



STAFF REPORT

To: Summit County Council
From: Ray Milliner, County Planner
Date of Meeting: May 5, 2021
Type of Item: Discussion/Possible Action
Subject: Development Code Amendment

Recommendation: Staff recommends that the Summit County Council review the proposed Development Code Amendment, and adopt the attached ordinance creating a Master Planned Development process in the Snyderville Basin Development Code.

Background:

On July 19, 2019, the County Council held a joint work session with the Snyderville Basin Planning Commission. The purpose of the work session was to hold discussion on the work program for the revision/updating of the Snyderville Basin Development Code. At the meeting, the Planning Department received input on what the Council and the Commission sees as the key areas of focus and direction for prioritizing a Commission/Council review of the proposed amendments. One of the principal issues that the Council directed was to Continue discussions on the creation of a replacement document for the existing Specially Planned Area (SPA) process.

Whereas a SPA involves negotiating density, 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 except for workforce housing.

On August 27, 2019, November 12, 2019 and January 10, 2020 the Planning Commission held work sessions to review and discuss the process. On February 11, 2020, the Planning Commission forwarded a positive recommendation to the County Council.

On March 4, 2020, the County Council held a work session to discuss the language, and the County Council held public hearings on May 6, 2020, August 19, 2020, September 9, 2020 and April 7, 2021 (the public hearing was closed on April 7).

The MPD section has been reviewed concurrently with the proposed NMU-1 zoning district. The Council has dedicated a significant amount of time to the review of the NMU-1 zone, but to date has not given staff much direction on the language in the MPD chapter. Staff is requesting that the Council provide direction/amendments to this language.

Highlights of the MPD

1. Establishes applicability requirements. All applications for a rezone, residential projects over 10 units or commercial projects greater than 10,000 square feet in size required to be reviewed as an MPD.
2. Creates performance standards that the County Council and Planning Commission will use when making decisions. These criteria are based on the goals and policies adopted in the Kimball Junction Neighborhood Master Plan approved by the County Council.
3. Created requirements for open/public spaces. Provides guidelines for public spaces relating to location and design.
4. Requires that all MPD applications submit an “Environmental Impact Report.” The report is a written explanation of how the project plans to address issues such as water and air quality, energy efficiency, protection of critical lands etc.
5. Requires that all MPD applications submit a “Site Design Narrative.” This narrative is a written explanation of how the development will be designed. The applicant will be required to explain how it will be integrated into the surrounding vernacular, what is being done to address the County’s housing needs, open areas, parking, external storage etc.
6. Establishes a list of required findings of fact. These are the basic findings that the Council must make before they approve any project.

Analysis:

Section 10-7-3 of the Snyderville Basin Development Code states that whenever there is initiated an amendment to the Code, it must be reviewed by the Planning Commission who will deliver a recommendation to the County Council. The County Council, after holding a public hearing, shall approve, approve with modifications, or deny the amendment according to the following criteria.

Criteria 1: The amendment shall be consistent with the goals, objectives, and policies of the general plan. **COMPLIES**

Analysis: The following Goals and Policies of the General Plan apply to this amendment:

OBJECTIVE A: Encourage the creation of highly livable neighborhoods and mixed-use areas that are connected by open spaces and multi-modal transportation systems.

Policy 2.1: Identify, plan, and create neighborhood master planned specific areas where development/redevelopment should occur. These designated areas should be rezoned accordingly.

OBJECTIVE B: Incentivize compact, dense, and nodal development, defined by abundant and contiguous open spaces, as well as a predictable process to achieve this goal through clear regulations in the Snyderville Basin Development Code.

Policy 2.13: Create new mixed-use, inclusive neighborhoods within existing development areas and/or future designated redevelopment areas.

Policy 2.14: Identify specific nodes where development and/or redevelopment will be encouraged and zone these areas accordingly.

OBJECTIVE D: Ensure future development is well designed and appropriately located.

Policy 2.17: Within defined mixed-use areas, a range of uses should be supported that are appropriate for each individual location and neighborhood, and may include small scale retail, offices, business and personal services, schools, and parks designed to meet the needs of the neighborhood.

Policy 2.18: Identify specific areas where mixed use areas may be appropriate to preserve natural open spaces and vistas, prevent urban sprawl, and 7 promote the mountain resort community through managed growth. These areas should contain an appropriate mix of residential and commercial development as well as recreational opportunities that provide connections to existing and future community trails and transit facilities.

