



**TOWN OF WINTER PARK
PLANNING COMMISSION
Tuesday, January 26, 2021 8:00 AM
Online Meeting (instructions below)**

A G E N D A

- I. **Meeting Call to Order**
- II. **Roll Call of Commission Members**
- III. **Town Hall Meeting** (time for anyone from the public to speak about items not on the agenda)
- IV. **Minutes** – January 12, 2021
- V. **Conflicts of Interest**
- VI **Action Items:**
 - A. Rezoning Application – Lot 8, Griffin Park Subdivision
 - B. Minor Subdivision – Lot 6, Block 4, Winter Park Village
 - C. Approval of Updated Design Guidelines
- VII. **Planning Commission Items for Discussion:**
 - A. Unified Development Code – Chapters 1-2
- VIII: **Director’s Report**

Online Meeting Log-In Instructions – See next page

Computer Log-In Instructions

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85723122052?pwd=WXd6Z2tRnpwb1haTDU4SDJxOVhqZz09>

Passcode: 742862

Phone Log-In Instructions

Dial In Numbers

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 857 2312 2052

Passcode: 742862

You can log into the Zoom meeting through the link above to view what is projected on the screen. You can use either your computer audio or the number above. Everyone will be muted upon entry into the meeting to ensure that we have manageable background noise and limited interruptions.

Public Hearing Process

If you would like to participate in the public hearing, please follow these instructions so we can make sure everyone that wants to speak has the opportunity. When you log into Zoom you will be automatically muted to limit background noise. When the public hearing is opened for public comment, please use the “raise your hand” feature and staff will unmute citizens in the order they were received. To enable “raise your hand” feature, click on the “Participants” button the bottom of the screen.

If you are signed in to the Zoom meeting through the computer, there is an option to type comments directly through the “Chat” feature. You can indicate using that feature that you intend to make a comment and if you wish to make that comment by typing, Town Staff can read the comment for you.



**TOWN OF WINTER PARK
PLANNING COMMISSION
Tuesday, January 12, 2021 8:00 AM**

MINUTE

I. Meeting Call to Order is at 8:01 am.

II. Roll Call indicated present Chairman Holzwarth, Commissioners Doug Robbins, Roger Kish, Angela Sandstrom, Jonathan Larson and George Stevens are present. Community Development Director James Shockey and Town Planner Hugh Bell are also present. Planning Commissioner Dave Barker is absent today. Chairman Holzwarth and the Planning Commissioners welcome the new member, Angela Sandstrom.

III. Town Hall Meeting (time for anyone from the public to speak about items not on the agenda). No one comes forward.

IV. Minutes for Review: December 08, 2020. Commissioner Robbins makes a motion to approve the minute. Commissioner Kish seconds. The minute is approved 6, 0.

V. Conflicts of Interest. No one comes forward.

VI Action Items:

A. Election of Chairman and Vice Chairman (yearly).

Commissioner Larson nominates Brad Holzwarth as Chairman of the Planning Commission. Commissioner Robbins seconds. There are no more nominees. Chairman Holzwarth is re-elected 6, 0.

Commissioner Kish is nominated by Commissioner Robbins to be Vice Chairman. Commissioner Larson seconds. There are no more nominees. Commissioner Kish is re-elected 6, 0.

B. Commercial Design Review – Gravity Haus.

Town Planner Hugh Bell mentions that the Staff received a public comment in which the person who sent it asked the Staff to read it aloud during the Planning Commission. The person who sent the letter is Mr. Mille Schuck and he has some concerns about the possible future development of the lot adjacent to his property which is located on 102 Wolf Park Lane. Mr. Schuck is worried about noise, proximity, privacy, property value, safety, parking among other issues if an apartment complex for part-time workers is developed.

Town Planner Bell informed Mr. Schuck that the Staff has not received an application from the applicant so no hearing has been scheduled yet. Mr. Schuck asked Planner Bell to read his letter to the Planning Commission which is what he is doing.

Commissioner Kish asks if they need to send a response at this time to Mr. Schuck. Director Shockey replies that Planner Bell or Town Assistant Manager Alisha Janes have reached out to Mr. Schuck and let him know that there will be formal communications with all the neighbors if and when a residential design review is submitted. Commissioner Kish adds that the neighbors might need to read the Imagine Winter Park document to avoid some negative bias regarding affordable housing/workforce housing. Director

Shockey said that they will mention that on the response.

Planner Bell begins his presentation. He reads the main points related to this Commercial Design Review. The applicants' goal is to renovate both the north and south building of the former Sundowner Motel into a boutique hotel, restaurant, coffee shop, coworking office, and membership-based, ski-focused amenity. This is a continuation of the Design Review application submitted on November 24, 2020. Planner Bell mentions that the applicant has decided to include the building on the south side in this review. Then, Planner Bell mentions the Design Regulations and Guidelines that apply to this project. Those are included in the electronic packet sent to the Commissioners. Finally, Planner Bell mentions other points as building height, setbacks, building coverage, signing, exterior lighting, Land Use Transition Zones, snow storage, erosion control, utility review and construction schedule.

Planner Bell informs the Planning Commission that there is a little confusion about lighting. He mentions that the applicant has submitted some information about it but Staff needs some details about the types of fixtures and other specifications from the applicant. The Staff is asking the Planning Commission to discuss this topic as well as the reduction of the parking space.

Commissioner Kish wants to make sure the applicant submits a separate application for signage. The approval for the signage will not be included in today's meeting. Commissioner Kish would like to have more information about the bulb and pole fixtures. He would like to know if that is a Mountain Parks Electric fixture and, he would like to have more information about the underground cables for electric power on the corner. Commissioner Kish does not think the fixture is dark sky compliant. His recommendation is to have that fixture removed along with the pole.

Commissioner Kish also has some concerns about accessibility and access, specifically about the step that leads to the plaza or patio area. He would like the applicant to consider the people who have mobility issues.

Commissioner Stevens has a question about the site triangle, the landscape plan, visibility and access. Planner Bell says that they can send that question to JVA for review.

Commissioner Larson asks about snow storage and the contract with Cat Tracks. He would like to know if that contract should be renewed every year. Planner Bell says he assumes that they would probably have to do so. The contract expires in April 2021. Planner Bell adds that they can require a copy of the new contract. Commissioner Larson asks about how this has been handled in the past. Director Shockey replies that this has been included in the final plat. He notes that they have not asked for a proof of contract every year but, in case the snow management becomes an issue, they would contact the applicant/owner and remind them that this is a condition that needs to be fulfilled. Director Shockey says that they can do some research about this topic and get back to the Commission.

The applicants are present: Ms. Lynn Wasinger (architect from Studio Lemonade), Mr. Grady Huff (designer and developer from Gravity House and Studio Lemonade) and Mr. Justin Yarnell (civil engineer)

Mr. Wasinger talks about the access and the design of the sidewalk that leads to the front door. She mentions that, for a restaurant, it is not practical to have multiple points of entry into it. Commissioner Kish wants to check that this is not going to be the main point of access to that patio. Ms. Wasinger confirms that. That would be exit only. Commissioner Kish asks about control points were they to get a liquor license.

Mr. Huff talks about the light pole and its location. They would like to remove it because of the quality of

the light and its location. They would like to underground all the electrical of the building. Ms. Wasinger says that the trees in the front of the building block the sightline of the building. They were trying to preserve some of the mature trees but they are not opposed to remove them for sightline purposes since they are also concerned about the street presence of the building.

Commissioner Kish makes reference to the last presentation and he thinks the applicants mention the option of trimming the trees. He would like to know if that plan is still on the table. Ms. Wasinger replies that could be an option. Commissioner Kish says that they would like to preserve the trees while keeping the balance for the visual effect of the building. Mr. Yarnell adds that they took a look at the site and determined that they do not have any issue there. The only comment they have received in the past from downtown projects is related to the parallel parking blocking site lines. He also talks about the site triangle and what typically it is recommended between 3' and a half and 7' and half feet in height for trees. So, the plan is to fix the trees accordingly so people can move around. He is not sure if there any concerns from the traffic perspective regarding the site triangles.

Commissioner Stevens asks about the height of the wall around the patio. Ms. Wasinger replies that she thinks it is around 3.6 ft. Planner Bell says he will check the requirements for visibility. Director Shockey says that it is acceptable.

Commissioner Robbins asks about the material board and the finish of the exterior wood. Ms. Wasinger replies that it consists of a Japanese technique to charr wood so it does not change over time. She adds that they are planning on hiring someone locally to take care of this since it is very specific.

Commissioner Kish thinks that the LTZ recommendation should be included as the Staff proposed in the presentation and it is still open for discussion. Commissioner Kish believes that what has been proposed regarding the LTZ is appropriate and administrative variance should be in order. Commissioner Larson agrees.

Planner Bell goes back to the topic about the light pole. He is asking the Commissioners if they have any comments about that. Commissioner Kish would like to see that fixture removed and replace it with one that is not higher than 21 ft. Commissioner Larson agrees as well.

Director Shockey reminds the Commission that they need to have a discussion about the on-street parking reduction. Commissioner Kish would like to confirm the numbers again: from 42 to 37. Commissioner Kish would like to make a recommendation that this topic be forwarded to the Town Council for approval. Commissioner Robbins asks if a variance is requested for that reduction. Director Shockey replies that this is not a typical variance that would go to the Board of Adjustment.

Commissioner Sandstrom has a question about street parking and possible congestion and interference with people who use the Visitors Center next door and the impact in surrounding business that need short-term parking. Director Shockey replies that the on-street parking is considered public and anyone can park there. The reduction is actually not to the hotel; it is reduction to the office and the restaurant space.

Commissioner Kish makes a motion for approval and sent to Town Council with recommendations regarding administrative variance for LTZ, parking reduction, the light pole fixture to be removed and the steps comments to be incorporated. Commissioner Stevens seconds. The Commercial Design Review is approved 6,0.

There is a five-minute recess before discussing the UDC.

VII. Planning Commission Items for Discussion.

A. Unified Development Code – Chapters 1-5

Director Shockey begins his presentation. He mentions the comments related to Chapters 1 to 5. Director Shockey says that those comments will be reviewed. The Staff would like to go over building height one more time with the Planning Commission as well as building coverage. The Staff got some feedback from architects and engineers during a workshop and they came to the conclusion that the guidelines regarding those items are too restrictive. He also mentions that if there is enough time, they would like to present the guidelines to make the Town dark compliant in terms of lighting.

Building height is currently measured from the grade that is most restrictive to mid-point of the roof. This applies to all zones except D-C zones. Commissioner Larson has a question about the use of the average method and the net gain.

Director Shockey replies that the developers are having a hard time keeping the current required height. He gives the example of the lots in Lakota which usually require a variance because it is too steep in some areas (mostly Summit Place). Commissioner Robbins asks if they are proposing to decrease the height requirements. Director Shockey replies that the change would help the developers in Lakota.

There is a discussion about this issue in which Commissioner Kish gives an example where there is a 20 ft. variance across where the footprint of the building is. So, the variance would be raised 10 ft. They would be looking at, potentially, 65 ft. from a low point. Director Shockey replies that that is what he understands. Commissioner Kish says that it seems like a very big jump. Director Shockey replies that even the consultants pointed that out and they recommended to change it back to what is current.

Commissioner Sandstrom wonders if there is a better method to do this as opposed to go through the variance process each time a situation like this arises. Commissioner Kish adds that one of the objectives is precisely to avoid going through as many variance requests as possible so this issue can be handled administratively. He also adds that he is not very supportive of the idea of using different criteria if they are going to use an average corner that could limit what the heights can be.

Director Shockey also mentions that the norm now is to have three stories with a 9 ft. height each and, with a 35 ft. height, it is very challenging for the developers to put any sort of roof pitch. One alternative is to go for a 40 ft. height midpoint which will allow to go for a 47 ft. overall height. Commissioner Stevens would support that last idea.

Commissioner Larson disagrees with the statement that developers are struggling. He mentions that he has not seen a lot of residential projects with an 8 ft. height for stories since the 80's. He does not think this is a new thing. Commissioner Larson states that if that is the bigger argument, why we do not simply raise the height by a foot. Director Shockey says that it could be a possibility. Commissioner Robbins interjects and points out that this is an issue that is most common on those steep lots. He agrees with Commissioner Larson. There is further discussion about this topic.

Director Shockey thinks it is better to leave this topic alone for now until they get comments from the public.

Chairman Holzwarth if the Bridgers Cache subdivision has been in similar situations about variance. Director Shockey replies that there have been a couple of variance requests in the past. Now, the

developers intent to work on the steep side of the land so, more variance requests are expected.

Commissioner Kish believes that they are going to have some fairly tall elevations on hillsides. Commissioner Larson thinks that the best lots have been purchased already, apparently. So, this would affect the most difficult lots to be developed.

Director Shockey moves to the next topic: building coverage. He shows on the screen that, basically, the content is the same with one exception. They are taking into account the bird's eye view including driveways, stairs, decks, patios, pools and pretty much anything that has an impervious surface. The one change that was made is that they would not count the eaves; they would only count the building footprint unless the eaves are over 24 in. After 24 in. that would be included in the building coverage calculation.

Another topic that was studied was the need for parking since this is a need in Town. Director Shockey is asking the Commission if they consider amending the building coverage to allow certain percentage of the open space to count for guest parking. This situation would arise most likely for condominiums. Commissioner Kish thinks that it is a good idea. There is a discussion about the percentage.

Chairman Holzwarth has some concerns about the loss of public space. Basically, encouraging people to go ahead and park full time in spaces reserved just for guests. Commissioner Kish thinks that for short term rentals this will help to solve some of the issues about parking.

Commissioner Larson does not feel particularly good about the idea of giving up open space just to satisfy developers who need to maximize every sq. ft. Commissioner Sandstrom agrees and she believes that this could turn in a situation where people can take advantage, kind of like "give an inch, take a mile" type of situation.

Director Shockey asks if the Staff needs to go to every chapter and the content that has been modified. If needed, they can set up separate meetings on the off weeks to discuss the changes or, if the Commissioners would like to study the content on their own each one separately.

Commissioner Larson says that he is in favor of having individual meetings to discuss the UDC exclusively. He adds that it would be useful to have a printed copy to page through and make notes during those meetings.

Planner Bell suggests that they could also have one-on-one meetings with each Commissioner. Commissioner Larson believes that a group meeting is better to have a discussion. Commissioner Kish says that he might not be able to attend those off-the-regular-schedule meetings after February. Commissioner Robbins would appreciate if the Staff could point out the changes since the amount of information to go through is significant. Director Shockey says that they can put together a short report and highlight the major changes.

Commissioner Kish apologizes to Staff for submitting his comments a little late. He appreciates having the information in PDF format and he would like to continue receiving the information like that. Director Shockey replies that they can do that and that Chapter 6 is almost complete and Chapter 7 is being drafted.

VIII: Director's Report:

Commissioner Robbins motions to adjourn the meeting. Commissioner Kish seconds. The Planning Commission is adjourned at 9:26 am.

MEMO

TO Planning Commission
FROM James Shockey, Community Development Director
DATE January 26, 2021
RE Rezoning Request – Lot 8, Griffin Park Subdivision

Applicant: Neil Macey on behalf of Tech Properties II, LLC

Background:

An application has been received from Tech Properties II, LLC to rezone their property located at 78260 U.S. Highway 40 (Main Street) from Residential Commercial District (R-C) to Destination Center District (D-C). The parcel, commonly referred to as “the Pub Property” is located at the north end of downtown on the corner of Kings Crossing Road and Main Street. The parcel is approximately 1.143 acres in size.

The legal description is Lot 8, Griffin Park Subdivision.

Analysis:

To review the proposed rezoning, we will review the following criteria: site characteristics, zone purpose, density, proposed uses, site development standards, and public and private infrastructure.

- ***Site Characteristics***

The 1.143 acre parcel has three structures consisting of a restaurant/bar and two residential units. The parcel is generally flat and sits below Main Street by approximately six to eight feet. It is bordered to the north by Kings Crossing Road, to the east by Main Street, to the south by Kings Crossing Center and to the west by the Westgate Lodge Condominiums. The property is accessed from Kings Crossing Road and Main Street.

- ***Zone Purpose***

The R-C zoning designation is intended to provide for residential and convenience businesses necessary to promote the welfare of the community. Nonresidential uses solely or substantially oriented to visitors to the town are carefully regulated in this district, in accordance with the master plan for the town.

The objective of the D-C zone is to encourage intensive mixed residential and commercial uses on parcels of land in those areas designated as centers of visitor oriented activity in the master plan for the town. Concentrated mixed use development is deemed essential in said areas to foster greater pedestrian activity, less reliance on the automobile, comparison shopping and other goals set forth in the master plan.

- ***Density / Coverage Requirement***

The property is currently zoned R-C, which allows for a density of up to 20 units per acre and a maximum building coverage of 50%.

The proposed D-C district allows for a density of up to 28 dwelling units per acre and a maximum building coverage of 60% for residential uses and no coverage requirements for commercial uses.

- **Proposed Uses**

The existing R-C district allows for residential structures, including single-family and multiple-family, and convenience businesses necessary to promote the welfare of the community.

The proposed D-C district allows for more commercial uses with an emphasis on visitor and tourist-oriented uses. It includes multiple-family residential but excludes single-family residential structures.

- **Site Development Standards**

As would be expected, the site development standards in the R-C zone district are different from those in the proposed D-C district. The standards are as follows:

	R-C District	D-C District
Front Setback	25 feet	0 feet
Rear Setback	20 feet	0 feet
Side Setback	5 feet plus 3 feet for each additional story	0 feet
Street Side Setback	15 feet	0 feet
Building Height	35 feet	55 feet
Building Coverage	50% for residential uses No coverage requirement for commercial-only uses	60% for residential uses No coverage requirement for commercial-only uses
Water Quality Setback	30 feet	30 feet

- **Public and Private Infrastructure**

The parcel is currently served by public water and sanitation services as well as all applicable utilities. The roadway network extends to the parcel via Kings Crossing Road and Main Street.

Criteria:

The Town Code provides criteria to evaluate rezoning applications that needs to be reviewed as part of this analysis –

- **Was the existing zone an error at the time of adoption?**

Staff Comment: The existing zoning was not done in error. At the time of original zoning, the area north of the downtown was an empty field so zoning the property as a transition zone between the downtown core and the vacant field was appropriate.

- **Has there been a change in the character of the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc?**

Staff Comment: There has been a change in character to the area. To the east across Main Street

is Hideaway Station, a mixed-use development with high density residential development, a grocery store, liquor store, and other commercial businesses. To the north is the Village at Grand Park, a commercial development that currently has a bowling alley, cinema, gas station, convenience store and the Grand Park Recreation Center. This area is proposed to include several other commercial businesses in the future. To the south, the majority of the property is already zoned D-C with restaurants, taverns and commercial uses. Restaurants are located to the north, east and south of this parcel currently.

- ***Is there an area or community need for the proposed rezone?***

Staff Comment: The 2020 Downtown Plan identified the need to consistently zone the downtown and the Main Street corridor D-C to avoid spot zoning and proactively manage land use and future development (Section 5.2.1). It also identified the need to create a human-scale streetscape along Main Street by bringing buildings closer to the street. The Plan noted the majority of buildings on north end of Main Street are set far back from the right-of-way behind frontage parking, creating an autocentric environment. The R-C Zone District encourages that type of autocentric development with mandatory 25' front setbacks. The 2019 Imagine Winter Park Town Plan (Town Plan) also identified the need to consistently zone the downtown corridor. CO Strategy 3.2 states the Town must "work with developers to create a continuous, human-scale street frontage along Main Street". Zoning the property D-C will allow the property to redevelop with 0' setbacks from Main Street.

- ***Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?***

Staff Comment: The rezoning request would be compatible with the surrounding area. As described above, the area to the north, south and east all have commercial uses as encouraged in the D-C zone district.

- ***Will there be benefits derived by the community or area by granting the proposed rezone?***

Staff Comment: The benefits derived from the rezoning will include allowing this parcel to have zoning regulations similar to the rest of downtown. Rezoning the parcel to D-C will allow for additional permitted uses not available in the R-C district as well as greater density, building coverage, and building height.

- ***Is the proposal in conformance with the policies, intents and requirements of the town code and other adopted plans and policies?***

Staff Comment: The proposed rezoning is in conformance with the Town Plan and the Downtown Plan as outlined above.

- ***Are adequate facilities available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended?***

Staff Comment: Adequate facilities already exist on the property to serve this property.



