

**Town of Minturn
Development Review Process:
Guide To
Planned Unit Developments
(Concept Plan)**

*This guide describes the **Planned Unit Development Process**. This guide should be utilized in conjunction with the *Town of Minturn Zoning Regulations, Town of Minturn Comprehensive Plan and the guide to Pre-Application Review.**



PLANNING AND ZONING DEPARTMENT
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<http://www.minturn.org/government/zoning.html>



LAND DEVELOPMENT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street

Minturn, Colorado 81645-0309

Phone: 970-827-5645

Fax: 970-827-4262

Email: planner@minturn.org

APPLICANT:		ADDRESS:		SIGNATURE:	
				NAME:	
		PHONE:	FAX:		
		EMAIL:		TITLE:	
OWNER(S) OF RECORD:		ADDRESS:		SIGNATURE:	
				NAME:	
		PHONE:	FAX:		
		EMAIL:		TITLE:	
DEVELOPER:		ADDRESS:		CONTACT PERSON:	
		PHONE:	FAX:		
		EMAIL:			
ENGINEERING FIRM:		ADDRESS:		CONTACT PERSON:	
		PHONE:	FAX:		
		EMAIL:			
Presubmittal Date		Presubmittal Planner:			
Parcel ID Number		<i>(Example: 210326325001) from your full card printout</i>			
Address or Intersection					
Brief Legal Description					
Subdivision Name & Filing #					
Project Description					
	Existing			Proposed:	
Zoning:					
Land Use:					
Total Acres:					
F.A.R./Density:					
Project Name:					
Related Case #'s:					
CASE TYPE					
PUD CDP: Concept Dev. Plan	PP: Prelim. Subdivision Plat	DRB – P: Des. Rev. Bd. Prelim	A-FP: Fence Permit		
PUD PDP: Prelim. Dev. Plan	FP: Final Subdivision Plat	DRB – F: Des. Rev. Bd. Final	A-MOD: Modification/Add		
PUD FDP: Final Dev. Plan	MS: Minor Subdivision	ADM: Admin. Des. Review	A-MIN: Minor Ext. Mod.		
PUD ASP: Admin. Site Plan	ASR: Admin. Subdivision Replat	A-SIGN: Admin. Sign Review	ANNEX: Annexation		
PUD FDP A: Amendment	V: Vacation of Easement	A-DIG: Admin. Dig Permit	TU: Temporary Use		
LU-V: Land Use – Variance	R.O.W. Vacation	A-DEMO: Admin. Demo Per.	CU: Conditional Use		
NU –V: Non Use – Variance	REZ -Rezoning –Straight Zoned	A-LTD: Admin. Limited Use	APPLS: Appeals		
This section for OFFICE USE ONLY					
Case No:	Case Mgr.	Case Eng.			
Fees Paid	Y	N	\$	Dates Referred Out	
Dates to be Returned			Planning Comm Date:		
<p>This development application shall be accompanied with the applicable fee and shall not be considered valid until the <u>total application fee is received.</u> Submittal of this application does not mean you will receive automatic approval, nor does it establish a vested property right in accordance with C.R.S. 24-68-105(1). Further processing and review of this application may require additional information, and/or meetings, as outlined in the Town of Minturn Zoning and Development Code</p>					

PURPOSE OF THE PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONE DISTRICT (Section 16.15.1 Minturn Zoning Code)

The purpose of the Planned Unit Development (PUD) Overlay Zone District is to allow flexibility for landowners to creatively plan for the overall development of their land and to achieve the purpose and objectives of this Code and the Minturn Community Plan. An applicant for PUD must demonstrate that departure from existing ordinances is warranted and that the proposed PUD significantly contributes to the following:

The proposed PUD is consistent with the Community Plan and the character of Minturn and:

- Provides for new technology and promotes innovative and efficient land use patterns;
- Permits the integration of land uses and contributes to trails and pedestrian circulation;
- Preserves valued environments and natural resources and achieves a more desirable environment;
- Maintains or improves air and water quality;
- Provides for a wide range of housing opportunities
- Improves the overall design character and quality of new development.
- **Permit Integration of Uses.** Permit the integration, rather than separation of uses, so that necessary facilities are conveniently located in relation to each other;
- **Efficient Land Use Patterns.** Establish land use patterns that promote and expand opportunities for public transportation and trails and for safe, efficient, compact street and utility networks that lower development and maintenance costs and conserve energy;
- **Preserve Lands.** Preserve valued environmental, historic or mineral resource lands and avoid development in natural hazard areas;
- **Maintain Water Quality and Quantity.** Maintain and enhance surface and ground water quality and quantity;
- **Contribute to Trails System.** Provide applicants the opportunity to contribute to the Town's multi-use trail system; to provide and maintain access to public lands and rivers;
- **Incentives for Affordable Housing.** Establish incentives for applicants to encourage the provision of long term affordable housing; and
- **Community Plan.** The PUD shall be consistent with the purposes and goals of the Town of Minturn Community Plan and these Land Use Regulations.

GENERAL STANDARDS

(Section 16.15.8 Minturn Zoning Code)

The following standards and requirements shall govern the acceptability of a Planned Unit Development application:

- I. The PUD shall be consistent with the intent of the Community Plan and the policies therein and shall be compatible with the character area and with the surrounding land uses and shall not detrimentally affect adjacent or nearby properties.
- II. The PUD shall provide for the appropriate treatment of the Eagle River corridor as a community recreational amenity and focal point.
- III. The design and construction of the PUD shall include adequate, safe and convenient arrangements for pedestrian and vehicular circulation, off-street parking and loading space with access adequate to support the anticipated traffic, on and off-site, including emergency and utility vehicles. Trails and sidewalks shall be provided to form a logical, safe and convenient system for pedestrian access to dwelling units and common areas, with appropriate connections off-site.
- IV. The PUD shall be subject to such setbacks, lot widths and space between buildings as necessary to provide adequate access and fire protection, to ensure proper ventilation, sunlight, air and snow melt between buildings, and to ensure that the PUD is compatible with other developments in the area.
- V. The applicant shall demonstrate that the development proposed will be provided with adequate facilities for water supply, (domestic and irrigation,) sewage disposal, solid waste disposal, electrical supply and roads, and will be conveniently located in relation to schools, police, fire and emergency medical services or make payment in lieu of such facilities.
- VI. The PUD will be evaluated in terms of its proximity to commercial, recreational and educational facilities conveniently located to residential housing.
- VII. The PUD should provide a wide range of housing opportunities and other buildings that promote design continuity with the existing community and design continuity in type, size and layout of buildings.
- VIII. Maximum height of structures shall be established by the approved PUD plan.
- IX. Provide storage for snow removed from the internal street network, from sidewalks and from off-street parking areas.
- X. Open space for the PUD shall be planned to produce maximum usefulness to the residents of the development for purposes of recreation and scenery and to produce a feeling of openness.
- XI. The mass and scale of individual buildings and the overall density of the PUD shall be consistent in scale and character to avoid abrupt and/or severe differences.
- XII. Any increase in density proposed above that which is permitted in the underlying zone shall be mitigated by increasing the land dedications to open space and/or recreational amenities and subsequent impact on public facilities.
- XIII. Residential density and intensity of other uses shall be limited as required by the Town Council, upon consideration of the Community Plan, the Official Zone District Map and the character area and specific characteristics of the subject land.
- XIV. Architecture and design fit in the PUD shall reflect the character of the Town.
- XV. A PUD may include any uses permitted by right or as a conditional or special use in any other zone, except that any use that has been declared a nuisance by statute, ordinance or any court of competent jurisdiction shall not be permitted.
- XVI. A PUD may be applied to annexed land or other land not zoned by the Town of Minturn without the requirement for underlying zoning.

MINOR PLANNED UNIT DEVELOPMENT

(Section 16.15.25 Minturn Zoning Code)

Concept Development Plan and Preliminary Development Plan may be combined if the proposed project meets the following criteria:

- **The proposed development is less than ten (10) dwelling units.**

A pre-application conference shall be held with the town staff. The purpose of the pre-application conference is to establish general guidelines and elicit direction from the staff regarding specific questions or problem areas of the proposed PUD and to discuss the goals of the proposed PUD, the relationship of the proposal to the applicable elements of the Community Plan and to review the procedure that will be followed. The Planning Commission may authorize, upon a recommendation from the Planning Director, the use of the Minor PUD process if it is determined that the proposed PUD is similar in scope and substantially conforms to the Concept Plan Evaluation Criteria.