Policy 2.21: Encourage locally based and neighborhood commercial businesses.

Policy 2.23: Identify appropriate areas for light industrial/service commercial activities to meet the needs of local businesses and development activities. Light industrial/service commercial activities should be discouraged along scenic corridors or at community gateways.

Policy 2.25: Strongly discourage roadside or strip commercial development where there is continuous or intermittent linear development generally one store deep, one or more access points for separate properties and with highly visible parking located between the road and the building.

Policy 2.26: Discourage large scale commercial “one story” structures.

The proposed language was created specifically to address the goals and objectives written in the current version of the Snyderville Basin General Plan.

Criteria 2: The amendment shall not permit the use of land that is not consistent with the uses of properties nearby. **COMPLIES**

Analysis: Provisions have been made in the Performance Standards in the language to ensure that adjoining properties will not be negatively affected.

Criteria 3: The amendment will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted. **COMPLIES**

Analysis: The amendment will not permit suitability of the properties affected by the proposed amendment to the uses to which they have been restricted.

Criteria 4: The amendment will not permit the removal of the then existing restrictions which will unduly affect nearby property. **COMPLIES**

Analysis: The proposed Code language does not remove any existing restrictions that would unduly affect nearby property owners.

Criteria 5: The amendment will not grant special favors or circumstances solely for one property owner or developer. **COMPLIES**

Analysis: This language was created as a replacement document for the existing Specially Planned Area (SPA) process. Whereas a SPA involves negotiating density, use, and design, the 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.

Criteria 6: The amendment will promote the public health, safety, and welfare better than the existing regulations for which the amendment is intended to change. **COMPLIES**

Analysis: The proposed changes are consistent with County Council goals of creating well managed and well-designed neighborhoods, promoting additional affordable/employee housing and mitigating traffic impacts caused by development. Performance standards will require developers to address connectivity, sustainability, parking, open space, transportation, and other mitigating issues that will have a positive effect on the County population.

Recommendation:

Staff recommends that the Summit County Council review the proposed Development Code Amendment, and adopt the attached ordinance creating a Master Planned Development process in the Snyderville Basin Development Code.

Findings of Fact

1. On July 19, 2019, the County Council held a joint work session with the Snyderville Basin Planning Commission.
2. The purpose of the work session was to hold discussion on the work program for the revision/updating of the Snyderville Basin Development Code.
3. One of the principal issues that the Council directed staff to do was to create a replacement document for the existing Specially Planned Area (SPA) process.
4. The SPA process involves negotiating density, use, and design.
5. The draft MPD process is designed to create a land planning and design tool using more predictable standards and offering incentive-based design flexibility.
6. On August 27, November 12, 2019 and January 10, 2020 the Planning Commission held work sessions to review and discuss the process.
7. The Planning Commission conducted a public hearing on February 11, 2020.
8. The Summit County Council held a work session on March 4, 2020, and Public Hearings on May 6, 2020 and July 15, 2020.
9. The General Plan contemplates the creation and adoption of zoning tools to guide future development in these areas.

Conclusions of Law:

1. The amendment is consistent with the goals, objectives, and policies of the General Plan.
2. The amendment will not permit the use of land that is not consistent with the uses of properties nearby.
3. The amendment will not permit suitability of the properties affected by the proposed amendment for the uses to which they have been restricted.
4. The amendment will not permit the removal of the then existing restrictions which will unduly affect nearby property.
5. The amendment will not grant special favors or circumstances solely for one property owner or developer.
6. The amendment will promote the public health, safety, and welfare better than the existing regulations for which the amendment is intended to change.

Attachments

Exhibit A - Proposed Ordinance.

**SUMMIT COUNTY, UTAH
ORDINANCE NO. 913**

**AN ORDINANCE AMENDING THE SNYDERVILLE BASIN
DEVELOPMENT CODE SECTIONS 10-3 AND 10-2 OF THE SNYDERVILLE BASIN
DEVELOPMENT CODE CREATING A MASTER PLANNED DEVELOPMENT (MPD) PROCESS
THAT WILL BE REQUIRED FOR PROJECTS THAT INCLUDE: A REZONE, TEN RESIDENTIAL
UNITS OR MORE, OR COMMERCIAL, RETAIL, OFFICE, PUBLIC, QUASIPUBLIC, MIXED-
USE OR INDUSTRIAL USES, AT TEN THOUSAND SQUARE FEET OR MORE**