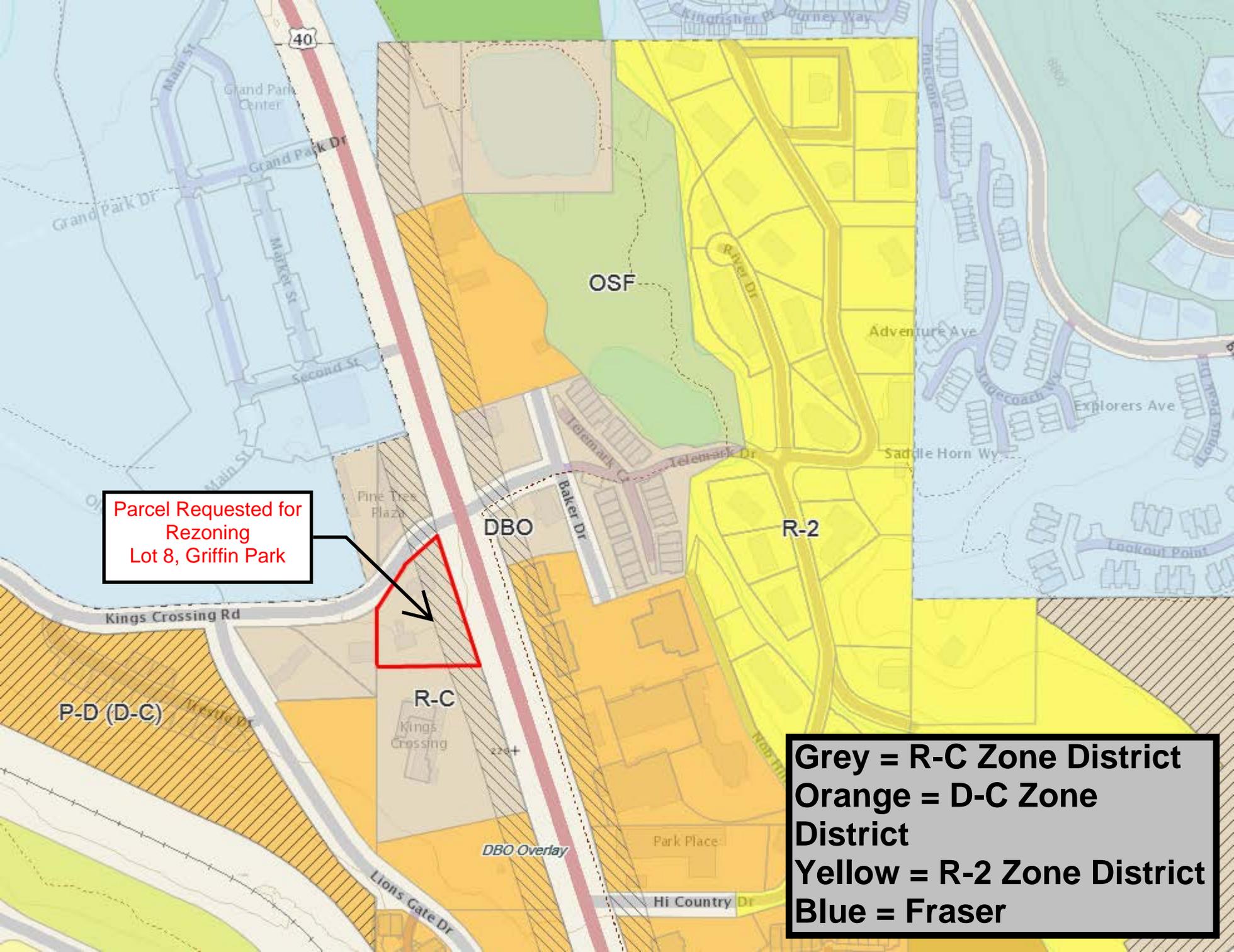
Public Notification:

This variance request has had proper public notification pursuant to Section 7-10-1 of the Town Code. A Public Notice was published in the Middle Park Times on January 14, 2021 providing notification of the meeting and requesting comments. Mailings were sent to property owners within 300 feet of the property.

No comments have been received as of January 22, 2021.

Recommendation:

This rezoning request for the parcel meets the criteria established by the Town Code including conformance with the Town Plan and Downtown Plan. Staff recommends the Planning Commission provide a favorable recommendation of approval to the Town Council to rezone Lot 8, Griffin Park Subdivision to the Destination Center (D-C) District.



Parcel Requested for
Rezoning
Lot 8, Griffin Park

Grey = R-C Zone District
Orange = D-C Zone District
Yellow = R-2 Zone District
Blue = Fraser



TOWN OF WINTER PARK
 P.O. Box 3327 • 50 Vasquez Road • Winter Park, CO 80482
 Phone: 970-726-8081 • Fax: 970-726-8084
 Website: www.wpgov.com

LAND USE REVIEW APPLICATION FORM

PROJECT INFORMATION

Project Name: <u>Winter Park Pub</u>	Date: <u>12-30-20</u>
Street Address (or general location if not addressed): <u>78260 US HIGHWAY 40</u>	
Schedule Number(s) or Parcel Number(s): <u>1587-283-31-007</u>	
Site Area (in square feet or acres): <u>1,134 ACRES</u>	Existing Zoning: <u>R-C</u>
Existing Land Use: <u>BAR-RESTAURANT + 2 RESIDENTIAL DWELLINGS</u>	
Legal Description: <u>GREFFIN PARK SUBDIVISION LOT: 8 S OF CO RD LESS 5 135 FT</u>	

OWNER / APPLICANT

Name: <u>MICHAEL CLEARY</u>	Phone: <u>720-983-2774</u>
Company: <u>TECH PROPERTIES II LLC</u>	Email: <u>MIKECLEARY@ORBISENGR.COM</u>
Mailing Address: <u>4500 3675 RD CRAWFORD, CO 81415-9185</u>	

CONTACT PERSON

Name: <u>NEIL MACEY</u>	Phone: <u>303-389-0000</u>
Company: <u>DENVER EQUITIES, LLC</u>	Email: <u>NEILMACEY@MSN.COM</u>
Mailing Address: <u>299 MILWAUKEE ST #318 DENVER, CO 80206</u>	

TYPE OF APPLICATION (check all that apply)

Subdivision		Fee	Other Development		Fee
<input checked="" type="checkbox"/>	Sketch Plan	\$250.00	<input checked="" type="checkbox"/>	Zoning Variance	\$250.00
	Preliminary Plat	\$500.00*		Special Use Permit	\$150.00
	Final Plat	\$750.00*	<input checked="" type="checkbox"/>	Rezoning Request	\$350.00
	Amended Final Plat	\$375.00*		Subdivision Exemption	\$300.00
	As-Built Plat	\$250.00		Amended Exemption	\$150.00
	Amended As-Built Plat	\$250.00*		Annexation	\$500.00*
	*Number of Lots:	x \$10.00		*Number of Lots:	<u>1</u> x \$10.00
	TOTAL FEES:	\$		TOTAL FEES:	\$ <u>360.00</u>
Minor Subdivision		Fee	Planned Development		Fee
<input checked="" type="checkbox"/>	Final Plat	\$400.00*	<input checked="" type="checkbox"/>	Preapplication Conference	No Fee
	Amended Minor Sub.	\$250.00		Preliminary Development Plan	\$1,000.00**
				Final Development Plan	\$1,000.00**
				Amended Final Plan	\$500.00**
	*Number of Lots:	x \$10.00		**Number of Lots:	x \$2.00
	TOTAL FEES:	\$		TOTAL FEES:	\$

* In addition to the base fee, an additional \$10.00 per unit or lot

** In addition to the base fee, an additional \$2.00 per unit or lot

In addition to the base fees the applicant is required to pay the cost of any legal notices and adjoining property owner certified mailings. The applicant may also be subject to reimbursement fees as outlined within Section 7-10-8 of the Town Code.

BRIEF DESCRIPTION OF THE PROJECT

THIS 1.134 ACRES IS CURRENTLY ZONED RESIDENTIAL-COMMERCIAL SERVICE DISTRICT ("R-C") IN WINTER PARK. WE WOULD LIKE THE PROPERTY REZONED TO DESTINATION CENTER DISTRICT ("D-C").

THE DOWNTOWN BUSINESS OVERLAY ZONE DISTRICT ("D-B-O") WILL CONTINUE AS A 75 FOOT OVERLAY ON THE PROPERTY.

AFFIDAVIT

I, NEEL MACEY being duly sworn, declare that I am (please check one) the authorized representative to act for the property owner, _____ the owner of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. By signing this application, I have read and agree to the reimbursement fees that may be charged for review of this project as outlined in Section 7-10-8 of the Town Code. At a minimum, this project will require consultants for engineering review and legal review and this shall serve as the written notice required by Section 7-10-8 of the Town Code for these two consultants.

Signature of Owner

Neel Macey

Date

12-30-20

Signature of Representative

Date

Acceptance of this application and required filing fee does not constitute a complete application. Plans and other material required to constitute a complete application are listed in the application procedure.

STAFF USE ONLY (do not write below this line)

Application Received By:

Case #

Date / Time:

Total Fees: \$

Date Paid:

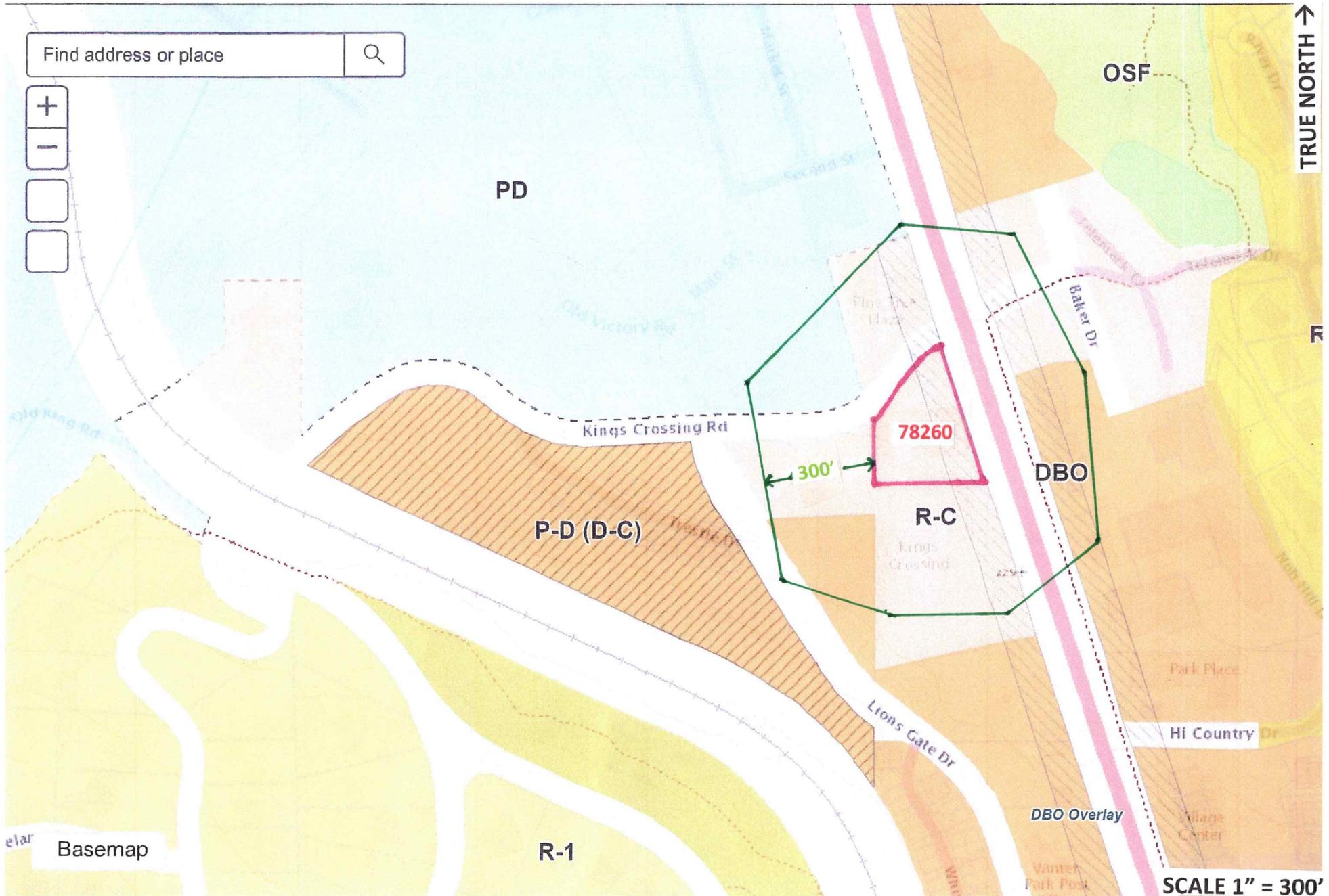
Check #

Additional Comments:



78260 US HIGHWAY 40 VICINITY MAP

JANUARY 12, 2021



78260 & 78292 US HIGHWAY 40 VICINITY MAP JANUARY 13, 2021

- (1) Boundaries of Property proposed for rezoning highlighted in RED. The GREEN boundary shows a distance of 300 feet from the Property boundary. PIN: 158728331007**
- (2) Vicinity Map prepared on January 12, 2021. Scale: 1 inch = 300 feet. True North shown on Map.**
- (3) Acreage of Property: 1.134 Acres per Rocky Mountain Surveys, Inc. Dated 01-13-17.**
- (4) Zoning & existing land uses on adjacent land:**
 - (a) North: R-C: Residential condos & Fraser PD: Vacant land**
 - (b) West: R-C: Residential condos & P-D (D-C): Vacant land**
 - (c) South: R-C: Retail/office building**
 - (d) East: Main Street/US Highway 40 & D-C (78321 & 78311) Residential condos & R-C (78259 & 78199) Two restaurants.**
- (5) Location & dimensions of existing streets, alleys, easements, water & sewer lines & watercourses adjacent to Property:**
 - (a) Highway 40 is to the east. Approximately 150 feet wide.**
 - (b) Kings Crossing Road is to the north. Approximately 55 feet wide.**
 - (c) Uncertain as to easements and water & sewer.**
- (6) Immediately adjoining properties:**
 - (a) North: Pine Tree Plaza Condos: 4-story, 26-unit residential condo building with retail. Fraser - Village at Grand Park Filing 2 – vacant land.**
 - (b) West: 46 Kings Crossing Condos: 6-unit residential condo building. Town of Winter Park – vacant land.**
 - (c) South: Wynkoop 38 LLC – retail & restaurant**
 - (d) East: Main Street/US Highway 40 & Hideaway Station – two 16-unit condo buildings & Strip & Tail Restaurant & Hernando’s Restaurant.**
- (7) All existing land users in the proposed rezone. Currently there are two uses/buildings on the Property. The restaurant building is leased by the Winter Park Pub. The other two-story building has a single residential unit on each floor.**
- (8) Full information concerning the character of site and area. Explained above.**
- (9) Legal description of Property: Griffin Park Subdivision, Lot 8 lying south of Kings Crossing Road less the south 135 feet, part of SW ¼ Sec. 28 T1S R75W, 6th PM. Survey provided.**



January 12, 2021

Mr. Hugh Bell
Planner/Community Development
Town of Winter Park
50 Vasquez Road
Winter Park, CO 80482

via email: hbell@wpgov.com

Re: 78260 Highway 40 Rezoning Application from R-C to D-C

Dear Hugh:

On December 30, 2020, I as authorized representative for Tech Properties II, LLC, submitted a Land Use Review Application Form to Winter Park for the 1.143 acres known as 78260 Highway 40, Winter Park, Colorado ("Our Property"). Here is the information required to complete that application.

STATEMENT OF IMPACT

(1) Need for Rezoning: The recently approved Winter Park Master Plan states that Downtown Winter Park needs to be have a family-friend culture, a welcoming main street with intensive mixed residential and commercial uses. A major portion of the land adjoining Main Street starting at Vasquez Road and going north to Kings Crossing Road is already zoned D-C. A small pocket of five properties including Our Property which total approximately 5 acres adjoining Kings Crossing and west of Main Street remains zoned R-C. By rezoning Our Property to D-C, the intent of the Master Plan and the continuity of the zoning along Main Street will be extended.

(2) Present & Future Effects on Existing Zoning & Area: By rezoning Our Property, only a few nearby properties will need to be rezoned from R-C to D-C to create the desired continuity of zoning and purpose.

(3) Access to Area: The rezoning from R-C to D-C in this area should not significantly change the access and traffic patterns particularly since Our Property is on southwest corner of Main Street and Kings Crossing Road.

(4) Availability of Utilities: Currently only a restaurant and two residential units are located on the 1.143 acre site. Until we are further along in the development process,

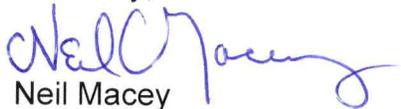
we will not know for certain the need for and availability of utilities.

(5) Present & Future Effect on Public Facilities & Services: Since we have no current plans for development, it is difficult to determine the future effects. Given the relatively small size of Our Property, my guess is that the effect will be minimal.

(6) Relationship of Rezoning to Adopted Plans or Policies of Winter Park: This rezoning proposal achieves and enhances the visions set forth in the Winter Park Master Plan. This rezoning would help create a year-round community, make the highway a more welcoming Main Street, energize year-around activity and employment and help create a more sustainable and conservation-focused community.

Please let me know if you have any questions or need any additional information. Thank you.

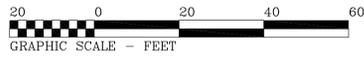
Sincerely,



Neil Macey

Our Property Representative

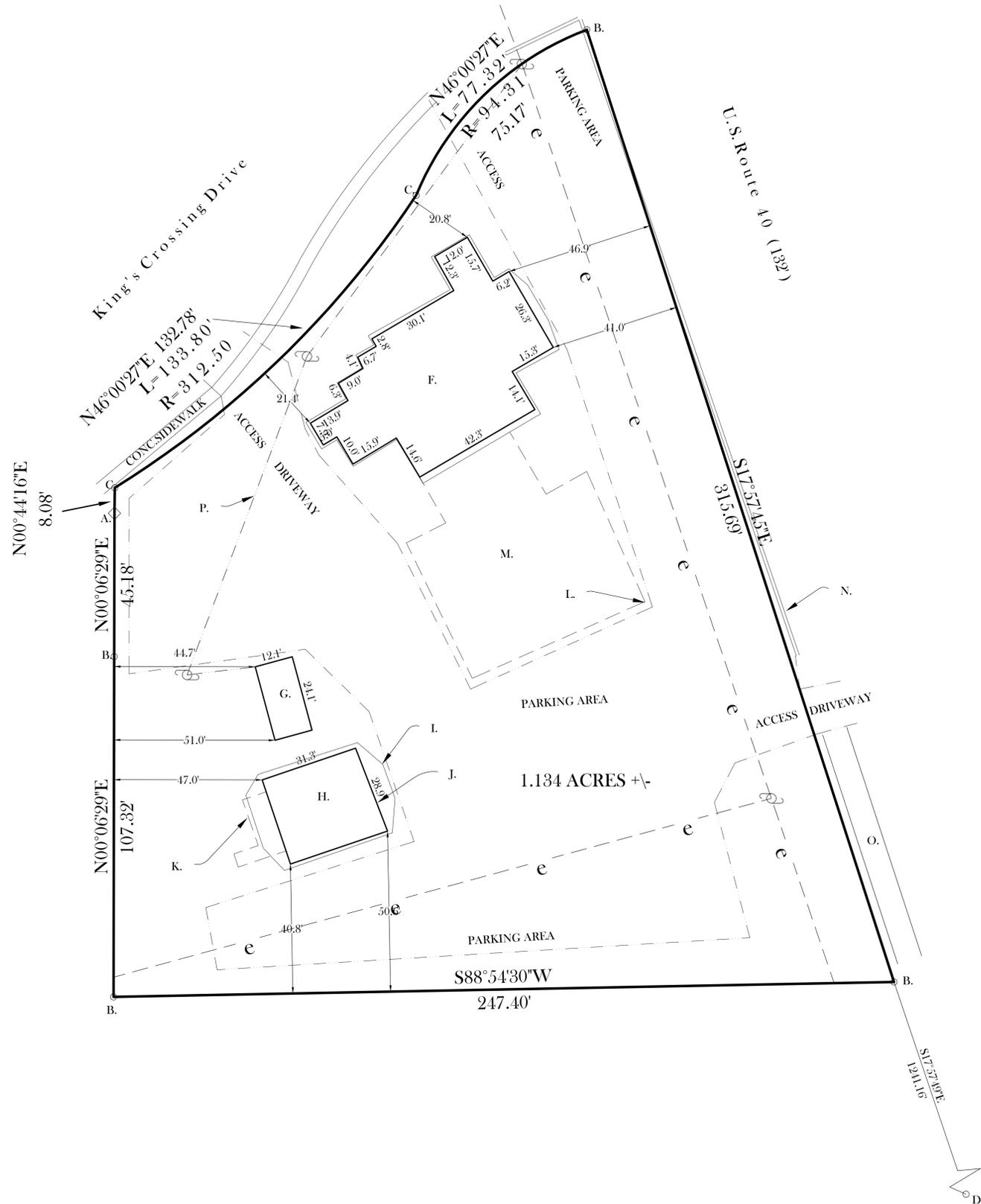
IMPROVEMENT SURVEY PLAT
Griffin Park Subdivision, Lot 8
Lying S. of Kings Crossing Drive,
Less the South 135'.
Part of SW¼ Sec. 28 T1S R75W, 6TH PM
Town of Winter Park
Grand County, Colorado



BASIS OF BEARINGS: Assumed N00°06'29"E,
 along the west boundary of the surveyed property, as
 per a local coordinate system, derived with GPS/RTK.

KEY:

- A. - EXISTENT PLSS CORNER NOTED. FOUND 3" ALUMINUM CAP STAMPED PLS 34592.
- B. - FOUND 1.5" ALUMINUM CAPPED REBAR STAMPED PLS 25971.
- C. - ALUMINUM CAPPED, ½" REBAR STAMPED PLS 25971, TO BE SET.
- D. - FOUND 1950 USDA BRASS CAP, RIGHT OF WAY MONUMENT.
- E. - OVERHEAD ELECTRIC LINE
- F. - 2 STORY, STUCCO-SIDED COMMERCIAL BUILDING.
- G. - GARAGE
- H. - 2 STORY, STUCCO SIDED RESIDENTIAL BUILDING.
- I. - OVERHANG
- J. - WALL AT GROUND LEVEL.
- K. - DECK
- L. - WOOD FENCE
- M. - PATIO
- N. - CONCRETE RETAINING WALL, WEST EDGE OF BIKE/PEDESTRIAN TRAIL.
- O. - BIKE/PEDESTRIAN TRAIL
- P. - OVERHEAD SERVICE LINE.



NOTICE:

1. For question of title, and for a list of recorded easements, reference to a title insurance policy is recommended.
2. Buried utilities are not shown or located.
3. Wetlands are not addressed.
4. This document is certified as a single object. Any revision, addition, alteration, or change made to any part of this document, in any manner by any person, supercedes and invalidates all previous information and certifications.