Upon request and justification by the applicant, any or all of the Concept Plan Submission Requirements may be waived by the Planning Commission. The Planning Commission shall consider the recommendation of the Planning Director prior to waiving any or all of the Concept Development Plan Submission Requirements.

CONCEPT DEVELOPMENT PLAN REQUIREMENTS

(Section 16.15.10 Minturn Zoning Code)

The purpose of the Concept Plan review is for the applicant, the Planning Director and the Planning and Zoning Commission to evaluate and discuss the basic concepts for development of the proposed PUD, and to consider whether development of the property as a PUD will result in a significant improvement over its development as a conventional subdivision. It is the time when determinations should be made as to whether the proposed PUD complies with the purpose and intent of this Code and with the Community Plan and is generally compatible with surrounding land uses. It is also the opportunity to reach general agreement on such issues as the appropriate range of units and commercial space proposed, the types of use, dimensional limitations and other variations that may be considered; the general locations intended for development and the areas planned to remain undeveloped; the general alignments for access; and how water supply and sewage disposal will be provided. The Concept Plan Checklist covers all the information that needs to be addressed before any action can be taken by the Planning Department of Planning Commission. The outcome of Concept Plan review should be an identification of issues and concerns the applicant must address if the project is ultimately to receive approval for a Preliminary Plan for PUD from the Town.

1. Pre-Application Conference (Section 16.15.11 Minturn Zoning Code)

A pre-application conference shall be held with the town staff. The purpose of the pre-application conference is to establish general guidelines and elicit direction from the staff regarding specific questions or problem areas of the proposed PUD and to discuss the goals of the proposed PUD, the relationship of the proposal to the applicable elements of the Community Plan and to review the procedure that will be followed. The Concept Development Plan review shall be held by the Planning Commission at a regularly scheduled meeting. Prior to meeting a work session may be held with the applicant, staff and the Planning Commission to discuss the proposed PUD.

2. Concept Development Plan Application (Section 16.15.10 (2) Minturn Zoning Code)

A Concept Plan application and checklist shall be submitted to the Planning Director. Within (10) calendar days of receipt of the application, the Planning Director shall determine if the application is complete and includes sufficient data to evaluate the application to determine general compliance with the requirements of this Code.

3. Concept Plan Submission (Section 16.15.12 Minturn Zoning Code)

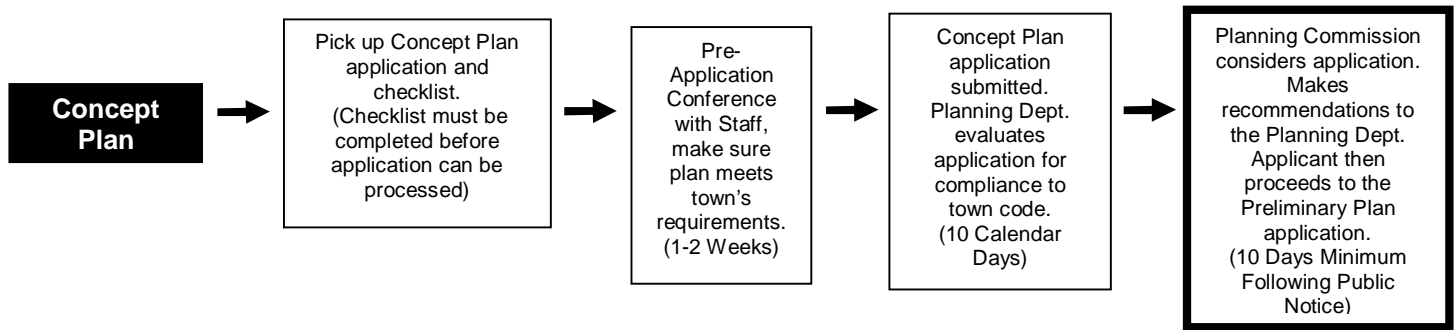
The Concept Plan submission shall include the bulleted information on the right in conceptual or schematic design and report form. Certain submittal requirements may be waived or modified by the Planning Director if it is demonstrated that the submittal requirements to be waived or modified are not applicable or other practical solutions are being proposed. These requirements are included in the Concept Plan PUD Checklist, which needs to be completed before any progress is made in the PUD process. Concept plan checklist is located on the next page.