PREAMBLE

WHEREAS, Utah Code Annotated (“UCA”) §17-27a-102(b) provides that counties can enact all ordinances that they consider necessary or appropriate to govern, among other things, land uses; and,

WHEREAS, Policy 2.5 of the Snyderville Basin General Plan states that language from the Code include clear, predictable, and measurable standards; and

WHEREAS, in furtherance of this goal, §10-1-1(D) of the Summit County Code (“Code”) states that the intention of the county is to assure the managed, proper, and sensitive development of land to protect and enhance these desired qualities and the lifestyle that exists; and,

WHEREAS, the creation of the MPD process is an important component in promoting and reaching these goals and policies; and,

WHEREAS, the requirements and performance standards in the MPD process are written specifically to promote the goals and objectives in the Snyderville Basin General Plan; and,

WHEREAS, the Snyderville Basin Planning Commission held a public hearing on February 11, 2020; and

WHEREAS the Snyderville Basin Planning Commission recommended adoption of the amended sections of the Snyderville Basin Development Code on February 11, 2020; and

WHEREAS the County Council held public hearings on May 6, 2020, August 19, 2020 and September 9, 2020, and April 7, 2021; and,

NOW, THEREFORE, the County Council of the County of Summit, State of Utah, ordains as follows:

Section 1. **SNYDERVILLE BASIN DEVELOPMENT CODE** The Snyderville Basin Development Code is amended as depicted in Exhibit A.

Section 2. **Effective Date.** This Ordinance shall take effect immediately after publication.

Enacted this ___ day of _____.

ATTEST:

SUMMIT COUNTY COUNCIL

Kent Jones
Summit County Clerk

Glenn Wright, Chair

APPROVED AS TO FORM

David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

Councilmember Stevens	_____
Councilmember Robinson	_____
Councilmember Clyde	_____
Councilmember Armstrong	_____
Councilmember Wright	_____

10-3-11: MASTER PLANNED DEVELOPMENTS

INTENT

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

APPLICABILITY

Required: Unless the property is subject to an approved Development Agreement, Settlement Agreement or Consent Agreement, the MPD process shall be required in all zones for the following:

1. Any Application for a rezone.
2. A Residential project with ten (10) or more Units of Density.
3. Any new Hotel or lodging project, Commercial, Retail, Office, Public, Quasi-public, Mixed Use, or Industrial project with 10,000 square feet or more of Gross Floor Area.

USES

An MPD can only contain Uses, which are Allowed, Low Impact or Conditional in the existing Zone District(s) in which it is located. When the project area includes more than one (1) Zone District, Uses may be relocated across Zone District lines if the Planning Commission determines that relocation results in a project design that advances the goals of the Snyderville Basin General Plan.

PROCESS

1. **Pre-Application Conference:** A pre-application conference shall be held with staff for the Applicant to become acquainted with the MPD procedures and related County requirements and schedules. 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. Any direction or feedback given at the pre-application conference is not vested. Vesting occurs once a complete application is filed, and the project has been reviewed and approved by the County Council or Planning Commission.
2. **Pre-Application Work Session Public Meeting:** To provide an opportunity for the public and the Planning Commission to give preliminary input on a concept for an MPD, the Applicant may request a work session discussion with the Planning Commission after the pre-application conference with staff. Any direction or feedback given at the pre-application work session public meeting is not vested. Vesting occurs once a complete

application is filed, and the project has been reviewed and approved by the County Council or Planning Commission.

At the pre-Application work session public meeting, the Applicant will have an opportunity to present the preliminary concepts for the proposed MPD. The public will be given an opportunity to comment on the preliminary concepts so that the Applicant can address neighborhood concerns in preparation of an Application for an MPD.

It is recommended that the Applicant host neighborhood meetings in preparation of filing of a formal Application for an MPD and provide a report conveying neighborhood concerns discussed.

3. The MPD Application:

Plans for the MPD 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 MPD. 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.

Planning Commission Review and Public Hearing: Except in the case of MPDs that include a rezone, the Planning Commission shall approve, approve with modifications, or deny an MPD. The Planning Commission action shall be in the form of written findings of fact, conclusions of law, and in the case of approval, conditions of approval. Action shall occur only after public hearing is held. To approve an MPD, the Planning Commission will be required to make the findings outlined in Section F herein. In the case of MPDs that include a rezone, the Planning Commission shall review and forward a recommendation to the County Council, including findings of fact, conclusions of law and conditions of approval.