This improvement survey plat was produced for Michael Cleary, shows the result of a field survey done by me or under my responsible charge based on facts known to me, complies with applicable statutes, and is not a warranty or guarantee, either expressed or implied.

Warren D. Ward, Colorado PLS 25971.



Rocky Mountain Surveys, Inc. Professional Land Surveyors P.O. Box 452 Winter Park, Colorado 80182 Land 970-726-7166 fax 800-725-2734 mobile 970-331-1120 www.rockymountainsurveys.com sward1224@comcast.net	
IMPROVEMENT SURVEY PLAT Griffin Park Subdivision, Lot 8 Lying S. of Kings Crossing Drive, Less the South 135'.	
Date: 01-13-17 Job 6170-16 by ww Sec. 28 T1S R75W, 6TH PM	



January 12, 2021

Mr. Hugh Bell
Planner/Community Development
Town of Winter Park
50 Vasquez Road
Winter Park, CO 80482

via email: hbell@wpgov.com

Re: 78260 Highway 40 Rezoning Application from R-C to D-C

Dear Hugh:

As you are aware, I submitted the initial Land Use Review Application Form to you on December 30, 2020. The Planning Commission Hearing on this matter has been scheduled for Tuesday, January 26 at 8 AM. I realize that the Town of Winter Park has a requirement that the hearing be scheduled not more than 25 days after the submission of the application. I hereby agree that having the hearing scheduled beyond this 25-day period is satisfactory to me.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Neil Macey". The signature is written in a cursive, flowing style.

Neil Macey
Property Representative

ARTICLE A. R-C RESIDENTIAL-COMMERCIAL SERVICE DISTRICTS

SECTION:

7-5A-1: Purpose

7-5A-2: Uses Permitted

7-5A-3: Lot Area Requirements

7-5A-4: Building Requirements

7-5A-5: Landscaping Requirements

7-5A-6: Outdoor Lighting Requirements

7-5A-7: Supplemental Mixed Use Regulations

7-5A-1: PURPOSE:

The R-C zoning designation is intended to provide for residential and convenience businesses necessary to promote the welfare of the community. Nonresidential uses solely or substantially oriented to visitors to the town are carefully regulated in this district, in accordance with the master plan for the town. (Ord. 317, Series of 2002)

7-5A-2: USES PERMITTED:

A. General: The following uses are permitted in the R-C district subject to the provisions of this title:

Accessory dwelling units.

Amenity buildings.

Business uses and services intended primarily for the convenience of permanent residents of the town and surrounding areas, said businesses being characterized by such factors as year round operation, normal daily business hours or similar factors as may be recognized by the planning and zoning commission, and including, but not limited to, the following uses:

Bakeries, grocery stores, liquor stores and delicatessens.

Banks excluding "drive-through businesses" as defined in section 7-2-3 of this title.

Barbershops and beauty parlors.

Businesses solely or substantially devoted to the sale or rental of sporting goods.

Cleaning outlets and laundromats, subject to any applicable requirements of the national board of fire underwriters for a class III rating.

Clothing stores, drugstores, hardware stores and florists.

Daycare facilities.

Funeral parlors.

Hotels, motels, lodges and resort cabins.

Municipal buildings.

Printing and publishing establishments.

Real estate sales offices.

Repair shops for shoes, televisions and domestic appliances.

Restaurants and similar places serving food and beverages, subject to any provisions as may be deemed to be in the public interest by the town excluding "drive-through businesses" as defined in section 7-2-3 of this title.

Home occupations, which by their operation do not alter the character of the neighborhood and which comply with section 7-3-10 of this title.

Outdoor recreational uses and uses incidental thereto; including, but not limited to, alpine and nordic ski facilities.

Professional offices, including medical and dental offices and clinics.

Public, municipal and governmental facilities providing services to accommodate the town and overall public need including water treatment facilities, water treatment plants, water treatment pumping stations and underground water storage tanks.

Schools, churches and hospitals.

Single-family, multi-family dwelling units, including apartments and condominiums, townhomes, bed and breakfast businesses, boarding and rooming houses and rest homes.

Uses necessary and clearly accessory to the principal uses permitted in this district.

B. Uses Subject To Special Use Permit: The following uses are permitted in an R-C district subject to and upon the issuance of a special use permit ¹ :

Auto parts sales and auto showrooms.

Commercial parking lots or structures.

Drive-through business.

Gasoline convenience stores.

Loading docks.

Manufacturing, processing, assembling or storage of resulting products and materials, including laboratories, provided that such uses are not or will not be offensive by reason of the emission of dust, gas, smoke, noise, glare, fumes, odors or vibrations, or otherwise; provided that prior to the issuance of a building permit, the town manager may require evidence that adequate controls, measures or devices have been provided to ensure and protect the health, safety and welfare of the community.

Outdoor storage.

Public utilities (excluding water treatment facilities, underground water storage tanks, water treatment plants or water treatment pumping stations).

Reservoirs, dams, detention ponds and water features engineered to contain one hundred (100) acre-feet of water or less. (Ord. 423, Series of 2009)

Notes

- ¹ 1. See chapter 9 of this title.

7-5A-3: LOT AREA REQUIREMENTS:

A. Density ¹ : The maximum allowable number of dwelling units is twenty (20) per gross acre (i.e., before public land dedication). Affordable housing units shall be excluded when calculating densities.

Note: The maximum number of units allowed per acre may not be achieved in all cases due to terrain, setbacks, building height, building coverage, parking requirements, size of dwelling unit(s), etc.

B. Minimum Lot Area: There shall be no minimum lot area in the R-C district.

C. Minimum Lot Dimensions: The minimum lot width as measured along the front lot line: Fifty feet (50').

D. Minimum Yard Requirements: Except as provided for in section 7-3-7 of this title, minimum yard requirements in an R-C zone shall be:

The minimum yard requirements for residential uses shall be:

1. There shall be a front yard setback of at least twenty five feet (25') from any street right of way for both principal and accessory structures.

2. There shall be a rear yard setback of at least twenty feet (20') for principal structures and of at least ten feet (10') for accessory structures.

3. There shall be a side yard setback of at least five feet (5') and three feet (3') shall be added to each required side yard for each story above the first story of any building. The side yard on the street side of each corner lot shall not be less than fifteen feet (15'). (Ord. 317, Series of 2002)

Notes

- ¹ 2. See also section 7-2-3, definition of "density", of this title.

7-5A-4: BUILDING REQUIREMENTS:

A. Maximum Building Coverage:

1. Maximum building coverage for residential uses, including parking areas and driveways, shall not exceed fifty percent (50%) of the "lot area" as defined in section 7-2-3 of this title.

2. There is no maximum building coverage requirement for nonresidential uses in the R-C district.

3. Maximum building coverage for mixed use developments shall be based on the requirement which applies to the predominant use on the first floor (i.e., more than 50 percent residential or nonresidential). (Ord. 423, Series of 2009)

B. Maximum Height For Buildings And Structures: The maximum height for all buildings and structures permitted in the R-C district shall be thirty five feet (35') as defined in chapter 2 of this title and further described in chapter 3 of this title. (Ord. 324, Series of 2002)

C. Fences, Hedges And Walls: Fences, hedges and walls shall comply with section 7-3-11 of this title. (Ord. 317, Series of 2002)

7-5A-5: LANDSCAPING REQUIREMENTS:

As required in the landscape design regulations and guidelines as amended from time to time. (Ord. 317, Series of 2002)

7-5A-6: OUTDOOR LIGHTING REQUIREMENTS:

As required in the design regulations and guidelines or the residential architectural guidelines and design regulations as amended from time to time. (Ord. 317, Series of 2002)

7-5A-7: SUPPLEMENTAL MIXED USE REGULATIONS:

Multi-family dwellings may be constructed above commercial uses provided:

- A. Access to dwelling units is not through commercial establishments.
- B. Except on the ground floor, no commercial uses shall occupy the same floor as occupied by dwelling units.
- C. All signs must be in compliance with the town sign code¹.
- D. Uses necessary and ordinarily incidental to multi-family dwellings, such as laundry and vending areas, shall not be located within the structures so as to cause residences therein to come into contact with the normal functions of commercial uses in the structure.
- E. Trash, service and loading areas shall be screened from view from street entrances to dwelling units. (Ord. 317, Series of 2002)

Notes

¹ 1. See title 6, chapter 2 of this code.

ARTICLE B. D-C DESTINATION CENTER DISTRICTS

SECTION:

7-5B-1: Purpose

7-5B-2: Uses Permitted

7-5B-3: Lot Area Requirements

7-5B-4: Building Requirements

7-5B-5: Landscaping Requirements

7-5B-6: Outdoor Lighting Requirements

7-5B-1: PURPOSE:

The objective of the D-C zone is to encourage intensive mixed residential and commercial uses on parcels of land in those areas designated as centers of visitor oriented activity in the master plan for the town. Concentrated mixed use development is deemed essential in said areas to foster greater pedestrian activity, less reliance on the automobile, comparison shopping and other goals set forth in the master plan. (Ord. 317, Series of 2002)

7-5B-2: USES PERMITTED:

A. General: The following uses shall be permitted in the D-C district subject to the provisions of this title:

Accessory dwelling units.

Accessory structures and uses necessary and customarily incidental to permitted uses.

Amenity buildings.

Business and professional offices, including medical and dental offices and clinics.

Business uses intended primarily for and ordinarily associated with the provisions of goods and services to local visitors and tourists, and including, but not limited to, the following uses:

Art galleries, and arts and crafts studios.

Banks and other financial institutions excluding "drive-through businesses" as defined in section 7-2-3 of this title.

Businesses engaged in the sale or rental of sporting goods or equipment.

General businesses providing goods and services, including, but not limited to, groceries, gifts, jewelry, apparel, books, salons, etc.

Private and commercial recreation and entertainment facilities, including, but not limited to, theaters, ice skating rinks, health spas, dance halls and convention and meeting facilities, alpine and nordic ski facilities and facilities incidental thereto.

Restaurants and similar places serving food and beverages intended primarily for consumption on the premises, subject further to any provisions as may be deemed by the town to be in the public interest excluding "drive-through businesses" as defined in section 7-2-3 of this title.

Drugstores.

Hotels, motels and lodges, including incidental businesses within the principal building or buildings.

Multi-family dwelling units, including apartments and condominiums, townhomes, boarding and rooming houses, bed and breakfast businesses, but not including rest homes.

Outdoor recreational uses and uses incidental thereto; including, but not limited to, alpine and nordic ski facilities.

Places conveying information, advice, literature and other publicity substantially free of charge to visitors to the area about recreational attractions and related services therein.

Plazas and related pedestrian open spaces.

Private civic, cultural, religious and institutional facilities.

Public, municipal and governmental facilities providing services to accommodate the town and overall public need.

Real estate offices. (Ord. 423, Series of 2009)

B. Uses Subject To Special Use Permit: The following uses are permitted in the D-C district subject to the provisions of this title and upon the issuance of a special use permit :

Commercial parking lots or structures.

Drive-through business.

Gasoline convenience stores.

Loading docks.

Mall and shopping center.

Outdoor storage.

Outdoor vendor.

Permanent outdoor sales and storage.

Public utilities.

Street vendor. (Ord. 439, Series of 2010)

C. Supplemental Mixed Use Regulations: Multiple-family dwellings may be constructed above commercial uses provided:

1. Primary access to dwelling units is not through commercial establishments.
2. All signs must be in compliance with the town sign code².
3. Uses necessary and ordinarily incidental to multiple-family dwellings, such as laundry and vending areas, shall not be located within the structure so as to cause residents therein to come into conflict with the normal functions of commercial uses in the structure.
4. Trash, service and loading areas shall be screened from view from street entrances to dwelling units.
5. Outdoor lighting associated with commercial uses within the structure, including lighting for parking, service and loading areas, shall be designed and located such that the direct source is not visible from any dwelling unit within, nor is there any glare. (Ord. 317, Series of 2002)

Notes

- ¹ 1. See chapter 9 of this title.
- ² 1. See title 6 of this code.

7-5B-3: LOT AREA REQUIREMENTS:

A. Density ¹: The maximum allowable number of dwelling units is twenty eight (28) per gross acre (i.e., before public land dedication). Affordable housing units shall be excluded when calculating densities.

Note: The maximum number of units allowed per acre may not be achieved in all cases due to terrain, setbacks, building height, building coverage, parking requirements, size of dwelling unit(s), etc.

- B. Minimum Lot Area: There shall be no minimum lot area in the D-C district for commercial uses.
- C. Minimum Lot Dimensions: The minimum lot width as measured along the front lot line shall be fifty feet (50') for commercial uses.
- D. Application: The minimum lot area, lot depth and lot width provisions of the R-2 district shall apply to solely multiple-family residential uses. (Ord. 317, Series of 2002)
- E. Minimum Yard Requirements: Except as provided for in section 7-3-7 of this title, minimum yard requirements in a D-C zone shall be:

1. There shall be no minimum setback requirement from lot lines unless abutting an R-1, R-2, R-2-O, M-E, R-C or C-1 zone district. Structures which abut a plaza, park, mall or greenbelt or other permanent pedestrian open space area may abut and have openings onto such appurtenances.

2. Where a lot line in a D-C district abuts an R-1, R-2, R-2-O or M-E zone district, the following minimum yard requirements apply along that lot line:

- a. No building or structure shall be less than twenty five feet (25') from any street right of way used primarily for vehicular purposes, the first ten feet (10') of which shall be landscaped and kept as an open area within which no paving shall be permitted except for permissible driveways and sidewalks leading to buildings and structures located thereon.
- b. There shall be a side yard setback of at least seven and one-half feet ($7\frac{1}{2}'$) for both principal and accessory structures.
- c. There shall be a rear yard setback of at least twenty five feet (25'), which shall be landscaped and kept as an open area, for both principal and accessory structures.

3. When a lot line in a D-C district abuts an R-C or C-1 zone district, the following minimum yard requirements apply along that lot line:

a. There shall be a side yard setback of at least seven and one-half feet ($7\frac{1}{2}'$) for both principal and accessory structures.

b. There shall be a rear yard setback of at least seven and one-half feet ($7\frac{1}{2}'$), which shall be landscaped and kept as an open area, for both principal and accessory structures. (Ord. 454, Series of 2012)

Notes

1. See also section 7-2-3, definition of "density", of this title.

7-5B-4: BUILDING REQUIREMENTS:

A. Maximum Building Coverage:

1. Maximum building coverage for residential uses shall not exceed sixty percent (60%) of the "lot area" as defined in section 7-2-3 of this title.

2. There is no D-C maximum building coverage requirement for nonresidential uses in the district.

3. Maximum building coverage for mixed use developments shall be based on the requirements which apply to the dominant use on the first floor (i.e., more than 50 percent residential or nonresidential). (Ord. 423, Series of 2009)

B. Maximum Height For Buildings And Structures: The maximum height for all buildings and structures permitted in the D-C district shall be fifty five feet (55') as defined in chapter 2 of this title. (Ord. 324, Series of 2002)

C. Fences, Hedges And Walls: Fences, hedges and walls shall comply with section 7-3-11 of this title. (Ord. 317, Series of 2002)

7-5B-5: LANDSCAPING REQUIREMENTS:

As required in the landscape design regulations and guidelines as amended from time to time. (Ord. 317, Series of 2002)

7-5B-6: OUTDOOR LIGHTING REQUIREMENTS:

As required in the design regulations and guidelines, as amended from time to time. (Ord. 317, Series of 2002)



MEMO

TO Planning Commission
FROM James Shockey, Community Development Director
DATE January 26, 2021
RE Minor Subdivision – Cedar Drive Townhomes

General Information:

The applicant is proposing to subdivide Lot 6, Block 4 Winter Park Village into two townhome units with common open space. The property is located in the Old Town neighborhood on the corner of Cedar Drive and Linden Road. The lot currently has a duplex on it. Planning Commission approved the Design Review application on March 24, 2020 and a change to the design on July 28, 2020. The Board of Adjustment approved a variance to the height of the structure on July 14, 2020.

Since this plat is only creating 3 lots, the application can be processed as a Minor Subdivision. The staff report will not address access, parking, setbacks, snow storage or review agency comments as they were all addressed and approved during Design Review.

5% Land Dedication:

The Town Code (§8-3-10) requires either the dedication, reservation or conveyance of areas suitable for public purposes such as parks, flood channels, scenic areas and greenbelts of up to five percent (5%) of the total area of the subdivision, or a payment in lieu of such dedication.

The amount is calculated as follows: 5% x \$269,500 (purchase price) = \$13,475.00

School Impact Fee:

This project is subject to school impact fees since no land dedication has been proposed. The fee and the fee in lieu of land dedication collected shall be equivalent to the market value of land area for the total number of units.

The amount is calculated as follows: \$1,586 per unit x 2 units = \$3,172.00

Adjacent Property Owner Comments:

Staff sent notice to adjacent property owners on 01/19/21. No comments have been received as of January 21

Plat:

Staff has prepared a red-marked print for the proposed Final Plat. Prior to recordation, the applicant shall revise the Final Plat in conformance with the red-marked print dated 01/20/21.

Miscellaneous items to be resolved at time of recordation of the Final Plat:

1. A Certificate of Taxes, shown to be paid in full from the County Treasurer, shall be provided for the subject property prior to the recording of any Final Plat.
2. A Statement of Authority shall be provided for each party that signs the Final Plat.
3. If there is a lien holder, a ratification and confirmation of the plat shall be provided.
4. A School Impact Fee in the amount of \$3,172.00 shall be provided prior to recordation of any Final Plat.
5. A payment of \$13,475.00 shall be provided in lieu of the required 5% open space land dedication.
6. A digital file of the approved plat must be submitted. The digital file shall be in a format acceptable to the Town's System. Requirements for digital submittal can be obtained from the Town's Planning Division.
7. An executed Final Plat Mylar and other supporting documents, as well as recording fees, shall be provided.

Recommendation:

Staff recommends the Commission provide a favorable recommendation of approval to the Town Council for the Final Plat of Cedar Drive Townhomes with the following condition to be met and/or provided prior to recording:

1. The applicant shall revise the submitted plans and documents in conformance with the official red- marked print dated 01/20/21.



TOWN OF WINTER PARK
 P.O. Box 3327 • 50 Vasquez Road • Winter Park, CO 80482
 Phone: 970-726-8081 • Fax: 970-726-8084
 Website: www.wpgov.com

LAND USE REVIEW APPLICATION FORM

PROJECT INFORMATION

Project Name: Cedar Drive Townhomes Date: 12/29/20
 Street Address (or general location if not addressed): 110 - 120 Cedar Dr. Winter Park, CO
 Schedule Number(s) or Parcel Number(s): 1705 - 101 - 06 - 002
 Site Area (in square feet or acres): .14 acres Existing Zoning: R-20
 Existing Land Use: SFR / duplex
 Legal Description: Winter Park Village Lot 6, Block 4

OWNER / APPLICANT

Name: Tyler Wilcox Phone: (720) 484-9246
 Company: _____ Email: tyler@wilcoxcustombuilders.com
 Mailing Address: 220 E. Castilla Ave.
Centennial, CO 80122

CONTACT PERSON

Name: Tyler Wilcox Phone: (720) 484-9246
 Company: _____ Email: tyler@wilcoxcustombuilders.com
 Mailing Address: 220 E. Castilla Ave.
Centennial, CO 80122

TYPE OF APPLICATION (check all that apply)

Subdivision		Fee	Other Development		Fee
<input checked="" type="checkbox"/>	Sketch Plan	\$250.00	<input checked="" type="checkbox"/>	Zoning Variance	\$250.00
	Preliminary Plat	\$500.00*		Special Use Permit	\$150.00
	Final Plat	\$750.00*		Rezoning Request	\$350.00
	Amended Final Plat	\$375.00*		Subdivision Exemption	\$300.00
	As-Built Plat	\$250.00		Amended Exemption	\$150.00
	Amended As-Built Plat	\$250.00*		Annexation	\$500.00*
	*Number of Lots:	x \$10.00		*Number of Lots:	x \$10.00
	TOTAL FEES:	\$		TOTAL FEES:	\$
<input checked="" type="checkbox"/>	Minor Subdivision	Fee	<input checked="" type="checkbox"/>	Planned Development	Fee
	Final Plat	\$400.00*		Preapplication Conference	No Fee
	Amended Minor Sub.	\$250.00		Preliminary Development Plan	\$1,000.00**
				Final Development Plan	\$1,000.00**
				Amended Final Plan	\$500.00**
	*Number of Lots:	x \$10.00		**Number of Lots:	x \$2.00
	TOTAL FEES:	\$ <u>420.00</u>		TOTAL FEES:	\$

* In addition to the base fee, an additional \$10.00 per unit or lot

** In addition to the base fee, an additional \$2.00 per unit or lot

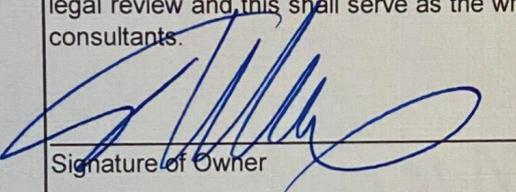
In addition to the base fees the applicant is required to pay the cost of any legal notices and adjoining property owner certified mailings. The applicant may also be subject to reimbursement fees as outlined within Section 7-10-8 of the Town Code.

BRIEF DESCRIPTION OF THE PROJECT

Owner is creating two townhome units with common land around the units. Each townhome would own the land under its unit.

AFFIDAVIT

I, Tyler Wilcox being duly sworn, declare that I am (please check one) the authorized representative to act for the property owner, the owner of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. By signing this application, I have read and agree to the reimbursement fees that may be charged for review of this project as outlined in Section 7-10-8 of the Town Code. At a minimum, this project will require consultants for engineering review and legal review and this shall serve as the written notice required by Section 7-10-8 of the Town Code for these two consultants.


