

## CHAPTER 9. PLANNED UNIT DEVELOPMENTS

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## CHAPTER 9. PLANNED UNIT DEVELOPMENTS

### § 9.1 PURPOSES

In order that the public health, safety and general welfare may be furthered in an era of increasing urbanization, commercial and industrial development, and growing demand for housing of all types and design, this Chapter is designed to encourage planned unit developments (PUDs) in the Estes Valley for the following purposes:

- A. To encourage innovations in residential and commercial development and renewal so that the growing demands of the population may be met by greater variety in type, design and layout of buildings and by the conservation and more efficient use of open space ancillary to such buildings;
- B. To encourage a more efficient use of land and of public services and to reflect changes in the technology of land development so that resulting economies may inure to the benefit of those who need homes;
- C. To provide a process that can relate the type, design and layout of residential and commercial development to the particular site, thereby encouraging the preservation of the site's natural characteristics, and to encourage integrated planning in order to achieve the purposes of this Chapter;
- D. To provide for well-located, commercial sites and well-designed residential developments while minimizing the impact on roads, streets and other transportation facilities; and
- E. To conserve the value of the land.

### § 9.2 APPLICABILITY AND TYPES OF PUDS ALLOWED

- A. **PUDs Allowed in the CO District Only.** Application for a planned unit development may be made for land located in the CO Outlying Commercial Zoning District. A PUD may be established by overlaying a PUD development plan over the existing CO zoning district. All PUDs shall be reviewed and approved in accordance with the standards set forth in this Chapter and the procedures set forth in Chapter 3 of this Code.
- B. **Types of PUDs Allowed.** A Mixed-Use Planned Unit Development (PUD-M) shall be the only permitted PUD overlay in the CO zoning district.

### § 9.3 PUD-M, PLANNED MIXED-USE DISTRICT

The PUD-M, Planned Mixed-Use District, is created to provide for the development of planned mixed-use commercial and residential developments. It is intended to promote developments with a balanced mix of commercial and residential uses that provide services and employment opportunities in close proximity to residents of the district. The PUD-M, Planned Mixed-Use District, may be permitted as an overlay only in the CO Outlying Commercial District. Within a PUD-M District, the following standards shall be applied and uses and densities may be permitted subject to the approval of the Decision-Making Body, depending on the location of the proposed PUD.

- A. **Permitted Uses.** Within a PUD-M district, the following uses may be permitted subject to the approval of the Decision-Making Body:
  - 1. Uses permitted by-right or by special review in the underlying zoning district;
  - 2. Residential uses; or

3. Accommodation uses.
- B. Minimum Parcel Size.** The minimum parcel size of a mixed-use PUD shall be three (3) acres.
- C. Number of Units Allowed/Density.**
1. *Residential Uses in a Mixed-Use PUD.* The maximum number of units allowed (density) shall be determined by applying the maximum permitted net density allowed in the RM Multi-Family Residential Zoning District (see §4.3.C.5 above).
  2. *Accommodation Uses in a Mixed-Use PUD.* The maximum number of accommodation units allowed shall be determined by applying the minimum developable land area per accommodations unit requirement allowed in the A Accommodations/Highway Corridor Zoning District (see §4.4.C above). Any unit that is less than or equal to eight hundred (800) square feet in size shall be considered a guest unit, regardless of kitchen configuration, for purposes of density calculations of a commercial accommodations use in a Mixed-Use PUD. (Ord. 17-03 #1)
  3. *Land Area Requirements Not Cumulative.* The density allowances set forth in this Section are not cumulative, but shall be calculated independently for each residential and/or accommodations use proposed in a mixed-use PUD. Each independently calculated land area shall be deducted from the total land area available for development to determine the permitted density on a site.
- D. Applicable Development Standards.**
1. *Yard, Bulk and Dimensional Requirements.* Yard, bulk and dimensional requirements set forth in Chapter 4, including but not limited to minimum lot area, shall not apply to interior lots or building sites within a PUD-M that do not abut land uses located outside the PUD-M development parcel.
  2. *All Other Zoning Requirements.* All other zoning development and design standards shall apply to all PUD-M's unless otherwise specifically exempted, modified or varied pursuant to this Chapter or to §3.6, "Variances."
  3. *Subdivision Regulations.* The requirements of Chapter 10, "Subdivision Standards," shall apply to all PUD-M's unless otherwise specifically exempted, modified or varied pursuant to this Chapter or to §3.6, "Variances."
  4. *Private Open Areas.*
    - a. At a minimum, a PUD-M development shall set aside thirty percent (30%) of the site's total gross area for open areas, plazas, courtyards, sitting areas and other similar public-accessible spaces.
    - b. At its discretion, the Decision-Making Body may require additional private open areas or public trail dedications based on a review of the following factors:
      - (1) The Estes Valley Comprehensive Plan;
      - (2) Unique drainage, topographic, vegetation or other such physical conditions;
      - (3) Type and density of development; or
      - (4) Overall need for open space and recreational facilities.
    - c. All open areas or trails provided in a PUD shall be owned and maintained as common (private) open areas by the developer, owner of the property or an

organization established for the ownership and maintenance of common open areas, unless the relevant Board accepts public dedication of the open areas.

- d. Open areas or trails dedicated for public use shall comply with all applicable dedication requirements set forth in §7.4 of this Code.

(Ord. 17-03 #1, 10/14/03)