County Council Review and Public Hearing: In the case of MPDs that include a rezone, the County Council shall approve, approve with modifications, or deny an MPD. The 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. Action shall occur only after a public hearing is held. To approve an MPD, the County Council will be required to make the findings outlined in Section F Herein.

4. Development Agreement:

Once the Planning Commission or County Council approves a Master Planned Development, the approval shall be put in the form of a Development Agreement reviewed by the County Attorney's office and shall contain, at a minimum, the following:

1. A legal description of the land;
2. All relevant zoning and Development Code parameters, including all findings, conclusions, and conditions of approval, specifying any exceptions outlining more or less restrictive Height or Setbacks;

3. An express reservation of the future legislative power and zoning authority of the County;
4. A copy of the approved Site plan, architectural plans, Landscaping plans, Grading plan, trails and Open Space plans, and other plans, which are a part of the approval;
5. A description of all Developer exactions or agreed upon public dedications;
6. The Developers agreement to pay all specified impact fees;
7. The form of ownership anticipated for the project;
8. A specific project phasing plan;

The Development agreement shall be signed by the Chair of either the Planning Commission or the Chair of the County Council and recorded with the Summit County Recorder. The Development Agreement shall contain language to allow for minor, administrative modifications without revision of the agreement. The Development Agreement shall be reviewed and signed as part of the final approval by the Planning Commission or County Council.

5. Vesting of Approval:

- a. MPDs Not Associated with A Final Subdivision Plat: Construction within the MPD area will be required to commence within five (5) years of the date of the MPD approval. After construction commences, the MPD shall remain valid if it is consistent with the approved specific project-phasing plan as set forth in the approved Final Site Plan and associated documents. It is anticipated that the specific project-phasing plan may require review and re-evaluation of the project at specified points in the Development of the project to be described in the Development Agreement.
- b. MPDs Not Associated with A Rezone but Requiring A Final Subdivision Plat: A final Subdivision plat must be recorded within five (5) years of the date of the MPD approval. Additionally, construction within the MPD area will be required to commence within five (5) years of the date of the MPD approval. If the required final Subdivision plat recordation and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the final Subdivision plat shall be void.
- c. MPDs Associated with A Rezone, But Not Requiring A Final Subdivision Plat: Construction within the MPD area will be required to commence within five (5) years of the date of the MPD approval. After construction commences, the MPD shall remain valid if it is consistent with the approved specific project-phasing plan as set forth in the approved final Site Plan and associated documents. It is anticipated that the specific project-phasing plan may require review and re-evaluation of the project at specified points in the Development of the project. If the required construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the zone shall revert to the previous zone designation.

- d. MPDs Associated with A Rezone and Final Subdivision Plat: Unless otherwise extended per the provisions set forth in this chapter, a final Subdivision plat associated with a rezone must be recorded within five (5) years of the date of the MPD approval. Additionally, construction within the MPD area will be required to commence within five (5) years of the date of the MPD approval. If the required final Subdivision plat recordation and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the zone shall revert to the previous zone designation.

After recordation of the final Subdivision plat and the commencement of construction, the MPD shall remain valid if it is consistent with the approved specific project plan and associated documents.

6. **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 MPD. 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 MPD. A major amendment shall be processed as an MPD.

MPD REQUIREMENTS

All MPD 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, Planning Commission, or County Council.

1. **AFFECTED PROPERTIES**: All MPD Applications shall include all contiguous holdings by the Owner, unless specifically waived by the Planning Commission. The rezoning Application shall be accompanied by an affirmation of ownership signed by the legal owner of the property. If the Property is under contract for sale, the affirmation shall be signed by the contract Owner and legal Owner and specify the date a contract of sale was executed. In the event corporations are involved, a copy of the resolution legally empowering the Applicant to make Application shall be provided with the Application.
2. **DENSITY**. The type of Development, number of units and Density permitted on a given Site will be determined through a site suitability analysis and shall not exceed the maximum Density in the zone, except as otherwise provided in this section. The Site shall be looked at in its entirety and the Density located in the most appropriate locations.

In cases where a project site contains more than one (1) Zone District, the Planning Commission may permit a shift of Density between Zone 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 an MPD is exempt from MPD Density calculations.

Square footage associated with deed-restricted affordable housing units within an MPD is exempt from MPD Density calculations.