Signature of Owner

12/29/20
Date

Signature of Representative

Date

Acceptance of this application and required filing fee does not constitute a complete application. Plans and other material required to constitute a complete application are listed in the application procedure.

STAFF USE ONLY (do not write below this line)

Application Received By:

Case # _____ Date / Time: _____

Total Fees: \$ _____ Date Paid: _____ Check # _____

Additional Comments:

CEDAR DRIVE TOWNHOMES
BEING AN AMENDED FINAL PLAT OF LOT 6, BLOCK 4, WINTER PARK VILLAGE REC #90263
LOCATED IN A PORTION OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 75 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF WINTER PARK, COUNTY OF GRAND, STATE OF COLORADO.
CONVEYANCE TO SUBDIVIDER RECORDED AT RECEPTION NUMBER _____

CIVIL ENGINEERING
 DEVELOPMENT CONSULTING
 LAND SURVEYING
 NATURAL RESOURCES
 303.708.4444
 1850 W. Litchman Blvd., Ste. 109
 Litchman, CO 80120



NO.	DESCRIPTION	DATE	BY
1	PRELIM PLAT	1-4-21	MSK

AMENDED FINAL PLAT
 SEC. 10, T2S, R75W, 6TH P.M.
 GRAND COUNTY, COLORADO

RELEASE: 01-19-21
 DESIGNED: MSK
 CAD: MSK
 QAWC: MSK

JOB NO. 20-053

SHEET 1 of 1

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT 110 CEDAR DRIVE LLC, A COLORADO LIMITED LIABILITY COMPANY IS THE OWNER OF THAT REAL PROPERTY SITUATED IN THE TOWN OF WINTER PARK, GRAND COUNTY, COLORADO, MORE FULLY DESCRIBED AS FOLLOWS:

LOT 6, BLOCK 4, WINTER PARK VILLAGE, RECORDED OCTOBER 9, 1959 AS RECEPTION NUMBER 90263 OF THE RECORDS OF GRAND COUNTY, COLORADO

CONTAINING AN AREA OF 6,306 SQUARE FEET, MORE OR LESS.

THAT 110 CEDAR DRIVE LLC HAS CAUSED SAID REAL PROPERTY TO BE LAID OUT AND SURVEYED AS CEDAR DRIVE TOWNHOMES, AND DOES HEREBY DEDICATE AND SET APART PARCEL A AND THE COMMON ELEMENTS SHOWN ON THE ACCOMPANYING PLAT TO THE 110 CEDAR DRIVE HOME OWNERS ASSOCIATION, INC.

IN WITNESS WHEREOF, TYLER WILCOX, AS MANAGER OF 110 CEDAR DRIVE LLC HAS CAUSED HIS NAME TO BE HEREUNTO SUBSCRIBED THIS ____ DAY OF _____, 20__.

MANAGER OF 110 CEDAR DRIVE LLC

STATE OF COLORADO)
) SS
 COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY TYLER WILCOX, AS MANAGER OF 110 CEDAR DRIVE LLC.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____

LIENHOLDER:

BY: _____

STATE OF COLORADO)
) SS
 COUNTY OF _____)

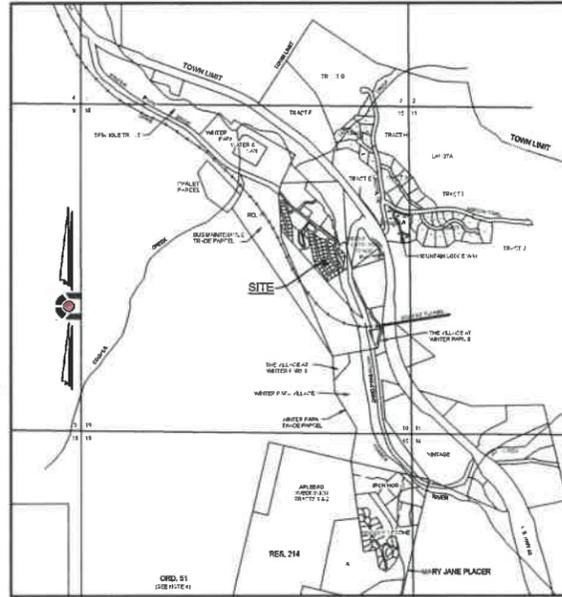
THE FORGOING WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY _____ AS MANAGER OF _____ ON BEHALF OF THE COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____

SHEET INDEX
 SHEET 1 COVER
 SHEET 2 PLAT



MAYOR'S CERTIFICATE

APPROVED AND ALL PUBLIC DEDICATIONS ACCEPTED THIS DAY OF _____, 20__ BY THE TOWN COUNCIL OF THE TOWN OF WINTER PARK SITUATED IN GRAND COUNTY, COLORADO. ACCEPTANCE OF THIS PLATTED SUBDIVISION BY THE TOWN OF WINTER PARK DOES NOT CONSTITUTE AN ACCEPTANCE OF THE ROADS AND RIGHTS-OF-WAY REFLECTED HEREON FOR MAINTENANCE BY SAID TOWN. UNTIL SUCH ROADS AND RIGHTS OF WAY MEET TOWN SPECIFICATIONS AND ARE SPECIFICALLY ACCEPTED FOR MAINTENANCE BY RESOLUTION OF THE TOWN COUNCIL, THE MAINTENANCE, CONSTRUCTION, AND ALL OTHER MATTERS PERTAINING TO OR AFFECTING SAID ROADS AND RIGHTS-OF-WAY ARE THE SOLE RESPONSIBILITY OF THE OWNERS OF THE LAND EMBRACED WITHIN THE SUBDIVISION.

JIMMY LAHRMAN, MAYOR

PLANNING AND ZONING COMMISSION CERTIFICATE

APPROVED THIS ____ DAY OF _____, 20__ BY THE WINTER PARK PLANNING AND ZONING COMMISSION, WINTER PARK, COLORADO.

BRAD HOLZSWARTH, CHAIRMAN

SURVEYOR'S CERTIFICATE

I, MICHAEL SEAN KERVIN, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF CEDAR DRIVE TOWNHOMES, TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT SAID PLAT COMPLIES WITH THE REQUIREMENTS OF TITLE 38, ARTICLE 51, COLORADO REVISED STATUTES, AND THAT THE MONUMENTS REQUIRED BY SAID STATUTE AND BY THE TOWN OF WINTER PARK SUBDIVISION REGULATIONS HAVE BEEN PLACED ON THE GROUND.

THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY.

MICHAEL SEAN KERVIN
 PROFESSIONAL LICENSED COLORADO LAND SURVEYOR PLS NO. 34592
 FOR AND ON BEHALF OF CORE CONSULTANTS, INC.

NOTE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ACTION BE TAKEN BASED UPON ANY DEFECT IN THIS SURVEY MORE THAN TEN (10) YEARS AFTER THE DATE OF THE SURVEY CERTIFICATION SHOWN HEREON.

STATE OF COLORADO)
) SS
 COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__

BY MICHAEL SEAN KERVIN

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____

(ORD. 35, SERIES OF 1980; AMD. ORD. 77, SERIES OF 1982)

SURVEY NOTES:

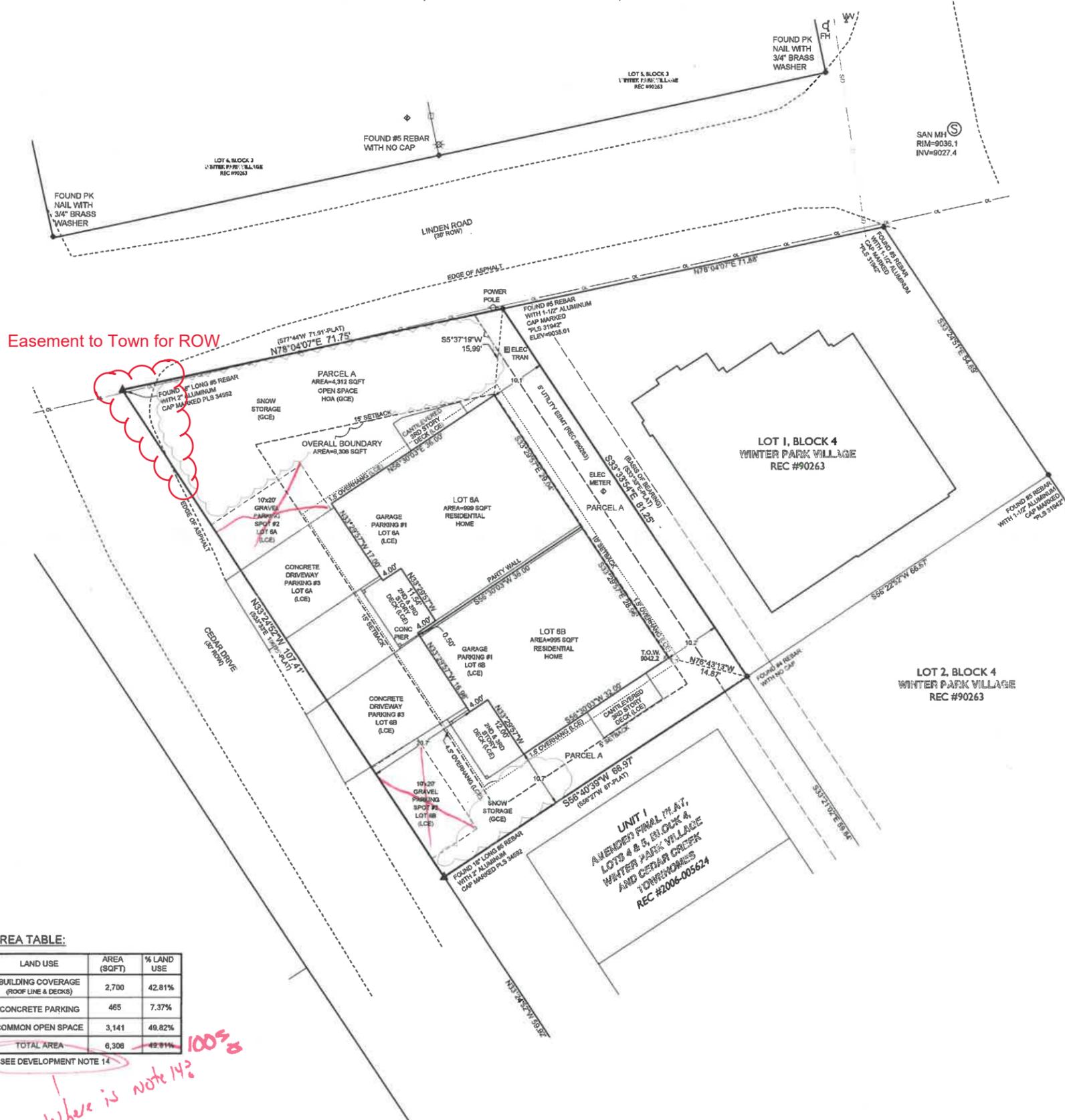
- BEARINGS SHOWN ON THE ACCOMPANYING PLAT ARE BASED ON THE ASSUMPTION THAT THE SOUTHWESTERLY LINE OF LOT 1, BLOCK 4, WINTER PARK VILLAGE BEARS S33°33'54"E, AS MONUMENTED AND SHOWN ON THE RECORDED PLAT THEREOF.
- THE PRIMARY BENCHMARK USED TO DETERMINE THE BASIS OF ELEVATIONS FOR THIS MAP IS NGS H 360, A STANDARD USCGS BRASS CAP SET IN BOULDER MARKED "H 360 1954". PUBLISHED NAVD88 ELEVATION = 8971.34 U.S. SURVEY FEET. ALL ELEVATIONS TRANSFERRED TO THE SITE BY GPS METHODS.
- SET 18" LONG #5 REBAR WITH 2" OUTSIDE DIAMETER ALUMINUM CAP MARKED "PLS 34592" AT ALL BOUNDARY CORNERS UNLESS OTHERWISE NOTED.
- THE EXTERIOR BOUNDARY, RECORDED EASEMENTS AND RIGHTS-OF-WAY, IF ANY, ARE SHOWN ON THE ACCOMPANYING PLAT AS DISCLOSED IN THE ASCENDANT TITLE COMPANY, COMMITMENT NUMBER CO-19-21627, DATED NOVEMBER 12, 2019 AT 12:00 A.M. LANDS SHOWN HEREON MAY ALSO BE SUBJECT TO THE EXCEPTIONS IN SAID COMMITMENT NUMBER. OTHER INTERESTS OR EASEMENTS MAY EXIST. PER THE REQUEST OF THE OWNER OR OWNERS AGENT, NO ADDITIONAL RESEARCH WAS COMPLETED BY CORE CONSULTANTS.
- THE PARCEL MAY BE SUBJECT TO RIGHTS, INTERESTS, AGREEMENTS, OBLIGATIONS, RIGHTS-OF-WAY OR EASEMENTS IN FAVOR OF ANY PERSON OR ENTITY BURDENING THE SUBJECT PROPERTY WHICH EXIST OR ARE CLAIMED TO EXIST WITH RESPECT TO: (A) ANY IRRIGATION DITCH AND/OR LATERAL; (B) RESERVOIR AND/OR RESERVOIR RIGHTS; (C) SPRINGS AND/OR SPRING RIGHTS; (D) WELL AND/OR WELL RIGHTS; AND (E) THE WATER AND/OR WATER RIGHTS ASSOCIATED WITH THE FOREGOING WHICH MAY BE LOCATED UPON THE LAND OR ASSOCIATED WITH THE LAND.
- THE U.S. SURVEY FOOT WAS USED FOR ALL MEASUREMENTS ON THIS SURVEY. PURSUANT TO C.R.S. 38-52.103(2) METRIC CONVERSION IS: ONE METER EQUALS 39.3711200 FEET.
- FIELDWORK WAS COMPLETED IN DECEMBER 2020 BY DAVID R. LUTS, PLS. HORIZONTAL AND VERTICAL MEASUREMENTS WERE OBTAINED BY USING A LEICA TS-15 AND GS-18 GPS SYSTEM. A COMBINATION OF CONVENTIONAL AND GPS MEASUREMENTS WERE UTILIZED.
- LEGAL DESCRIPTION PREPARED BY MICHAEL SEAN KERVIN, PLS ON BEHALF OF CORE CONSULTANTS, INC. 3473 S. BROADWAY BLVD., ENGLEWOOD, CO 80113.

OWNER/DEVELOPER
 110 CEDAR DRIVE, LLC
 220 E. COSTILLA AVE
 CRIENNAL, CO 80122
 TYLER WILCOX
 720-484-9246

SURVEYOR
 CORE CONSULTANTS, INC.
 MICHAEL S. KERVIN, PLS
 78967 US HIGHWAY 40
 WINTER PARK, CO 80482
 970-531-8499

DATE PREPARED
 JANUARY 19, 2021

CEDAR DRIVE TOWNHOMES
 BEING AN AMENDED FINAL PLAT OF LOT 6, BLOCK 4, WINTER PARK VILLAGE REC #90263
 LOCATED IN A PORTION OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 75 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 TOWN OF WINTER PARK, COUNTY OF GRAND, STATE OF COLORADO.



LAND USE / AREA TABLE:

LOTS	AREA (SQFT)	PARKING	LAND USE	AREA (SQFT)	% LAND USE
LOT 6A	999	2	BUILDING COVERAGE (ROOF LINE & DECKS)	2,700	42.81%
LOT 6B	995	2	CONCRETE PARKING	465	7.37%
PARCEL A	4,312	0	COMMON OPEN SPACE	3,141	49.82%
TOTAL	6,306	4	TOTAL AREA	6,306	100%

* SEE DEVELOPMENT NOTE 14
 Where is note 14? 100%
 100%
 100%

CIVIL ENGINEERING
 DEVELOPMENT CONSULTING
 LAND SURVEYING
 NATURAL RESOURCES
 363 701 4444
 1950 W. Litchman Blvd., Ste. 109
 Litchman, CO 80120



NO.	DESCRIPTION	DATE	BY
1	PRELIM PLAT	1-4-21	MSK

AMENDED FINAL PLAT
 SEC. 10, T2S, R75W, 6TH P.M.
 GRAND COUNTY, COLORADO

RELEASE: 01-19-21
 DESIGNED: MSK
 CAD: MSK
 QA/QC: MSK

JOB NO. 20-053
 SHEET 1 of 1

MICHAEL SEAN KERVIN, CO PLS 34592
 DATE: 01-19-21
 CORE PROJ: 20-053
 FOR AND ON BEHALF OF CORE CONSULTANTS

MEMO

TO Planning Commission
FROM Hugh Bell, Planner
THROUGH James Shockey, Community Development Director
DATE January 26, 2021
RE Design Guidelines – Final Draft Review

Overview:

The Town is in the process of revising the Design Guidelines, and a final draft is now ready for the Planning Commission's review. Three separate guideline documents – the RC-DC, Residential, and Landscape guidelines – have been consolidated into one. Below is a general outline overviewing the most significant changes and additions to the Guidelines.

The Town has retained Kendig Keast Collaborative and Winter and Company as its consultants for the Design Guidelines. A kickoff meeting was held on July 11, 2019 and the consultants have since presented to the Commission and Council at meetings and workshops.

Three workshops were held on December 14, 2020 for the public, architects, and developers. An online survey was active from December 7, 2020 to January 18, 2021. All parties provided comments.

Part 1: Intro

Part 2: Site Design Guidelines

Landscaping* & Sustainable Site Design

- Integrate Low Impact Development (LID) features and incorporate LID features in parking areas (2.10)
- *Land Use Transition Zone (LTZ) requirements are migrating to the Unified Development Code (UDC)

Pedestrian Prioritization

- Integrate a pedestrian path with the overall site design (2.4.1)
- Design a walkway to function year-round (2.4.4)
- Encourage public art (2.9)

Transition to Sensitive Uses

- Mitigate negative impacts of a large building on a sensitive property (2.3.1)
- Mitigate negative impacts of site features on a sensitive property (2.3.2)

Part 3: Building Design Guidelines

Architectural Character

- **Entrances:** Design the primary entrance of a building to be clearly identifiable (3.1, 3.2)
- **Roof Form:** Use a pitched roof form to reduce the perceived scale of a building and complement the topography of the site (3.3)
- **Roof Decks:**
 - Set a roof deck back from the front wall of the building so that the overall form of the structure remains predominant (3.4)
 - Where the deck is designed to be roofed, utilize a sloping roof form (3.4.3)
- **Four-Sided Building Design:** Design a building to provide interest on all sides that will be viewed from the public realm (3.6)
- **Building Articulation:** Articulate a building wall to create human scale components and express a sense of vertical and horizontal scale (3.7)
- **Windows:**
 - Recess windows into the exterior mass walls (3.7.3)
 - Utilize sills, lintels, mullions, and trim (3.7.4)
 - Utilize roughly equal window-to-wall ratios on exterior walls (3.7.5)
- **Materials**:**
 - Permitted primary and secondary materials (3.8)
 - **Permitted and prohibited primary and secondary materials are migrating to the UDC

Comments:

The following comments were received from the public during the most recent workshop and survey –

Survey: Six (6) responses were received; see attachment for details.

Public Comments: One (1) response was received with comments about window and roof design; see comment for details.

Developer Workshop Comments:

- Section 2.3 (Transition to sensitive uses) – Need to avoid penalizing properties in downtown core that abut properties with low intensity use, as these low intensity uses may eventually be replaced with higher intensity use.

Architect Workshop Comments:

- Section 2.10.1 (Permeable pavers) – Permeable pavers don't tend to work well in mountain towns. Should avoid using in snow storage areas and areas cleared by snowplows.
- Section 3.1.2 (Residential building entry) – Scaling new entries to be similar to nearby existing entries seems too restrictive.
- Section 3.3 (Roof form) – Flat roofs can be acceptable for holding snow. Sloped roofs require extra attention paid to snow shedding.
- Section 3.7.4 (Window design elements) – Should allow for flexibility for modern and

traditional designs.

- Section 3.8 (Building and roof materials) – Attractive and durable forms of Masonite exist, e.g. Woodtone and Concreate.

Staff Recommendation:

Staff recommends the Planning Commission provide a favorable recommendation of approval to the Town Council to adopt the Final Draft of the Design Guidelines.



WINTER PARK, CO DESIGN GUIDELINES

APPENDIX A. DESIGN GUIDELINES

Contents:

Part 1. Introduction

Introduction to Part 1

1.1 Guiding Principles

- 1.1.1 Design for Winter Park
 - 1.1.2 Encourage Architectural Diversity
 - 1.1.3 Connect to Nature
 - 1.1.4 Engage the Public Realm
 - 1.1.5 Design for Sustainability
 - 1.1.6 Support Economic Benefits & Value Added
- Table A-1 Example Design Guideline Format

Part 2. Site Design Guidelines

2.1 Residential Building Orientation

- 2.1.1 Orient a building's primary functional entry to face a street.
- 2.1.2 Where there is more than one building on a site, orient at least one of the buildings to face the street.
- 2.1.3 In some cases, a portion of the building or a building in a series of structures may not face the public realm.
- 2.1.4 Where a residential building faces the public realm, incorporate a projecting porch or covered stoop to connect to the public realm.

2.2 Non-Residential Building Orientation

- 2.2.1 Locate a building at or near the front parcel line so that it frames the public realm and creates visual interest at the street level.
- 2.2.2 Orient a building's primary functional entry to face a street.
- 2.2.3 In some cases, a portion of a building may not be directly located at the front parcel line.

2.3 Transition to Sensitive Uses

- 2.3.1 Mitigate negative impacts of a large building on a sensitive property.
- 2.3.2 Mitigate negative impacts of site features on a sensitive property.
- 2.3.3 When incorporating a landscape buffer as a transition, design it to include compatible uses as amenities.