PLANNED UNIT DEVELOPMENT CONCEPT PLAN SUBMISSION CHECKLIST

The Concept Plan submission shall include the following information in schematic design and report form. Certain submittal requirements may be modified by the Planning Director if it is demonstrated that the submittal requirements to be waived or modified are not applicable or other practical solutions are being proposed:

APPLICANT	STAFF	CRITERION
		A written statement describing the nature and extent of the development proposed, to include information on proposed uses, densities, contemplated ownership patterns and phasing plans, and a statement outlining how and where the proposed development deviates from the development standards prescribed in the underlying zone district.
		Reasons the PUD procedure is more desirable than a conventional plan.
		A survey stamped by a licensed surveyor indicating existing conditions of the property, to include, but not limited to, the location of improvements, contour lines, natural features, existing vegetation, watercourses and perimeter property lines.
		A vicinity map or plan showing the proposed site in relation to all adjacent properties and a description of how the proposed development relates to the surrounding character area and Community Plan.
		A development plan that illustrates the proposed land uses, building locations, housing unit densities, proposed trails, sidewalks, traffic circulation patterns and the proposed open space and recreational areas or uses.
		Proposed source of water and method of sewage disposal.
		Economic and supporting data to justify any proposed commercial and industrial elements.
		A preliminary environmental assessment.
		A preliminary fiscal impact analysis of the estimated demands for Town services and a statement of projected Town tax revenue based upon historic Town tax levy, and a schedule of projected revenue.
		Preliminary architectural concepts or plans sufficient to determine the general scale and appearance of the proposed development.
		A conceptual phasing plan for the proposed development.
		Proposed method of fire protection and emergency medical services.
		Any other materials and information deemed necessary by the Planning Director.

TYPICAL CONCEPT DEVELOPMENT PLAN PROCESS



PLANNING COMMISSION REVIEW OF CONCEPT DEVELOPMENT PLAN (Section 16.15.13 Minturn Zoning Code)

The Planning Commission shall conduct regular Planning Commission meeting on a Concept Plan application for PUD. At a regular Planning Commission meeting the Planning Commission shall consider the application, the relevant support materials, the findings of the town staff and other agencies. The Planning Commission may confer with the applicant on changes deemed advisable and the kind and extent of such changes, and request staff input. In reviewing the plan, the Planning Commission shall make findings on the following evaluation criteria, before making a recommendation to the Planning Director on whether the applicant should proceed to the preliminary plan application:

- There are objectives of the Community Plan or special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- The resulting development will be consistent with the Community Plan and the proposed PUD reflects the character of Minturn;
- The area around the development can be planned to be in substantial harmony with the proposed PUD;
- The adjacent and nearby neighborhoods will not be detrimentally affected by the proposed PUD;
- The mass and scale of individual buildings and the overall density of the PUD shall be consistent in scale and character to avoid abrupt and/or severe differences with the surrounding area;
- The PUD can be completed within a reasonable period of time, which shall be determined prior to final approval of the PUD;
- The PUD provides for the appropriate treatment of the Eagle River corridor as a community recreational amenity and focal point.
- The PUD has easy access to recreational amenities.
- Any increase in density proposed above what is permitted in the underlying zone or character area shall be mitigated by increasing the land dedications to open space, recreational amenities or other public facilities or services.
- Any proposed commercial or industrial development can be justified;
- Residential density and intensity of other uses shall be limited as required by the Town Council, upon consideration of the Community Plan, the Official Zone District Map and the specific characteristics of the subject land.
- A finding on the Preliminary Environmental Assessment and a recommendation on the requirement to submit an Environmental Impact Report with the Preliminary Plan.
- A finding on the extent to which the proposed PUD addresses a demonstrated community need.