



STAFF REPORT

To: Eastern Summit County Planning Commission
From: Ray Milliner, County Planner
Date of Meeting: October 3, 2019
Type of Item: Code Amendment – Work Session
Process: Legislative

RECOMMENDATION: Staff requests that the Eastern Summit County Planning Commission review the attached Recreation Commercial Zone language proposed for the Eastern Summit County Development Code and provide staff with direction.

BACKGROUND

In February of 2017, the County Council adopted amendments to Chapter 3 of the Eastern Summit County Development Code. These amendments created new zoning districts and amended the zoning map and land use table. As part of the original discussion for these amendments the Planning Commission had determined to work on the creation of a Recreation Commercial RC zone that would give property owners the opportunity to rezone through the Master Planned Development process, and create residential, Commercial and recreational developments with:

- Residential units including single-family, multi-family, and mixed Use.
- Commercial Uses designed to serve and provide for the convenience of guests and visitors.
- Destination recreation amenities and opportunities in a more creative and imaginative fashion that generally is not possible under conventional zoning.
- Provide an alternative for improving the incomes and potential economic viability of agriculture through Agricultural Tourism.

However, it was determined at the time that the RC zone was not ready, and it was dropped from the Chapter 3 amendments to be looked at later.

Recently Planning Commission requested that staff resurrect the language and bring it back. Staff has attached the last draft that the Planning Commission reviewed and is requesting that the Commission review the language and provide feedback. There are comments in the side bar of questions staff has for the Commission.

Recommendation

Staff requests that the Eastern Summit County Planning Commission review the attached Recreation Commercial Zone language proposed for the Eastern Summit County Development Code and provide staff with direction.

Exhibits

Exhibit A. Proposed Language

11-3-10: Recreation Commercial (RC)

District Intent: The intent of the Recreation Commercial (RC) Zone is to provide settings for residential, Commercial and recreational developments, including but not limited to:

- Residential units including single-family, multi-family, and mixed Use.
- Commercial Uses designed to serve and provide for the convenience of guests and visitors.
- Destination recreation amenities and opportunities in a more creative and imaginative fashion that generally is not possible under conventional zoning.
- Provide an alternative for improving the incomes and potential economic viability of agriculture through Agricultural Tourism.

Rezoning Eligibility: Properties must meet all of the following criteria to be eligible for consideration for a rezone to RC:

- A. The property(s) must be _____ acres in size or greater.
- B. A proposal for a rezone to the RC Zone shall be processed concurrently with a Master Planned Development application subject to Section _____ of this title.
- C. Concurrent with any Application for a rezone to the RC Zone, the Applicant must submit a Subdivision Application in compliance with this Title
- D. If a proposal for a rezone to the RC zone lies within the annexation declaration area of a municipality, said municipality shall be notified of the proposal before a public hearing for the rezone is held by the Planning Commission.

~~**Density/Floor Area Ratio and Open Space:** The Floor Area Ratio (FAR) shall not exceed two (2.0) for all affected Lots. All Uses within a Building, except enclosed Parking Areas are subject to the FAR.~~

Lot Coverage: Lot coverage for Developments in the RC zone, including off Street parking, circulation and other hard surface structures shall not exceed sixty percent (60%) of the Lot.

Setbacks: All Setbacks in the RC Zone shall be established at the time of the Master Planned Development approval, except for:

1. Wetland: the setback shall be 40 FEET from delineation line as defined by the Army Corps of Engineers.
2. River or Perennial Stream: the setback shall be 100 feet from ordinary high-water mark.
3. Lake or Natural Pond: the setback shall be 50 feet from ordinary high-water mark.

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

Exception: The County Council may grant a height exception up to a maximum of 60 feet to accommodate affordable housing and structured parking through the MPD process.

For any Building abutting a Detached Single-Family Dwelling Unit, the maximum height is limited to forty-five feet (45') and may not be increased through any process.

Step back Requirement: Floors rising above thirty-two feet (32') in height shall be stepped back fifteen (15) horizontal feet from the building foundation at grade for building elevations that are facing a public street, public trail, or public open space. This step back does not apply to buildings that have balconies on floors rising above thirty-two feet (32') in height.

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 RC Zone.

1. **Mixed Use:** All Master Planned Developments in the RC Zone may have a mix of land uses (recreation, residential, commercial, office, 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. **Neighborhood Connectivity:** All Master Planned Developments in the RC 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.
4. **The Public Realm:** All Master Planned Developments in the RC 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.
5. **Site topography:** The project shall be designed to incorporate existing site topography into its design features and to practice sustainable excavation and site work that minimizes import and export of materials. Final project grades and elevations may be established as part of the development application and determined through the MPD process.
6. **Public Services:** Public services (sewer, water, electric, phone, etc.) are readily available to the property and can be provided at adequate levels to serve the demands of the Commercial Use without negatively impacting the level of service to adjoining Uses or existing Businesses as determined through an infrastructure analysis.

Parking: Development in the RC zone shall meet the following off-street parking standards:

Residential Uses

Single Family Dwelling Unit:	Minimum of 2 spaces/Unit
Duplex Dwelling Unit:	Minimum of 2 spaces/Unit (total of 4/building)
Accessory Dwelling Unit:	Minimum of 1 space/Unit
Guest House:	Minimum of 1 space/Unit
Multi-Unit (3 or more Units):	Minimum of 1 space/Unit

Non-Residential Uses

Commercial/Retail:	3 spaces/1000 sq. ft. of net leasable floor area
Commercial/Restaurant-Café:	3 spaces/1000 sq. ft. of net leasable floor area
Hotel/Lodging:	1 space/guest room or suite; 2 spaces/1000 sq. ft. support commercial
Offices:	2.5 spaces/1000 sq. ft. net leasable area

C. Parking Design: To minimize the potential adverse 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.
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.

Potential uses in the RC zone.

From Existing Use Chart	Potential New Uses
Accessory buildings	Bar
Accessory Dwelling Unit	Bed and Breakfast
Agricultural Employee Facility	Art Gallery
Agricultural Employee dwelling unit	Mixed Use Development
Agricultural Buildings	Mobile Food Business
Dwelling unit, Single Family, Duplex, Multi-Family	Office
Distillery	Reception Center
Food processing	Retail Service
Guest Ranches	Theater
Home Occupation	Recreation, Indoor
Hotel, motel	Recreation, Outdoor
Houses of worship	Bakery, Commercial

Indoor Entertainment	Farmer's Market
Institutional uses	Outdoor Event
Microbrewery	Ski tow rope, Ski Lift, ski run
Rehearsal or teaching studio	Recreation Facility, Public
Restaurant	Recreation Facility, Commercial
Restaurant with drive through	Campground
Seasonal Farmstand	
Seasonal Recreation	
Shooting Range	
Telecommunication	

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