Table A-2 Examples of Transitioning to a Sensitive Use

Table A-3 Examples of Transitioning to a Sensitive Use

2.4 Pedestrian Access and Circulation

- 2.4.1 Integrate a pedestrian path with the overall site design.
- 2.4.2 Provide a pedestrian connection between a site and the public realm.
- 2.4.3 Establish an internal walkway system that connects building entries, parking areas, open spaces, and any other key areas.
- 2.4.4 Design a walkway to function year-round.
- 2.4.5 Where feasible, consider providing public pedestrian access through a block.

Table A-4 Strategies for Pedestrian Connections

Table A-5 Sidewalk Connection Options

2.5 Landscape Design

- 2.5.1 Preserve and maintain mature trees and other significant vegetation.
- 2.5.2 Use a coordinated landscape palette to establish a sense of visual continuity within a site.
- 2.5.3 Use landscaping to enhance pedestrian facilities.

2.6 Fences and Walls

- 2.6.1 Coordinate a fence or wall with the overall site design.
- 2.6.2 Vary design elements of a fence or wall to enhance visual interest and provide a sense of scale.
- 2.6.3 Use a material that is durable and compatible with that of adjacent buildings and other site features.
- 2.6.4 Design a retaining wall to minimize impacts on the natural character of the site.
- 2.6.5 A concrete wall should provide visual interest and convey a sense of scale.
- 2.6.6 Incorporate design variations in a site wall to create interest.

2.7 Pavement and Edging Materials

- 2.7.1 Use naturally appearing materials that are compatible with the site development.
- 2.7.2 Construct sidewalks and plazas with materials compatible with adjacent development.
- 2.7.3 Consider using an edging material to separate a lawn from other landscape areas.

2.8 Outdoor Amenity Space and Features

- 2.8.1 Incorporate amenity space into a site design.
 - 2.8.2 Program an amenity space to keep it lively and occupied.
- Table A-6 Design Options for Deep Right-Of-Way Front Setbacks

2.9 Public Art

- 2.9.1 Encourage including public art in a project.

2.10 Sustainable Site Design

- 2.10.1 Integrate Low Impact Development (LID) features to minimize the impacts to the municipal stormwater system and area watersheds.
- 2.10.2 Use landscaping to reduce the need for heating and cooling.
- 2.10.3 Choose a design that reduces energy consumption.
- 2.10.4 Where possible, incorporate LID features in a parking area.

2.11 Winter City Design

- 2.11.1 Design a site to promote year round use.
- 2.11.2 Design a site to promote efficient snow removal and adequate space for snow storage.
- 2.11.3 Design landscapes with durable plants to absorb the impact of snow shedding or storage.
- 2.11.4 Site a building or open space to maximize sun exposure, utilize passive solar design, and minimize glare onto neighboring properties.
- 2.11.5 Analyze sun and wind microclimates to design outdoor space that blocks prevailing winds and provides solar access and shading.

Part 3. Building Design Guidelines

3.1 Residential Building Entry

- 3.1.1 Design the primary entrance of a building to be clearly identifiable.
- 3.1.2 Size and proportion an entry element to be in the range of heights and widths of nearby traditional entries.

3.2 Non-Residential Building Entry

- 3.2.1 Design the primary entrance of a building to be clearly identifiable.
- 3.2.2 Orient the primary entrance of a building to face a street, plaza, or pedestrian way.

3.2.3 Maintain a regular rhythm of entries along a street.

3.3 Roof Form

3.3.1 Use a pitched roof form to reduce the perceived scale of a building and complement the topography of the site.

3.3.2 Where a flat roof is appropriate on a commercial or mixed use building (as outlined above) and is used, design it to be screened from view.

3.3.3 Where a flat roof is incorporated as part of the design, utilize sloping roofs as well.

3.3.4 Design a roof to either hold snow or shed snow in appropriate areas.

3.3.5 Break a long, unbroken roofline into smaller segments to reflect the irregular natural mountainside patterns, such as a shed roof.

3.3.6 Mountainsides, hillsides, and other landforms should act as the backdrop to the home.

3.3.7 Design a roof to be architecturally consistent with overall architectural design and detailing of the structure in terms of form and material.

3.3.8 Incorporate deep eaves, overhangs, and canopies to provide shelter from harsh weather, help keep snow away from the building foundation, and provide shade in the summer.

3.4 Roof Decks

3.4.1 Set a roof deck back from the front wall of the building so that the overall form of the structure remains predominant.

3.4.2 Design a roof deck to be compatible with the materials used on the primary building.

3.4.3 Where the deck is designed to be roofed, utilize a sloping roof form.

3.4.4 Where a pergola or a latticed structure is incorporated over a roof deck, minimize the height of the structure to appear in scale with the building

3.4.5 Where a pergola or latticed structure is utilized on a rooftop deck, modulate the structure to appear smaller in size as viewed from the public realm.

3.4.6 Design a pergola or latticed structure to be compatible with the materials used on the primary building.

3.4.7 Design and locate external stairs to be an integral component of the building, consistent in materials and details.

3.5 Ground Floor Design

3.5.1 Design the ground floor of a building facade to engage the public realm and promote pedestrian activity.

3.5.2 Use high quality, durable materials to define the ground floor and add visual interest.

3.5.3 Allow the first floor to accommodate a variety and exuberance of expression; the upper floors should be more restrained and quiet.

Table A-7 Design Options for a Pedestrian-Friendly Ground Floor

3.6 Four-Sided Building Design

3.6.1 Design a building to provide interest on all sides that will be viewed from the public realm.

3.7 Building Articulation and Mass Variation

3.7.1 Articulate a building wall to create human scale components and express a sense of vertical and horizontal scale.

3.7.2 Vary the mass of a building to express a human scale, reduce the bulkiness of a building, and increase solar access at the street.

3.7.3 Recess windows into the exterior mass walls to imply strength and to provide greater articulation.

3.7.4 Utilize sills, lintels, mullions, and trim to add depth and elaboration to windows.

3.7.5 Utilize roughly equal window-to-wall ratios on exterior walls.

3.7.6 Structural elements - columns, beams, and trusses - should be proportional to the abundant snow loads which they support.

Table A-8 Applying Wall Articulation Methods



Table A-9 Applying Massing Variation Methods

3.8 Building and Roof Materials

3.8.1 Incorporate building materials that contribute to the visual continuity of the Town.

3.8.2 Use materials with textures and colors that are found naturally in the surrounding landscape.

3.8.3 Use materials to convey a sense of human scale and visual interest.

3.8.4 Use high quality, durable building and roof materials.

Table A-10 Building Materials

Table A-11 Roof Materials

Part 1. Introduction

Winter Park is situated in a dramatic mountain valley surrounded by majestic peaks. The town's identity is characterized by coniferous trees weaving throughout the Town that lead to the dense forest mountainsides yielding only to the barren, snow-capped mountain peaks. As new development occurs, the strength and presence of the natural landscape should be enhanced by careful site planning, proper building scale, and appropriate architectural character. Individual buildings should not visually dominate the townscape and natural surroundings, nor call undue attention to themselves. Development that is responsive to both the surrounding mountain environment and the changing needs of the community will reinforce the local identity unique to the Town of Winter Park.

For those who decide to build in a mountain environment, there are inherent costs and risks to consider, such as heavy snowfalls, slippery roads, varying slopes, wildlife, a delicate ecosystem, and forest fire potential. However, the benefits of communing with nature and the spectacular views should outweigh the risks.

The community vision for the Town of Winter Park is to create a viable and comfortable community that reflects the diversity of its people and the unique natural beauty of the Continental Divide and Rocky Mountain setting. The eclectic character and "mountain modern" aesthetic of the Town are enjoyed by residents and visitors and are a key component to the character of the Town. "Mountain modern" refers to designs that incorporate natural materials, muted colors, matte finishes, a sense of craftsmanship, and the ability to see views from many places.

New development should incorporate these elements and should be context sensitive. Similar reasons attracted existing residents to the area who welcome you, but who also wish to preserve and enhance the Town's character. When building homes or multiple-family projects that maximize the breathtaking vistas of the ski slopes and the Fraser Valley, an important consideration is that the people in the valley and on the ski slopes may have views of these buildings. With such prime real estate comes development and ownership responsibilities.

The guidelines that follow are a supplement to the Town of Winter Park Unified Development Code (UDC), and have been written to achieve the Town's vision for a pedestrian-oriented, visually cohesive, economically viable community. These guidelines promote a cohesive development pattern, while allowing for a level of diversity and creativity in the design and construction of individual projects. These guidelines should be reviewed in conjunction with the UDC and the Town of Winter Park Master Plan. They are educational, intentionally brief and concise, and provide the reader with an understanding of the Town's desired character.

Please note that in the case of any difference in meaning or implication between the text of this document and the captions of this document, the text shall control. In the case of any difference in meaning or implication between the text of this document and the images displayed within this document, the text shall control.



These guidelines promote a cohesive development pattern, while allowing for a level of diversity and creativity in the design and construction of individual projects.



Development that is responsive to both the surrounding mountain environment and the changing needs of the community will reinforce the local identity unique to the Town of Winter Park.

1.1 Guiding Principles

The following key principles for design excellence apply throughout Winter Park.

1.1.1 Design for Winter Park

Winter Park is a unique town that is striving to create a sense of place. The Town's special identity is part of what people love about it, and that's what attracts people. A key part of this sense of place is the built environment. Each project should contribute to the sense of place by connecting, supporting, and protecting its distinctive qualities. These include natural resources and a vibrant, diverse community.

1.1.2 Encourage Architectural Diversity

Architectural diversity is an important part of design in Winter Park, and reflects decades of development and creativity. The design guidelines support this unique character, and reflect best practices in urban design.



(1.1.1) Design for Winter Park



(1.1.2) Encourage architectural diversity

1.1.3 Connect to Nature

Winter Park is a place enriched by its connection to nature. Development should maintain and enhance this connection by incorporating natural materials for buildings, native plants for landscaping, and by incorporating green spaces. Connecting to nature also means being sensitive to, and maintaining views from, the public realm to the surrounding mountains and other landmarks.



(1.1.3) Connect to nature

1.1.4 Engage the Public Realm

Development in Winter Park must respect and engage the public realm to foster pedestrian activity and enhance the aesthetics of the Town. Projects should be designed to interact with the street system and emphasize pedestrian-scale development.

1.1.5 Design for Sustainability

Development proposals should promote sustainability in a variety of ways including reducing energy consumption, conserving resources, minimizing environmental impacts, and utilizing sustainable materials. The overall design of a new development should utilize passive design strategies when possible, such as the siting and orientation of a building and the location of windows to minimize or maximize solar gain. New development should also mitigate stormwater impacts through Low Impact Development.



(1.1.4) Engage the public realm



(1.1.5) Design for sustainability

1.1.6 Support Economic Benefits & Value Added

Good urban design and placemaking provide tangible economic, social and environmental benefits. Potential benefits include higher property values, improved pedestrian safety, and reduced property crime. Furthermore, greater mobility and more efficient use of existing public infrastructure can be achieved. Maintaining high quality design that contributes to community character can help improve quality of life and create an environment where people want to live, work, and invest. The Design Guidelines encourage high quality design that adds value to new development and also promotes the reuse of the existing building stock.

Table A-1 Example Design Guideline Format

The guidelines in this document use a standard format, as seen in the sample page below. This format includes a series of six items, which are noted and described below.

A	Design Topic Heading	D	Additional Information
B	Intent Statement	E	Further Detail
This is shown in bold, is lettered, and always starts at the top of a page.		This information is found in a bullet list that follows a design guideline, where applicable. This provides appropriate and inappropriate strategies for meeting the intent of the design guideline.	
The intent statement follows the design topic		Further sub-bullets are provided for some design	

Table A-1 Example Design Guideline Format

heading. It explains the goal of the design guidelines that follow. If an application does not specifically meet one of the design guidelines, it can be reviewed using the intent statement.

guidelines and provide even more detail.

C Design Guidelines	F Images and Illustrations
---------------------	----------------------------

Design guidelines describe an intent or desired outcome. They are numbered for easy reference.

Visuals are included to clarify the intent of the guideline. Captions provide more detail about how the image is to be interpreted. The guideline with which the visual corresponds is shown as a number in parentheses at the beginning of the caption.

A →

K. Sustainable Site Design



(31) Integrate Low Impact Development features to minimize the impacts to the municipal stormwater system and area watersheds.

B →

Sustainability is a community objective in the Imagine Winter Park Town Plan. Each site should create opportunities to contribute to a sustainable future for Winter Park. Sustainability features should be incorporated to reduce energy consumption and manage stormwater runoff.

C →

31. Integrate Low Impact Development (LID) features to minimize the impacts to the municipal stormwater system and area watersheds.

F →



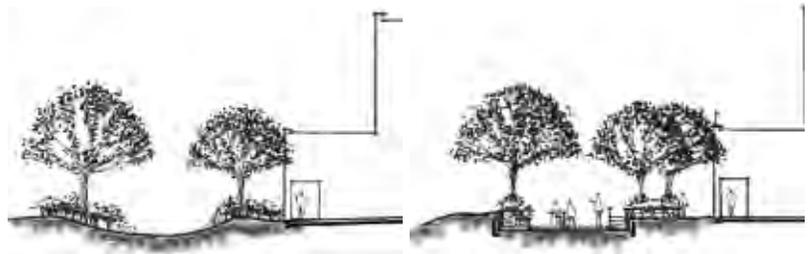
(31) Include a stormwater

D

- Include a stormwater management feature, such as a bioretention area or rain garden, as a site amenity.
- Use permeable surfaces and paving systems that allow water filtration.
- Use generous site landscaping areas to absorb site runoff.

E →

- Plant material should be species that are able to withstand anticipated changes in soil wetness and moisture levels.



Part 2. Site Design Guidelines

This section provides guidance for site design for all projects in Winter Park. It is intended to be used as a supplement to the information provided in [Chapter 3](#) of the Winter Park Unified Development Code (UDC). Site design refers to the arrangement and placement of buildings and spaces, and their relationship to public areas and neighboring properties.

2.1 Residential Building Orientation

Building orientation refers to how the front of a dwelling relates to the street. The primary entrance should orient to the street or to a public space in order to create an engaging and pedestrian-friendly character. The incorporation of a porch or stoop often helps with this transition from the private entryway to the public realm.

Refer to Sec. 3-A-6 of the Unified Development Code (UDC) for site planning standards.

2.1.1 Orient a building's primary functional entry to face a street.

- Additional entries may be provided along a side street or to internal parking areas.
-

2.1.2 Where there is more than one building on a site, orient at least one of the buildings to face the street.

2.1.3 In some cases, a portion of the building or a building in a series of structures may not face the public realm.

When this is the case, consider orienting a building toward one of the following:

- An interior green space or common open space (such as the case in cluster development or some multifamily development)
- An interior parking area
- A natural feature



(2.1.1) Orient a building's primary functional entry to face a street.



(2.1.3) Consider orienting a building toward an interior green space.

2.1.4 Where a residential building faces the public realm, incorporate a projecting porch or covered stoop to connect to the public realm.



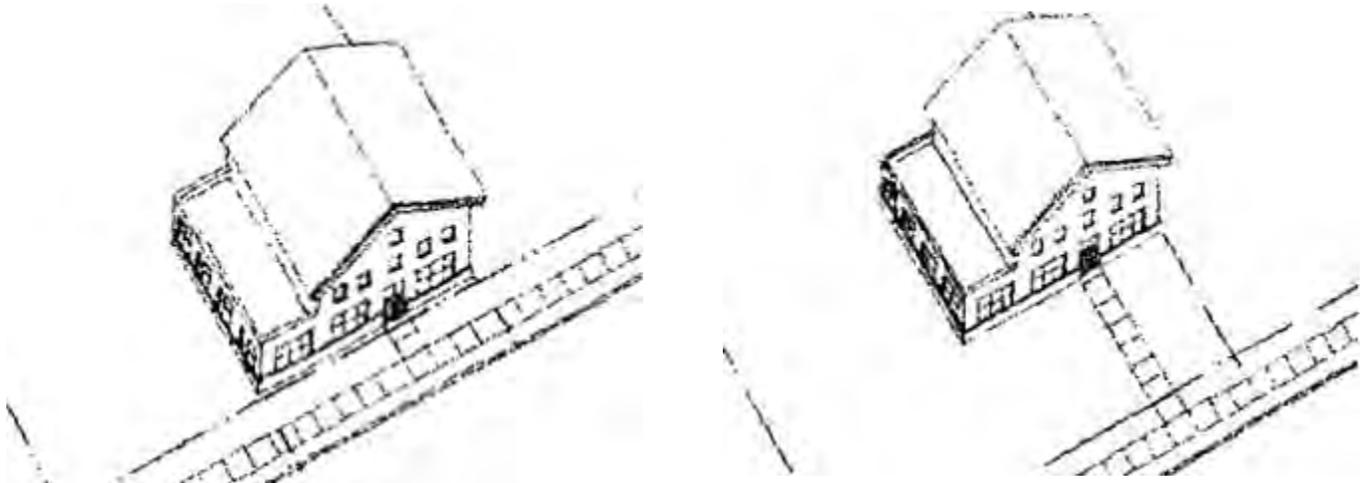
(2.1.4) Where a residential building faces the public realm, consider incorporating a projecting porch.

2.2 Non-Residential Building Orientation

Building orientation refers to how a structure connects to the public realm. The way in which it faces the street, where an entry is located in relation to, and how it connects with public space are factors to consider. A building should establish a visual and physical relationship with the public realm (this may include the street, sidewalk, and public spaces, parks, and plazas). Doing so provides visual interest, creates an inviting presence and generates pedestrian activity.

Refer to Sec. 3-A-6 of the UDC for site planning standards.

2.2.1 Locate a building at or near the front parcel line so that it frames the public realm and creates visual interest at the street level.



(2.2.1) Locate a building at or near the front parcel line. The sketch on the left is appropriate, while the sketch on the right is not (the building is set back too far).

2.2.2 Orient a building's primary functional entry to face a street.

2.2.3 In some cases, a portion of a building may not be directly located at the front parcel line.

When this is the case, consider orienting a building to one or more of the following:

- A prominent public space
- An interior parking area (if the building is double-fronted)
- A natural feature
 - Consider providing an outdoor space such as a balcony, patio, or rooftop terrace, that takes advantage of the natural feature.



(2.2.1) Locate a building at or near the front parcel line.



(2.2.2) Orient a building to face a public street or space.



(2.2.3) Consider orienting a building to a prominent public space.



2.3 Transition to Sensitive Uses

Where an incompatible contrast in scale or land use occurs between properties, often between new non-residential development and an adjacent residentially-zoned property, a sensitive transition must be provided to alleviate potential negative impacts. Negative impacts may include:

- Looming walls
- Limited solar access
- Disrupting established setback patterns
- Blocking views to a scenic feature

In addition to the design guidelines that follow, examples of ways to minimize negative impacts on sensitive uses are illustrated in Tables [A-2](#) and [A-3](#).

Refer to Article 6-B of the UDC for landscaping, buffering, and screening standards.

2.3.1 Mitigate negative impacts of a large building on a sensitive property.

Effective treatments include:

- A transition in building height, such as an upper floor setback, or overall height reduction
- Increased front, rear, or side setbacks



(2.3.1) Mitigate negative impacts of a large building on a sensitive property. The left image does not illustrate an upper floor setback to the residential use. However, the right image illustrates stepping a building's height down toward the sensitive use, residential in this case.