3. **SETBACKS.** Setbacks for all structures within an MPD shall be determined by the requirements found in each individual Zone District.
 - a. **Exception:** To mitigate negative impacts, preserve view corridors or create a compatible street design/streetscape, the Planning Commission or County Council may modify the setbacks around the exterior boundary of the project. In some cases, that Setback may be increased to create an adequate buffer to adjacent Uses at the discretion of the County. The Planning Commission/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.
4. **BUILDING HEIGHT.** The maximum Building Height for all structures within an MPD shall not exceed the requirements found in each individual Zone District.
5. **SITE PLANNING.** An MPD shall be designed to take into consideration characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the site, not the site modified to fit the project. The following shall be addressed in the site planning for an MPD:
 - a. Designing with the Topography: MPDs shall be designed to fit into the topography of the site. The Planning Commission/County Council may consider flexibility in the siting of the Development to best fit into the natural terrain, minimize excessive site grading and the need for excessive retaining.

Efforts shall be made to mitigate impacts of the Development on the natural environment and resources of the surrounding area. The project design shall make suitable provisions for the preservation of all affected Critical Lands.
 - b. Designing with Adjacent Uses: The MPD 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.
 - c. Building Location: All Buildings shall be located to avoid, to the extent practicable, Critical Lands. Building locations and associated lot configurations should be oriented to encourage active and passive solar design principles wherever practicable. Building design should create recognizable streets and other spaces with their edges defined by Buildings, making it easy for anyone to find their way around, and promote safety and accessibility.

- d. Access: All MPDs 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 Fire Marshall. Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.
- e. Trails: Existing trails should be incorporated into the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new transportation and/or recreational trails will be required to be consistent with Summit County's Active Transportation Plan and/or Snyderville Basin Special Recreation District's Trails Master Plan, respectively. All new construction will meet or exceed the design standards set forth in the plans.
- f. Connectivity: All MPDs shall provide a means of direct, and safe pedestrian and bicycle linkages within the project area as well as connections to adjacent/off site sidewalk, pathway, and trail systems. Pedestrian/ equestrian/bicycle circulation shall be separated from vehicular circulation wherever reasonable.

Where applicable, MPDs will have a system of streets, alleys, and pedestrian pathways with multiple routes and connections serving the same origins and destinations. All streets, alleys, and pedestrian pathways shall connect to other streets and to existing and projected streets outside the proposed MPD or other Development. Dead ends or cul-de-sacs are discouraged.

- g. Snow Removal: Snow storage shall be compliant with the requirements of Chapter 10-4-14 of this Title. The Site plan 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 to provide adequate areas to remove and store snow. Snow should be stored on Site and not removed to an Off-Site location.
- h. Waste Disposal/Recycling Facilities: All waste disposal and recycling facilities shall be compliant with the requirements of Chapter 10-4-13 of this Title. The Site plan shall include adequate areas for trash dumpsters and recycling containers, including an adequate circulation area for pick-up vehicles. These facilities shall be enclosed and shall be included on the site and landscape plans for the Project. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests.
- i. Service and Delivery Access: Service and delivery Access and loading/unloading areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.
- j. Utilities: Existing or proposed utility and public services for MPDs 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.

6. **TRANSPORTATION:** MPDs shall include transportation approaches that add more options for public transportation, pedestrians, and bicycle users, and reduce the need for driving. An MPD should include:
 - a. Transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable;
 - b. Bike facilities including but not limited to lockers and racks;
 - c. Upgraded bike lanes or bike paths; and
 - d. Agreements between businesses to stagger delivery services and commute times.
7. **EMPLOYEE/AFFORDABLE HOUSING.** All MPD Applications shall include a housing mitigation plan which must address employee Affordable Housing as required by Chapter 10-5 of this Title. The plan shall include consideration for underserved populations such as seniors, ability challenged and people in need of transitional housing.
8. **OPEN SPACE/PUBLIC SPACES.** All MPDs shall provide at least the minimum zone-required Open Space unless further increased through this MPD Process.

In more urbanized areas such as the Town Center (TC), Neighborhood Mixed Use (NMU) and Community Commercial (CC) zones, Open Space areas shall include Public Space as defined in this title. Public Spaces shall:

- a. Be well located to support a wide variety of activities and encourage social interaction, that promote health, well-being, social and civic inclusion;
- b. have a hierarchy of spaces that range from large and strategic to small and local spaces, including parks, squares, greens and pocket parks;
- c. have public spaces for all to use; and
- d. have trees and other planting within Public Spaces.

