster a distinct neighborhood character and sense of place. Designs shall be context base, climate responsive and sensitive to the unique landscape and topography of the site. While new structures are not required to mimic historic structures or themed designs, buildings in the NMU-2 Zone should reflect local and regional practices regarding materials, roof forms, fenestration, textures and colors. Streetscapes should respond to the human, pedestrian scale rather than the automobile. Architecture that relies on standardized corporate designs, mechanical climate control and automobile accessibility is strongly discouraged.

9. Sustainability: Projects should be socially, economically and environmentally sustainable. Buildings should be designed, oriented and constructed to maximize the potential for improved efforts in regard to:

- a. energy efficiency
- b. on-site energy generation
- c. solar orientation, natural light and ventilation
- d. thermal and light reduction
- e. sustainable materials
- f. water efficient landscaping