2.3.2 Mitigate negative impacts of site features on a sensitive property.

Effective treatments include:

- Use transitions (locating a residential use or other low-impact use towards the sensitive edge)
- Increased setbacks
- Landscape buffers
- Screening walls
- Parking buffers
- Amenity buffers (see below for more information)

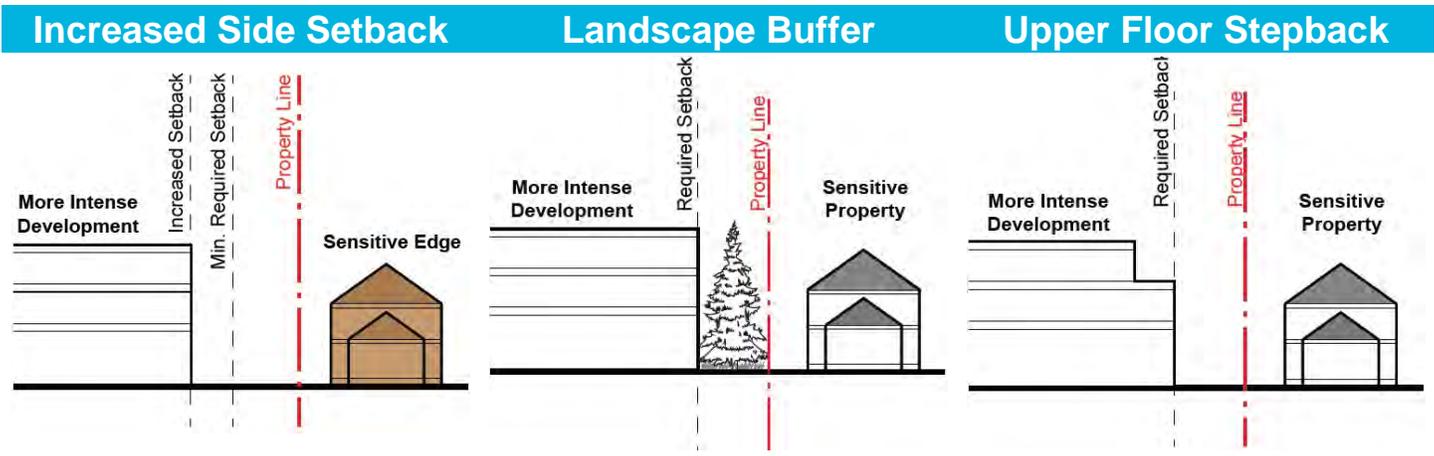
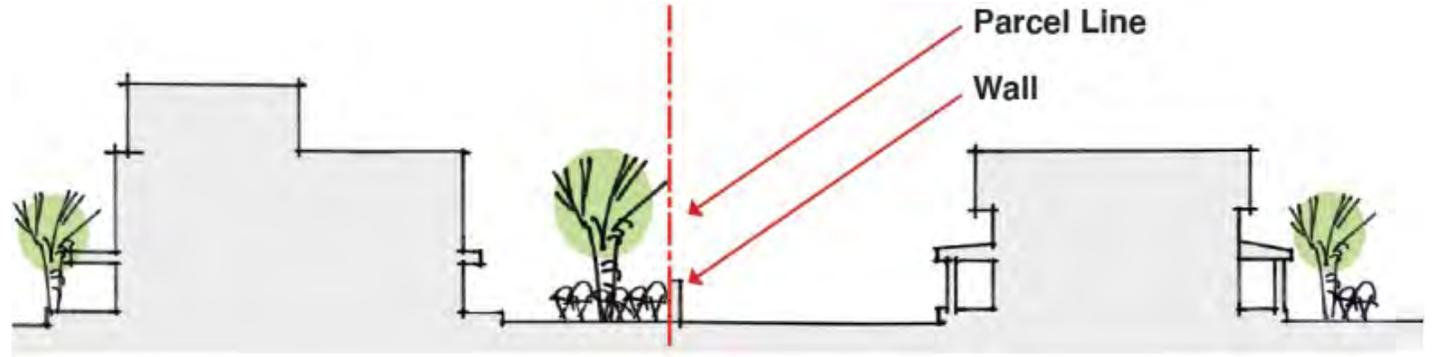
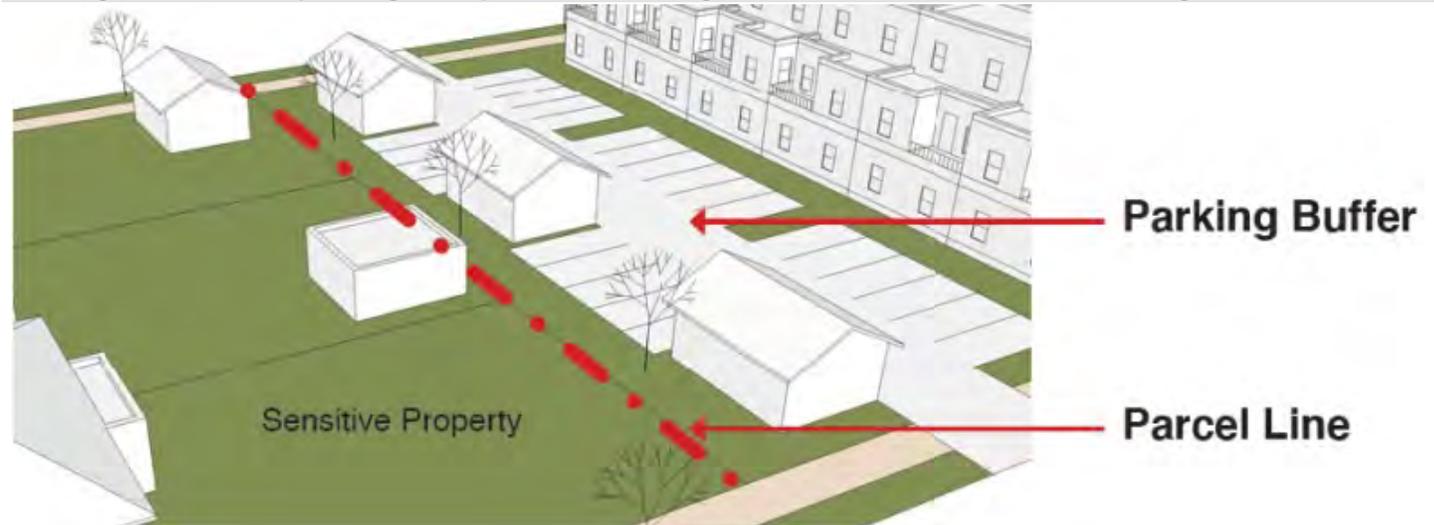


Table A-3
Examples of Transitioning to a Sensitive Use
Incorporating a Wall to Buffer the Sensitive Use

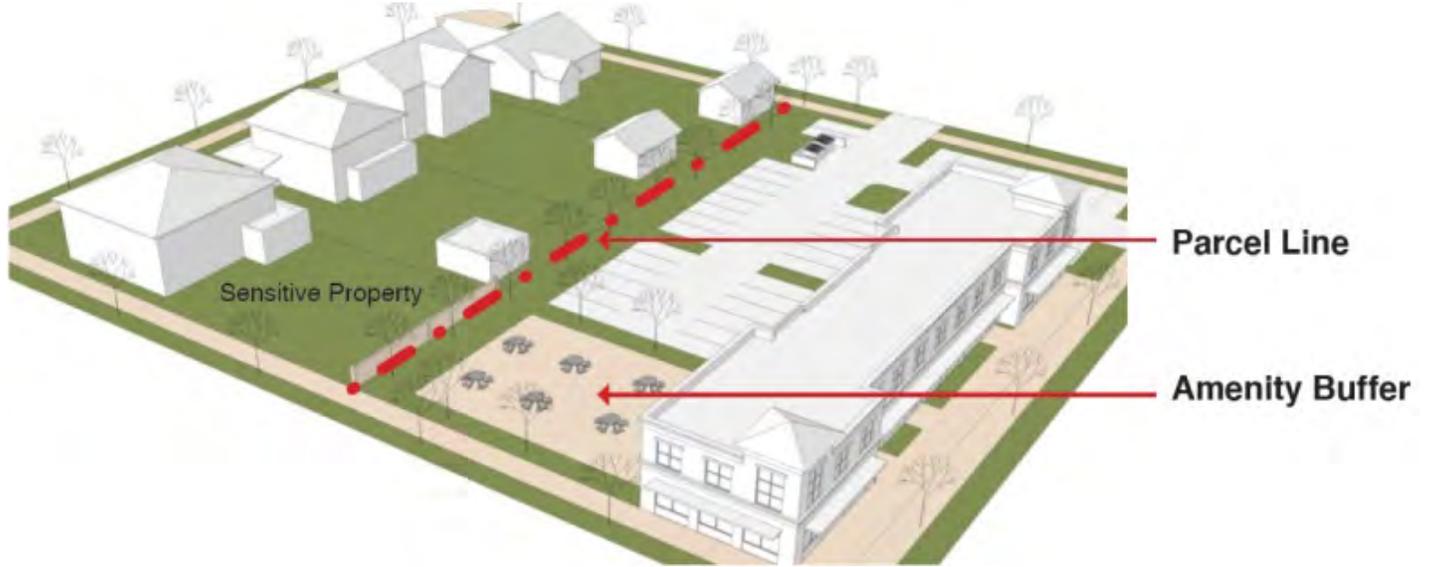


Utilizing Parking as a Buffer
 Strategic location of parking to separate a building further from the sensitive building



Incorporating an Amenity as a Buffer

Strategic location of an amenity, such as a common outdoor space, to buffer a building and its activities from the sensitive property



2.4 Pedestrian Access and Circulation

A site should have an internal pedestrian circulation system that connects its components and links to the public realm. A direct connection through a site should reduce walking distances between properties. Some projects will have more than one building. When this is the case it is important that an internal circulation system be well-planned. Appropriate ways to provide internal circulation systems as well as external connections are illustrated in Tables A-4 and A-5.

Refer to Sec. 3-A-6 of the UDC for site planning standards.

2.4.1 Integrate a pedestrian path with the overall site design.

2.4.2 Provide a pedestrian connection between a site and the public realm.

Appropriate options include:

- A door that opens directly on to a public space
- A walkway that connects a building to a public space through a setback area
- A plaza, outdoor seating area, or patio that connects a building to a public space
- When a property is adjacent to a public open space, connect the site to the open space.

2.4.3 Establish an internal walkway system that connects building entries, parking areas, open spaces, and any other key areas.

- Use landscaping, special paving, and/or distinct lighting to accentuate a site's circulation system.
- Consider directing an internal walkway through a plaza, courtyard, or other outdoor feature.



(2.4.1) Integrate a pedestrian path with the overall site design.



(2.4.3) Consider directing an internal walkway through a plaza, courtyard, or other outdoor feature.

2.4.4 Design a walkway to function year-round.

- Size an internal walkway to be of an adequate width that allows safe pedestrian access.
- Use decorative paving materials to highlight a pedestrian path.

2.4.5 Where feasible, consider providing public pedestrian access through a block.

Methods include:

- A path connecting two streets through a block
- A pedestrian walkway integrated with an open space such as a plaza
- An alley that is shared by pedestrians and automobiles



(2.4.5) Where feasible, consider providing pedestrian access through a block.

Table A-4 Strategies for Pedestrian Connections

Future development should help create a more active and inter-connected environment throughout Winter Park. This may include mid-block pedestrian connections, and pedestrian connections that are routed to and through building pass-throughs, parking lots, or outdoor amenity spaces such as courtyards, patios, and plazas.

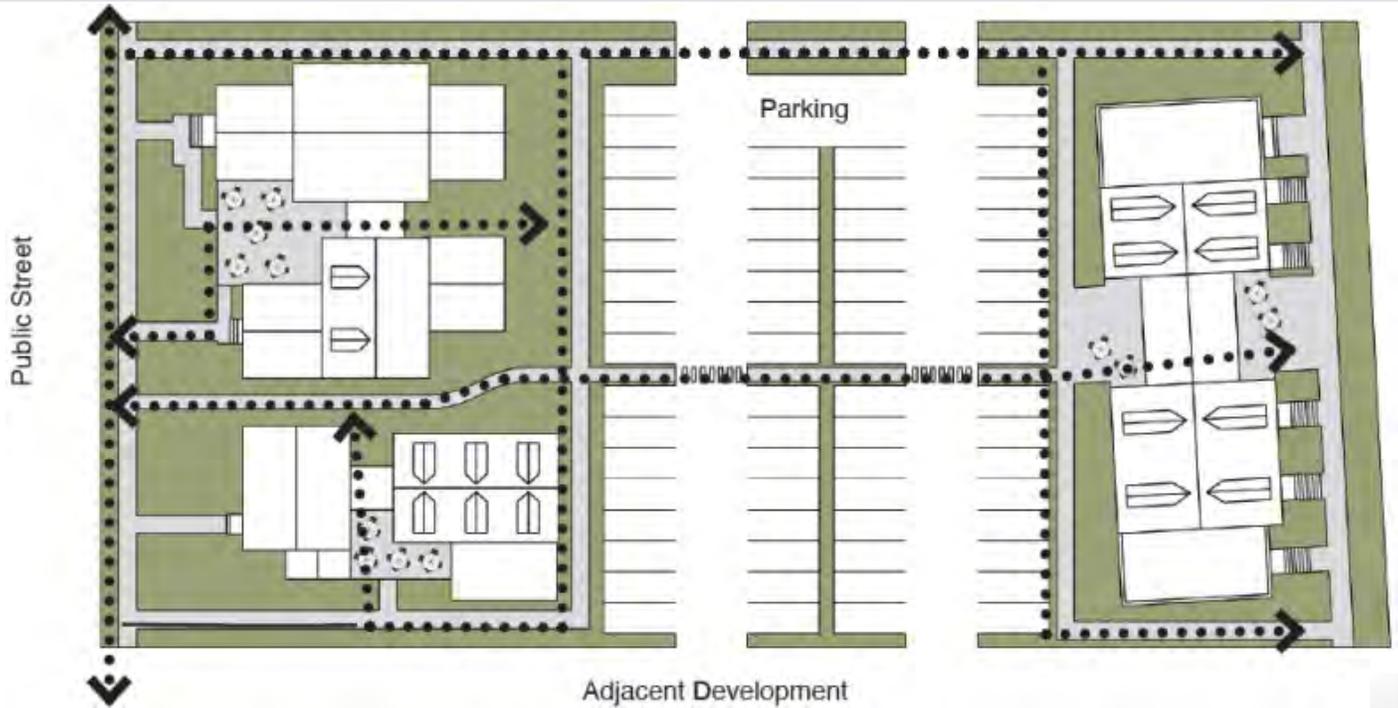
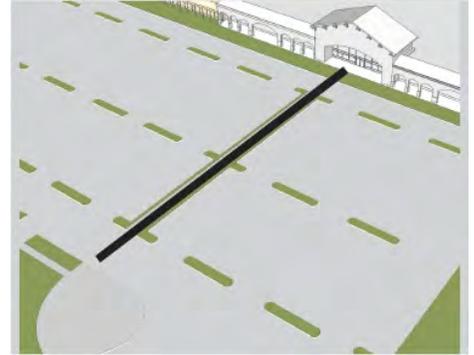


Table A-5 Sidewalk Connection Options

New development and redevelopment should provide pedestrian connections from walking trails and sidewalks on surrounding streets to building entries. As illustrated below, such connections may be direct, or may be routed through outdoor open space or across a landscaped parking island where a building is located at the rear of a site.



2.5 Landscape Design

Landscaping addresses the basic aesthetics of a site, including trees, shrubs, and other plantings, as well as ornamental features and site contours. Landscapes should be designed to enhance community image, invite pedestrian activity, preserve mature trees, and highlight distinctive topographic or other site features. In general, indigenous or well-acclimated and non-invasive species should be used. Landscape design should also help to establish a sense of visual continuity within a site.

Refer to Article 6.B of the UDC for landscaping, buffering, and screening standards.

2.5.1 Preserve and maintain mature trees and other significant vegetation.

- Incorporate existing vegetation as part of a landscape design scheme when feasible.
- Identify healthy trees and vegetation clusters for preservation.



(2.5.1) Preserve and maintain mature trees and other significant vegetation.

2.5.2 Use a coordinated landscape palette to establish a sense of visual continuity within a site.

- Incorporate live plant materials that are native to the area.
- Use similar tree and shrub species across development to establish visual consistency.
- Use subtle variations in the landscape palette to highlight different uses or areas within a large development.
- Incorporate drought-tolerant plants into the design of a site.



(2.5.2) Use a coordinated landscape palette.



(2.5.2) Incorporate drought-tolerant plants into the design of a site.

2.5.3 Use landscaping to enhance pedestrian facilities.

- Use plantings to define the edges of sidewalks, pedestrian paths, and outdoor places.
- Use plantings to highlight building entries.
- Use landscaping to screen a sensitive edge, such as an abutting residential property or natural feature.
- Use shade trees to create a canopy over pedestrian areas, including sidewalks, paths along the street, and through surface parking areas.



(2.5.3) Use plantings to define the edges of sidewalks, pedestrian paths, and outdoor places.



(2.5.3) Use shade trees to create a canopy over pedestrian areas.

2.6 Fences and Walls

Fences and walls can be helpful to property owners seeking greater security and privacy, and may be appropriate along rear and side lots in some contexts. Incorporating a fence or wall in the design of a site should be done judiciously, and should allow wildlife movement.

Fences along the front-property line may be appropriate in residential projects. Where a fence or wall is provided in front, it should be designed to maintain visibility from the street to the residential building. Walls include site walls and retaining walls. While fences and walls often serve utilitarian functions, they should also enhance the character of the street and appear to be integral components of site design.

Refer to Refer to Sec. 2-B-3.D of the UDC for fence and wall standards and Sec. 2-B-3.F of the UDC for retaining wall standards.

2.6.1 Coordinate a fence or wall with the overall site design.

- Design a fence or wall to be an integral part of the site and serve as an amenity that adds visual interest to the property.
- Create a fence or wall opening to lead to an internal circulation system.

2.6.2 Vary design elements of a fence or wall to enhance visual interest and provide a sense of scale.

This is especially important for a long length of fence along a street edge. Consider the following techniques:

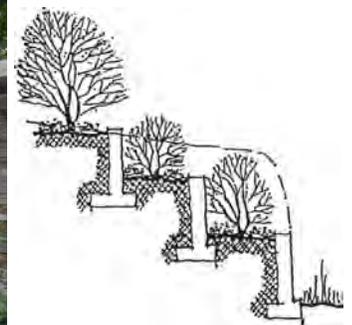
- Change in materials
- Change in patterns and textures
- Change in height of individual fence segments
- Change in the degree of transparency of individual fence segments
- Variance in the setbacks (offsets) of fence segments



(2.6.1) Design a fence or wall to be an integral part of the site.



(2.6.2) Vary design elements to enhance visual interest and provide a sense of scale.



(2.6.2) Vary offsets of retaining wall segments.

2.6.3 Use a material that is durable and compatible with that of adjacent buildings and other site features.

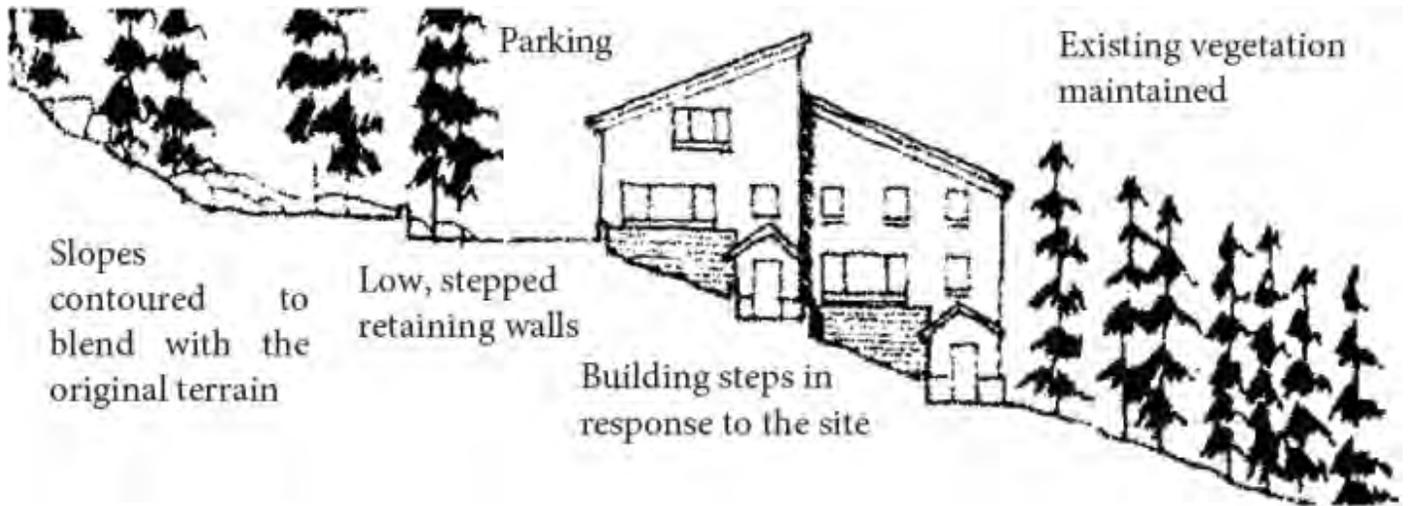
- For a fence, use finished metal, natural wood, or a durable substitute that appears similar in character to adjacent buildings and site features.

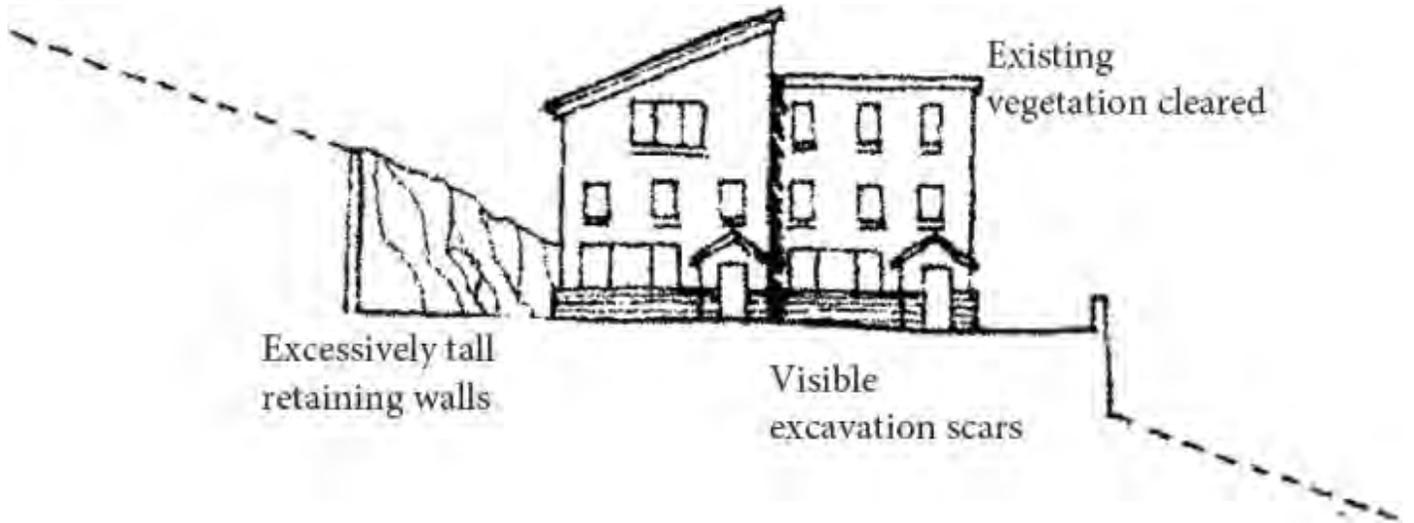


(2.6.3) Use a material that is durable and compatible with that of adjacent buildings and other site features. The chain link fence is inappropriate, while the cedar fence to the right is appropriate.