Ownership and maintenance all Open Space lands shall be specified in the MPD Application.

9. **OFF-STREET PARKING.** Unless modified pursuant to this chapter or an individual Zone District, all MPDs shall meet the parking requirements set forth in Section 10-4-9 of this title.
10. **COMPLIANCE WITH DEVELOPMENT EVALUATION STANDARDS.** Unless otherwise permitted by this Chapter, all MPD shall comply with all requisite Development evaluation standards found in Chapter 4 of this Title.
11. **GENERAL PLAN REVIEW.** All MPD applications shall be reviewed for consistency with the goals and objectives of the Snyderville Basin General Plan; however, such review for consistency shall not alone be binding.

12. **ENVIRONMENTAL MANAGEMENT EXPLANATION:** An MPD Application shall include a written explanation of how the project plan addresses the following environmental issues:

- a. Natural Environment. How does the proposed project integrate existing, and incorporate new natural features into a multifunctional network that supports quality of place, biodiversity, and water management? How does it address climate change mitigation and resilience? Will landscaping work to achieve this goal?
- b. Water Quality: What measures are being taken to manage water use by the Development, and what is being done to ensure the Development does not contaminate ground water or surrounding water ways.
- c. Air Quality: Explain what measures are being taken to ensure the Development does not have a negative effect on Summit County's air quality.
- d. Protection of Critical Lands: If the Development is adjacent to Critical Lands, or within a flood plain or wildfire interface area, explain what is being done to mitigate any negative impacts of the Development on those lands. How is the Development meeting the requirements in Chapter 10-4-3 of this Title?
- e. Energy Efficiency: Explain what is being done to ensure the Development is energy efficient. Are actions being taken to ensure the Development exceeds the minimum requirements found in the International Building Code?
- f. Building Materials: Explain what sustainable materials are being incorporated into the Development.
- g. Recycling/Waste Disposal: Explain the recycling program for the Development. How is it meeting the requirements found in Chapter 10-4-13 of this Title?
- h. Climate Responsive Design: Explain how the Development will work with the Snyderville Basin's climate, how architecture will consider seasonality, the direction of the sun (sun path and solar position), natural shade provided by the surrounding topography and environmental factors (such as wind, rainfall, humidity). Explain how the shaping Massing and Architecture will be designed to:
 - i. Reduce snow accumulations at entrances / exits;
 - ii. Incorporate passive solar heating;
 - iii. Wind driven natural ventilation;
 - iv. Locate windows, skylights etc. to benefit daylighting These also impact natural ventilation; and
 - v. Provide adequate snow storage and snow melt run-off capacity.
 - vi. **Contribute to Summit County's sustainability goals.**
- i. Landscaping: Explain how the proposed landscaping will be appropriate for the climate and topography of the site. Explain how the irrigation system will be water wise and designed to preserve as much water as possible.

13. **SITE DESIGN NARRATIVE.** A MPD 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, existing water ways, 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, stormwater runoff and exterior lighting?
- h. Public and Private Outdoor Spaces. What is 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 recycling, garbage collection, above ground utility equipment, mail facilities, service and delivery areas, equipment storage, etc.?
- j. Building Design. How does the Building/Buildings within the Development provide good quality internal and external environments for their users, promoting health and welfare? How does the Building/Buildings relate positively to the private, shared, and public spaces in the area?

F. REQUIRED FINDINGS OF FACT

The County must find enough evidence to support the following conclusions to approve an MPD. In some cases, conditions of approval will be attached to the approval to ensure compliance with these findings.

- a. The MPD 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 MPD 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 MPD 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 MPD 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 MPD 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 MPD 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 MPD 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 MPD are located on the most developable and least environmentally sensitive portions of the site. The open areas within the MPD are designed so that existing significant vegetation can be maintained to the greatest degree possible.
- i. The MPD includes adequate internal vehicular and pedestrian/equestrian/bicycle circulation.
- j. The Building/Buildings within the Development provide good quality internal and external environments for their users, promoting health and welfare.
- k. The proposed project integrates existing and incorporates new natural features into a multifunctional network that supports quality of place, biodiversity, and water management.
- l. **The proposed project contributes to Summit County's sustainability goals.**
- m. The MPD, as conditioned, complies with all the requirements of Chapter 4 of the Snyderville Basin Development Code.
- n. The MPD, as conditioned, is consistent with the General Plan.
- o. The MPD has been noticed and public hearing held in accordance with this Code.