2.6.4 Design a retaining wall to minimize impacts on the natural character of the site.

- Design a retaining wall to step with the topography of the site.
- Terrace a retaining wall on a steeper slope to minimize height of individual wall segments.
- Use high quality materials - such as brick, stone, and gabion walls - for walls that are visible to the public realm.

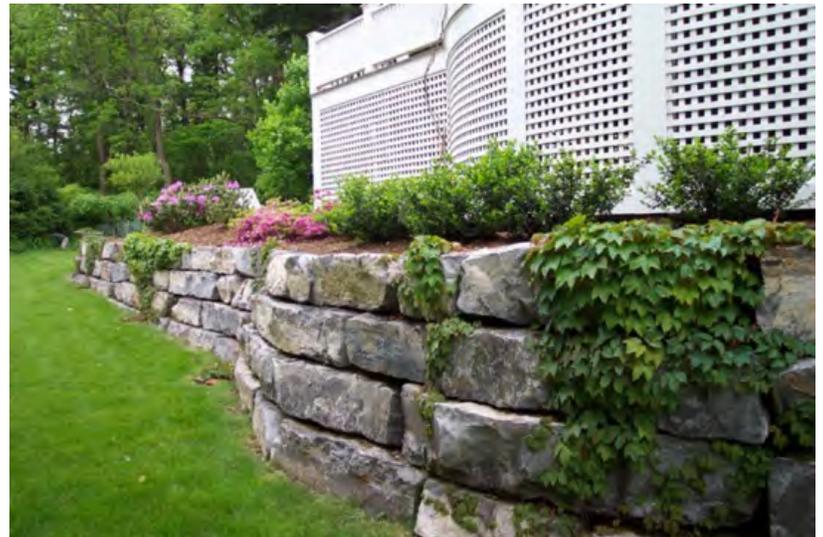




(2.6.4) Design a retaining wall to step with the topography of the site. The left sketch shows the building and retaining wall stepping with the slope, while the right sketch does not, showing instead cut and fill, which is inappropriate.



(2.6.4) Design a retaining wall to step with the topography of the site.



(2.6.4) Use high quality materials for walls that are visible to the public realm.



2.6.5 A concrete wall should provide visual interest and convey a sense of scale.

This includes any retaining wall. Appropriate methods include:

- Scoring (or otherwise texturing)
- Staining
- Terracing
- Landscape screening (with vines, or other vegetation)



(2.6.5) A concrete wall should provide visual interest and convey a sense of scale.

2.6.6 Incorporate design variations in a site wall to create interest.

- Articulate the surface and height of the wall.
- Include simple changes in material.
- Incorporate planting material.



(2.6.6) Incorporate design variations in a site wall to create interest.

2.7 Pavement and Edging Materials

Hardscape elements should be designed to be durable and harmonize with the natural and the built environment. Hardscape elements include paving and materials that define edges of planted areas as well as steps.

Refer to Article 6.B for landscaping, buffering, and screening standards.

2.7.1 Use naturally appearing materials that are compatible with the site development.

Appropriate materials include:

- Wood
- Stone

2.7.2 Construct sidewalks and plazas with materials compatible with adjacent development.

Appropriate materials include:

- Concrete
- Colored concrete
- Brick pavers
- Crushed rock (for low usage, informal paths)

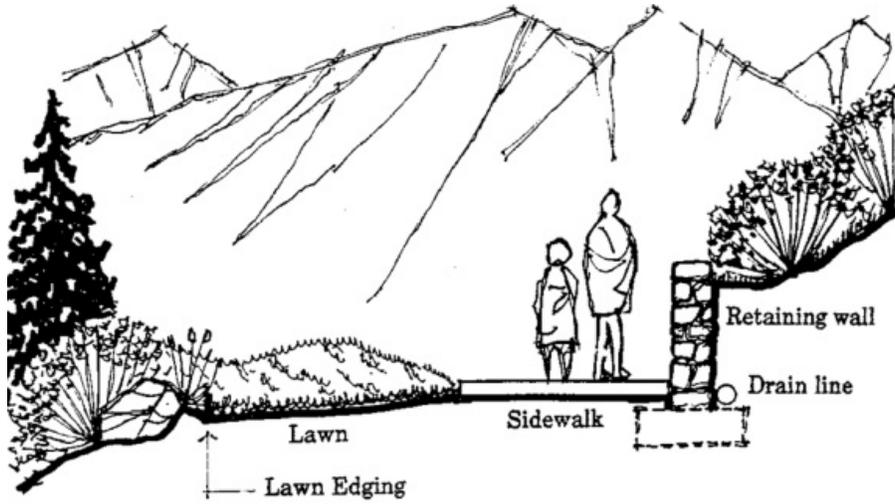


(2.7.1) Use naturally appearing materials that are compatible with the site development.



(2.7.2) Construct sidewalks and plazas with materials compatible with adjacent development.

2.7.3 Consider using an edging material to separate a lawn from other landscape areas.



(2.7.3) Consider using an edging material to separate a lawn from other landscape materials.

2.8 Outdoor Amenity Space and Features

Outdoor amenity space includes public and semi-public areas such as plazas, courtyards, patios, gardens, small park spaces, rooftops, or landscaped features that are visible from surrounding streets. Residential properties may include a patio, balcony, or lawn as an outdoor amenity space. These provide places for people to gather, engage in activities, and enjoy a sense of community, and they are encouraged to be incorporated into a project design.

The location and design of an outdoor amenity space should be carefully considered. It could be designed as a focal point or as an accent and can also provide relief in a long facade. Its location relative to pedestrian pathways should also be considered. An outdoor amenity space should be designed to activate streets and buildings, while enhancing the pedestrian experience within a site. Winter Park also has a unique opportunity to utilize the deep right-of-way front setbacks along the east side of Main Street. Examples of design solutions for this deep setback are provided in Table A-6.

Refer to Sec. 4-A-9 for open space standards.

2.8.1 Incorporate amenity space into a site design.

- Connect an amenity space to the public realm.
- Link an amenity space to other internal site features and the public realm.
- Size an amenity space to be adequate for its function.
- Enclose an amenity space with building edges, landscaping, or other site elements.
- Site an amenity space to maximize sun exposure in winter months.



(2.8.1) Incorporate amenity space into a site design.



(2.8.1) Link an amenity space to other internal site features and the public realm.

2.8.2 Program an amenity space to keep it lively and occupied.

- Furnish an outdoor amenity space with benches, tables, and shelters to encourage passive use.
- Consider incorporating sculptural elements to add visual interest to an amenity space.
 - Natural settings merit more subdued sculpture while developed settings may warrant more vibrant sculpture.



(2.8.2) Program an amenity space to keep it lively and occupied.

Table A-6 Design Options for Deep Right-Of-Way Front Setbacks

There are several design options listed below for a property with a large front set back because of a large right-of-way.

1. Improved Landscaping and Pedestrian Access

- Walkway leads directly to the entrance.
- Trees provide seasonal shade and color.
- Benches invite pedestrian use.



2. Hardscape Frontage with Outdoor Dining

- Decorative paving adds visual interest.
- Seasonal outdoor seating creates pedestrian and vehicular interest.



3. Architectural Elements with Outdoor Plaza Space

- Architectural elements enhance the street presence.
- Product display invites pedestrian activity.



2.9 Public Art

Public art includes decorative and functional features that are accessible or visible to the public. These may include sculptures, murals, mosaics, street furniture (benches, bike racks, or other functional features with an original design), and other media that add interest, communicate a message, or generate dialog. These guidelines address the role of public art in placemaking and do not address content. Public art can enhance the pedestrian experience and should be integrated into a project when feasible. Conveying local heritage and culture, as well as durability and maintenance should be taken into consideration. Where public art is used, it should be located so that it is part of the public realm.

Refer to Sec 3-A-6 of the UDC for site planning standards.

2.9.1 Encourage including public art in a project.

Consider public art that:

- Is durable and accessible to the public
- Relates to functional site features such as gates, entries, siting areas, walkways, and other outdoor amenity spaces
- Reflects the community's cultural values and heritage
- Activates recreational space
- Creates visual interest on blank walls





(2.9.1) Encourage including public art in a project.

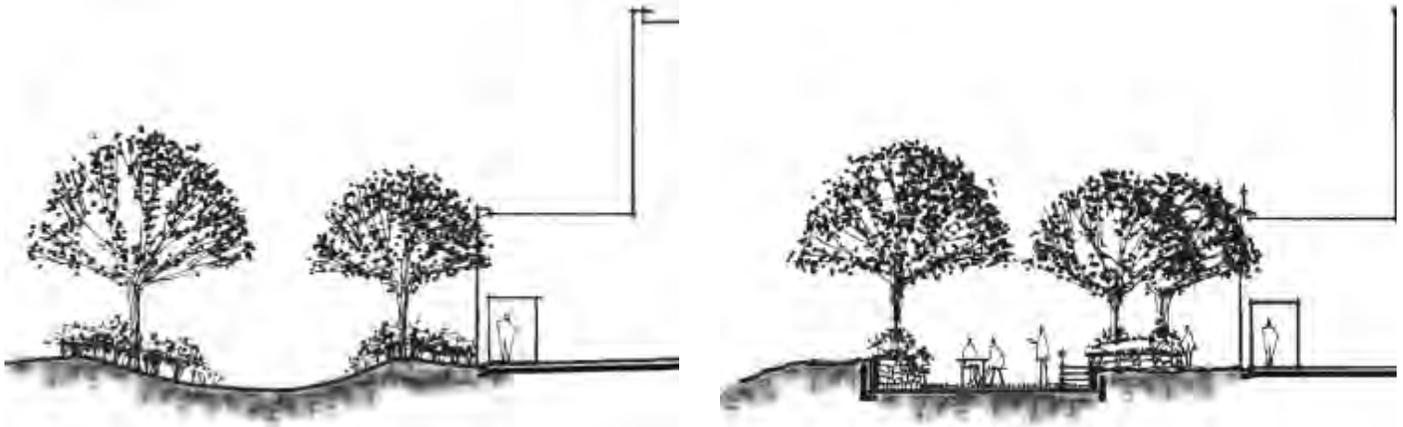
2.10 Sustainable Site Design

Sustainability is a community objective in the Imagine Winter Park Town Plan. Each site should create opportunities to contribute to a sustainable future for Winter Park. Sustainability features should be incorporated to reduce energy consumption and manage stormwater runoff.

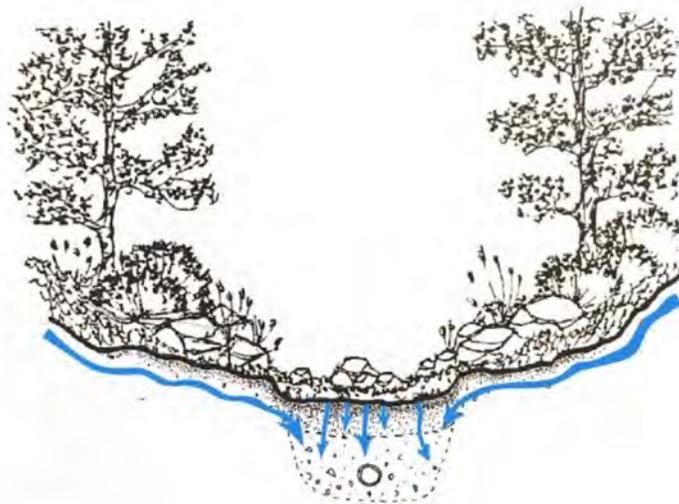
Refer to Article 5.A of the UDC for land and resource conservation standards.

2.10.1 Integrate Low Impact Development (LID) features to minimize the impacts to the municipal stormwater system and area watersheds.

- Include a stormwater management feature, such as a bioretention area or rain garden, as a site amenity.
- Use permeable surfaces and paving systems that allow water filtration.
- Use generous site landscaping areas to absorb site runoff.
 - Plant material should be species that are able to withstand anticipated changes in soil wetness and moisture levels.



(2.10.1) Include a stormwater management feature as a site amenity.



(2.10.1) Include a stormwater management feature, such as a bioretention area or rain garden, as a site amenity.



(2.10.1) Integrate Low Impact Development features to minimize the impacts to the municipal stormwater system and area watersheds.



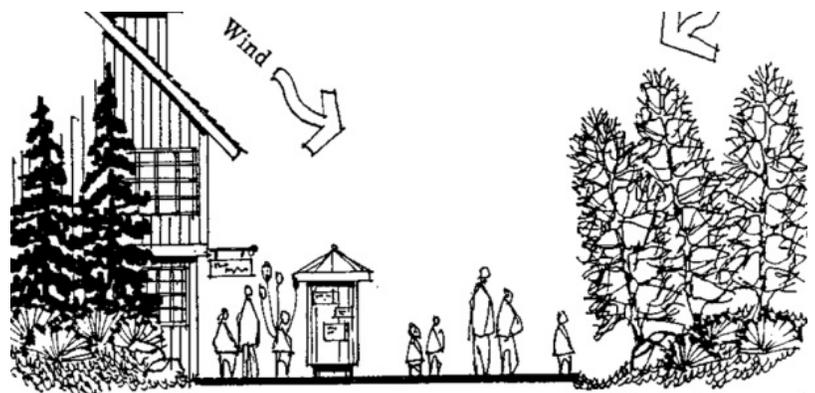
(2.10.1) Include a stormwater management feature.

2.10.2 Use landscaping to reduce the need for heating and cooling.

- Use trees and shrubs to provide shade in warm months and sun exposure in cool months.



(2.10.2) Use landscaping to reduce the need for heating and cooling.



(2.10.2) Use landscaping to reduce the need for heating and cooling. In this sketch, deciduous trees provide summer shade and winter sun on the pathway.

2.10.3 Choose a design that reduces energy consumption.

- Use a local, recycled material where possible.
- Consider incorporating an energy-generating feature on a site. This may include:
 - A wind turbine
 - Solar panel(s)
 - Solar powered lighting

2.10.4 Where possible, incorporate LID features in a parking area.

Use one or more of the following:

- Permeable pavement

- Planted areas to slow water runoff and to filter water
- Planted swales to collect water
- Other features that store, slow, or filter surface water runoff



(2.10.3) Consider incorporating an energy-generating feature on site, such as solar panel(s).



(2.10.4) Where possible, incorporate LID features in a parking area.



2.11 Winter City Design

Site design should respond to Winter Park's climate. Snow removal and storage are important factors when planning site circulation, parking, and landscaping. A building should be sited to maximize sun access in winter and to help shelter open spaces and pedestrian areas from prevailing winter winds.

Refer to Article 6.E of the UDC for snow storage and design requirements.

2.11.1 Design a site to promote year round use.

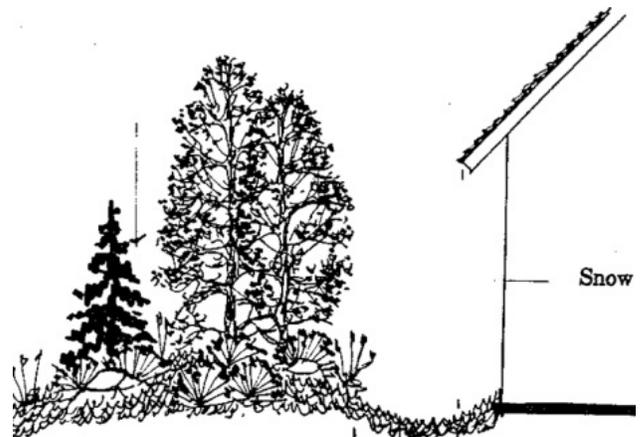
2.11.2 Design a site to promote efficient snow removal and adequate space for snow storage.

2.11.3 Design landscapes with durable plants to absorb the impact of snow shedding or storage.

- Design a landscape to hold or direct water to the appropriate location.



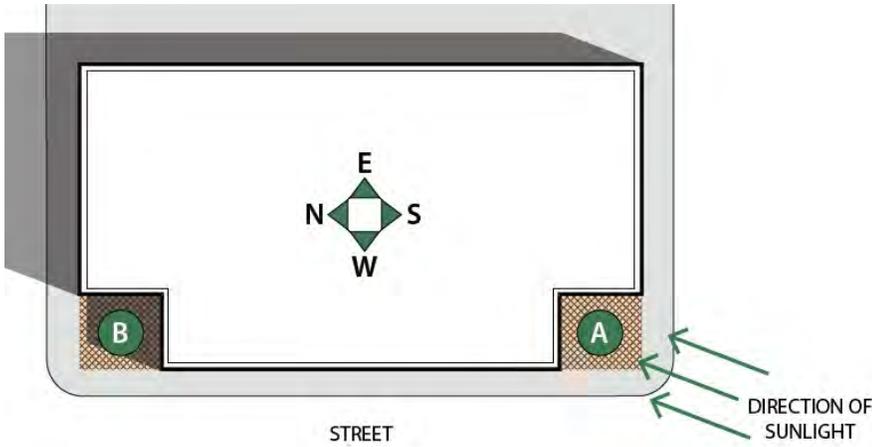
(2.11.1) Design a site to promote year round use.



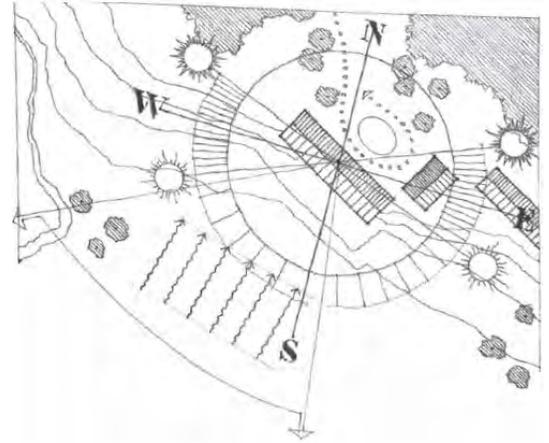
(2.11.3) Design landscapes with durable plants to absorb the impact of snow shedding or storage.

2.11.4 Site a building or open space to maximize sun exposure, utilize passive solar design, and minimize glare onto neighboring properties.

2.11.5 Analyze sun and wind microclimates to design outdoor space that blocks prevailing winds and provides solar access and shading.



(2.11.5) Analyze sun and wind microclimates to design outdoor space that blocks prevailing winds and provides solar access and shading.



(2.11.5) Analyze sun and wind microclimates to design outdoor space that blocks prevailing winds and provides solar access and shading. Note that this diagram will need to be replaced in the final Design Guidelines due to copyright.



Part 3. Building Design Guidelines

A building's design and the arrangement of its features can strongly impact the public realm and adjacent properties. In Downtown, a building should be designed to contribute positively to the public realm, enhance walkability, and respect design traditions. Building design addresses the visual and functional character of development. This Chapter addresses the visual character of a structure, including the arrangement and design of features, scale, massing, and the relationship to the surrounding setting.

Refer to Article 3.B of the UDC for building type and design standards.

3.1 Residential Building Entry

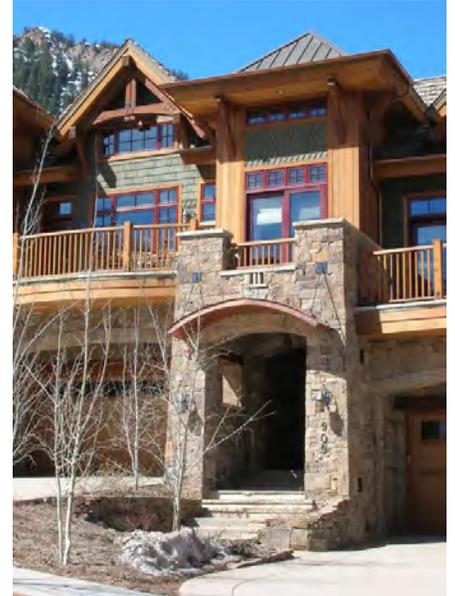
Building entries provide a key visual connection between the public and private realms. A primary entry should be easily recognizable and provide strong visual and physical connections to the public realm.

3.1.1 Design the primary entrance of a building to be clearly identifiable.

- Use architectural elements to highlight an entrance, including: Potential treatments include:
 - Canopy
 - Arcade
 - Portico
 - Stoop
 - Building recess
 - Awning
 - Moldings
- Use an authentic, functional entry on a street-facing facade.



(3.1.1) Design the primary entrance to a building to be clearly identifiable.



(3.1.1) Use architectural elements to highlight an entrance.

3.1.2 Size and proportion an entry element to be in the range of heights and widths of nearby traditional entries.

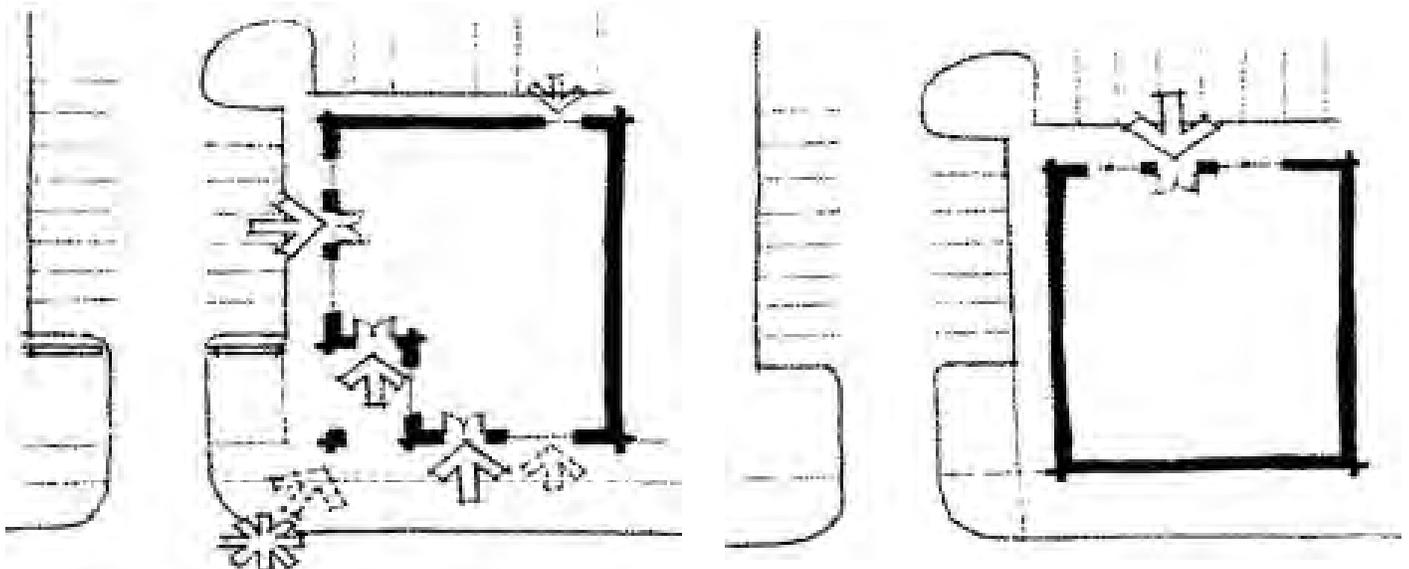
- Size a door to establish a human scale.
 - Use a vertically oriented door that is in keeping with traditional door patterns in the area.
-

3.2 Non-Residential Building Entry

Building entries provide a key visual connection between the public and private realms. A primary entry should be easily recognizable and provide strong visual and physical connections to the public realm.

3.2.1 Design the primary entrance of a building to be clearly identifiable.

- Use architectural elements to highlight an entrance. Potential treatments include:
 - Canopy
 - Arcade
 - Portico
 - Stoop
 - Building recess
 - Awning
 - Moldings



(3.2.1) Use architectural elements to highlight an entrance.



(3.2.1) Design the primary entrance of a building to be clearly identifiable.



(3.2.1) Use architectural elements, such as a building recess, to highlight an entrance.

3.2.2 Orient the primary entrance of a building to face a street, plaza, or pedestrian way.

- Orient the primary entrance towards the street.
- Use a “double-fronted” design that provides an entry to the street and another to an outdoor amenity space, plaza, or parking lot, when present.
- In some cases, the front door may be positioned perpendicular to the street. Where this is the case, clearly define the entry. This may be achieved by:
 - Incorporating a recessed entry, canopy, or awning for commercial/mixed-use building types, or
 - Incorporating a porch, stoop, or canopy for residential building types.



(3.2.2) Use a “double-fronted” design.



(3.2.2) Orient the primary entrance of a building to face a street, plaza, or pedestrian way.

3.2.3 Maintain a regular rhythm of entries along a street.

- Use a common door height on a ground floor and on a visible upper floor.
- Where compatibility with the context is important, provide space between entries on a building to be generally consistent with spacing on nearby traditional buildings.



(3.2.3) Maintain a regular rhythm of entries along a street.

3.3 Roof Form

Roof form addresses the visible characteristics of a building's roof. The primary roof form of a structure should also help reduce the perceived scale of the building, help blend with the natural setting, and promote snow shedding. For these reasons, pitched, sloping roofs should be used in most contexts. This recognizes that Winter Park is in snow country and helps convey consistency in form.

However, while sloped roofs should be predominant, there may be conditions in which a flat roof may be appropriate, particularly on commercial or mixed use buildings. A flat roof may be appropriate if it is screened from view or if sloping roofs are also incorporated in the design to minimize the appearance of the flat roof.

New development should incorporate roof forms that convey compatible mass and scale, add visual interest, and are appropriate to a building's use.

3.3.1 Use a pitched roof form to reduce the perceived scale of a building and complement the topography of the site.

- Pitched roofs such as hip, gable, or shed should be the dominant roof shapes.
- Avoid the use of exposed flat roofs.
- On larger roofs, use dormers to help break up the mass.
 - Use dormers only when necessary and with restraint in order for the primary roof form to remain prominent.



(3.3.1) Pitched roofs such as hip, gable, or shed should be the dominant roof shapes of a project.



(3.3.1) On larger roofs, use dormers to help break up the mass.

3.3.2 Where a flat roof is appropriate on a commercial or mixed use building (as outlined above) and is used, design it to be screened from view.

- Consider incorporating other roof forms to screen the flat roof from view.
- Consider incorporating a parapet to screen a flat roof from view.



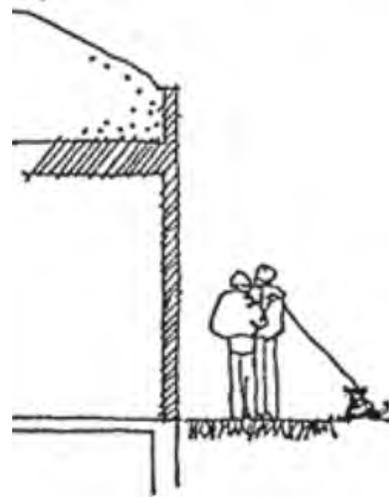
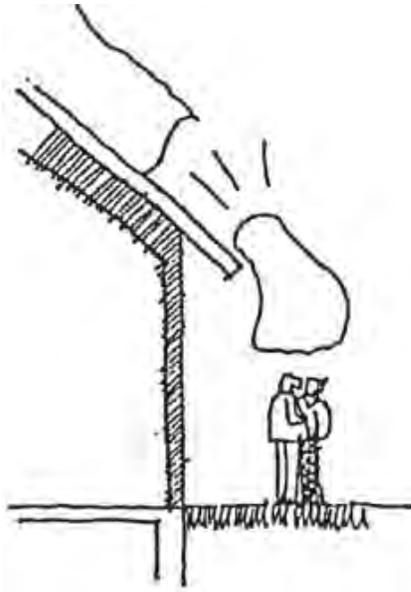
(3.3.2) Where a flat roof is appropriate on a commercial or mixed use building (as outlined above) and is used, design it to be screened from view.

3.3.3 Where a flat roof is incorporated as part of the design, utilize sloping roofs as well.

- Incorporate a sloping roof on a first floor element - such as a porch, covered entry or arcade - that shelters pedestrians.
- Incorporate a sloping roof on a portion of the building, or a building module, to reduce the scale and utilize a sloped roof on the more visible portions of the building. For instance, a one-story portion of the building with a sloped roof may frame a taller part of the building that has a flat roof.

3.3.4 Design a roof to either hold snow or shed snow in appropriate areas.

- Incorporate snow guards in high risk areas.
- Incorporate protected entries and designated snow management areas to protect pedestrians entering and exiting the building.

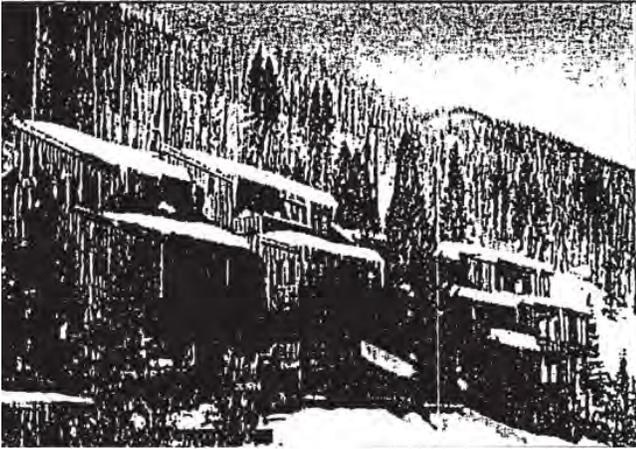


(3.3.4) Avoid falling snow (top left) by incorporating protected entries and designated snow management areas to protect pedestrians entering and exiting the building.

3.3.5 Break a long, unbroken roofline into smaller segments to reflect the irregular natural mountainside patterns, such as a shed roof.

3.3.6 Mountainsides, hillsides, and other landforms should act as the backdrop to the home.

- If the house does break the plane of the natural backdrop, it should be designed to mimic the landform's natural lines.



(3.3.5) Break a long, unbroken roofline into smaller segments to reflect the irregular natural mountainside patterns.



(3.3.6) Mountainsides, hillsides, and other landforms should act as the backdrop.

3.3.7 Design a roof to be architecturally consistent with overall architectural design and detailing of the structure in terms of form and material.

3.3.8 Incorporate deep eaves, overhangs, and canopies to provide shelter from harsh weather, help keep snow away from the building foundation, and provide shade in the summer.



(3.3.7) Design a roof to be architecturally consistent.



(3.3.8) Incorporate deep eaves, overhangs, canopies, and other building features that provide shelter from the elements.

3.4 Roof Decks

A roof deck can provide space for active uses that highlight the mountain lifestyle and animate the street. A roof deck is most successful when it is subordinate to the overall mass of the building. This is in the interest of promoting building forms that highlight sloping roofs as well as the integrity of each building design.

3.4.1 Set a roof deck back from the front wall of the building so that the overall form of the structure remains predominant.

3.4.2 Design a roof deck to be compatible with the materials used on the primary building.

- Avoid incorporating materials that starkly contrast with the primary building materials.
-

3.4.3 Where the deck is designed to be roofed, utilize a sloping roof form.

- Incorporate a sloping roof form for a solid deck roof, or for an open air structure, such as a pergola.
-

3.4.4 Where a pergola or a latticed structure is incorporated over a roof deck, minimize the height of the structure to appear in scale with the building design.

3.4.5 Where a pergola or latticed structure is utilized on a rooftop deck, modulate the structure to appear smaller in size as viewed from the public realm.

3.4.6 Design a pergola or latticed structure to be compatible with the materials used on the primary building.

- Avoid incorporating materials that starkly contrast with the primary building materials.
-

3.4.7 Design and locate external stairs to be an integral component of the building, consistent in materials and details.

3.5 Ground Floor Design

The ground floor of a building should be designed to create a pedestrian-friendly experience. In a commercial building, it is especially important to incorporate features that express activity and invite pedestrians inside, such as ground floor storefront windows. In a multi-family building, the ground floor may incorporate other design features, such as porches and stoops, to engage the sidewalk and street. While the ground floor should be pedestrian-friendly and provide visual interest, the upper floor(s) should be distinct from the ground floor. In addition to the photographs provided on this page, a table of potential design solutions to create a pedestrian-friendly ground floor are provided in Table A-7.

3.5.1 Design the ground floor of a building facade to engage the public realm and promote pedestrian activity.

- Incorporate recessed entries, courtyards, or other setbacks in the ground floor facade.
- Use design features such as windows, display areas, and awnings to engage the street and add pedestrian interest. See Table A-7 “Design Options for a Pedestrian-Friendly Commercial Ground Floor” for additional information.



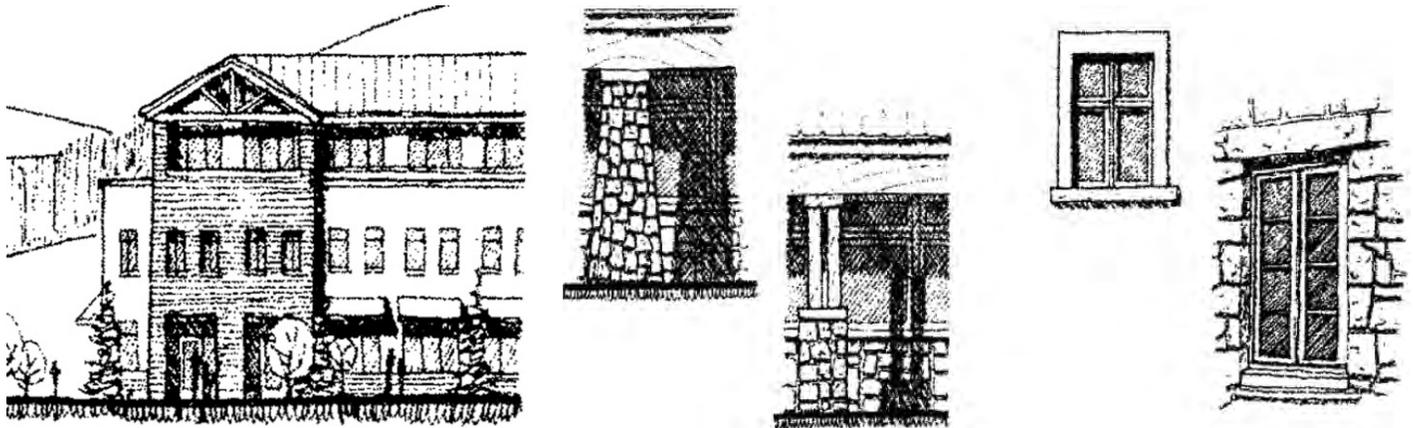
(3.5.1) Design the ground floor of a building facade to engage the public realm and promote pedestrian activity.



(3.5.1) Use design features to engage the street and add pedestrian interest.

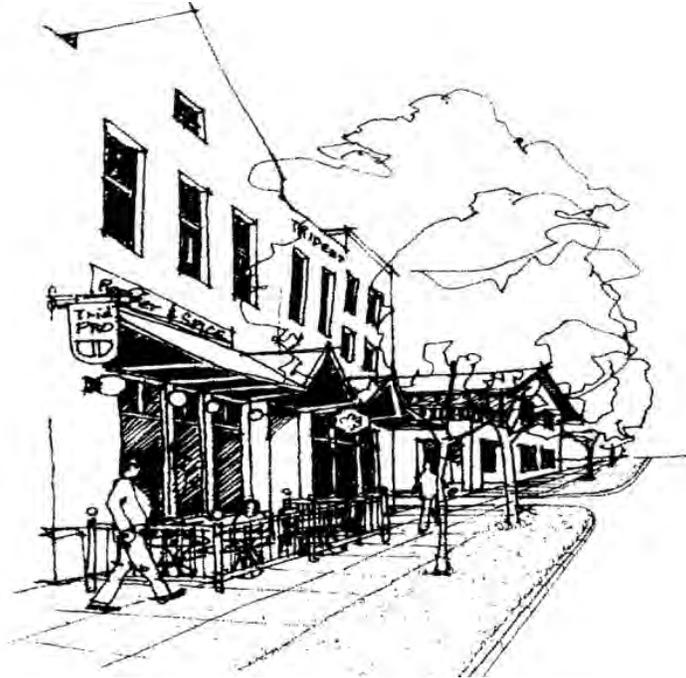
3.5.2 Use high quality, durable materials to define the ground floor and add visual interest.

- Employ materials at the ground level to withstand on-going contact with the public, sustaining impacts without compromising the appearance.
- Use changes in material to add ground-floor interest.
- Express the base of a building in a durable material, one which will stand up to snow accumulation and removal while visually grounding the building.



(3.5.2) Use high quality, durable materials to define the ground floor and add visual interest.

3.5.3 Allow the first floor to accommodate a variety and exuberance of expression; the upper floors should be more restrained and quiet.



(3.5.3) Allow the first floor to accommodate a variety and exuberance of expression; the upper floors should be more restrained and quiet, providing an aesthetically pleasing background.

Table A-7 Design Options for a Pedestrian-Friendly Ground Floor

The design options described and illustrated below may be used individually, or in combination, to meet the intent of the design guidelines for ground floor design in Section 3.5, *Ground Floor Design*. . In most cases, the street level of a building should incorporate windows and other pedestrian-friendly features.

1. Windows

Commercial buildings should incorporate a high percentage of transparent glass to actively engage the street and sidewalk. Windows may be combined with canopies, awnings, planters, and other features to enhance the street level.



2. Display Case

Display cases or other product displays can create pedestrian interest and engage the street and sidewalk. Such treatments are especially appropriate along an otherwise windowless facade.



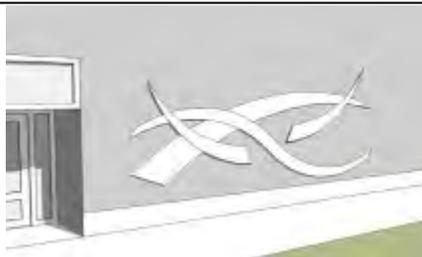
3. Canopies and Awnings

Canopies and awnings add depth and help define the street-level pedestrian area and provide protection from the snow and sun. Careful attention should be taken to control the snow shed from these elements.



4. Wall Art

Wall art, mosaics, and murals add interest, especially along an otherwise windowless facade.



5. Planters and Landscaping

Integrated planters, large pots, or other areas for landscaping add interest along the building facade and help engage the street and sidewalk.



3.6 Four-Sided Building Design

A building's facade strongly impacts the pedestrian experience on an adjacent public space, such as a sidewalk or public open amenity space. All building sides should be designed for public view, using building form and architectural details to create visual interest. The degree of detail may vary depending on the location of the wall, but some architectural detail is needed because a blank or featureless building facade can diminish interest. Thus, building design should be considered "in the round."

3.6.1 Design a building to provide interest on all sides that will be viewed from the public realm.

- All faces of a building should include architectural details to reduce the visual impact of a "back side." Visual interest can be provided through a variety of methods, including:
 - Windows and doors
 - Building articulation techniques (see Table A-8 for more information on articulation options)
 - Massing variation techniques (see Table A-9 for more information on massing variation options)
 - Site walls and raised planters
 - Decorative wall treatments including:
 - Wall art
 - Display windows or display cases
 - Green walls





(3.6.1) All faces of a building should include architectural details to reduce the visual impact of a “back side.”

3.7 Building Articulation and Mass Variation

The overall size, height, and form of a building determine how large it appears, and can relate to its compatibility with surrounding character. Although new development may be larger than adjacent, traditional buildings, it should not be monolithic in scale or jarringly contrast with neighboring development. A larger building mass should be broken down into smaller components to establish a sense of human scale, add visual interest, prevent monotonous walls, and enhance access to light and views. Human scale is used to describe how a person perceives a building element or a group of building elements in relation to themselves. A person relates better to building features that are of a size and scale similar to that of a human. Wall articulation techniques and mass variation also help maintain the traditional Winter Park building scale.

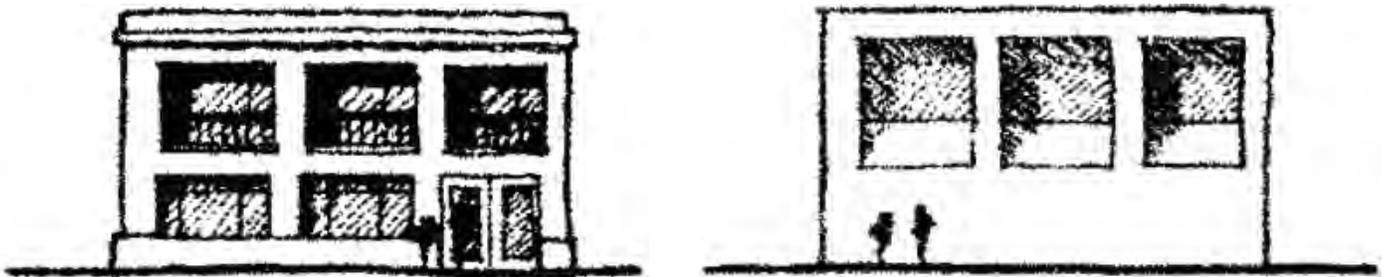
Building articulation includes vertical or horizontal changes in materials, texture, or wall plane that influence the scale of a building. New development should incorporate articulation techniques that promote a sense of human scale and divide the mass and scale of a larger building into smaller parts.

Mass variation reduces actual building mass and scale by modulating building volume. Variations in floors or walls should be used to create physical relief in an architectural form to express a human scale, reduce the bulkiness of a building, and increase solar access at the street.

3.7.1 Articulate a building wall to create human scale components and express a sense of vertical and horizontal scale.

Options include:

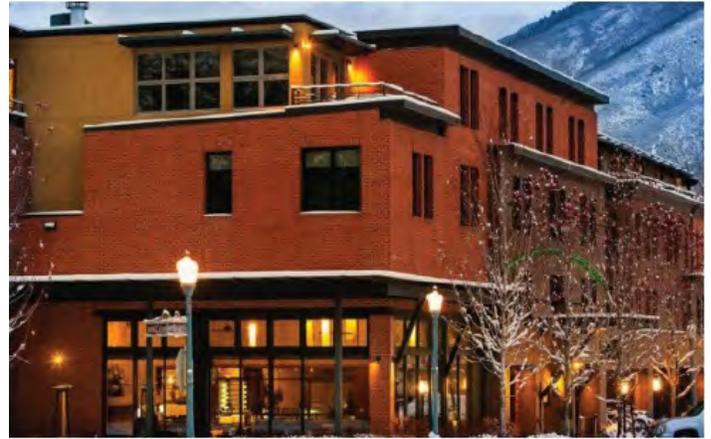
- Accent lines, fenestration, or other techniques that provide vertical or horizontal expression. This may include moldings, sills, cornices, canopies, or spandrels
- Vertical or horizontal variations in material
- Vertical or horizontal variations in color
- Wall plane offsets such as notches or projections, which may be accomplished by incorporating columns, moldings, or pilasters



(3.7.1) Articulate a building wall to create human-scaled components and express a sense of vertical and horizontal scale. The sketch on the left is appropriate, while the sketch above on the right is not.



(3.7.1) Articulate a building wall to create human scale components and express a sense of vertical and horizontal scale.



(3.7.1) Wall plane offsets articulate a building wall to create human scale components.



(3.7.1) Articulate a building wall to create rhythm.

3.7.2 Vary the mass of a building to express a human scale, reduce the bulkiness of a building, and increase solar access at the street.

A variety of options exist, as shown in Tables [A-8](#) and [A-9](#). These options include:

- Height variation
- Increased setbacks
- Upper floor setback
- Building foundation stepping



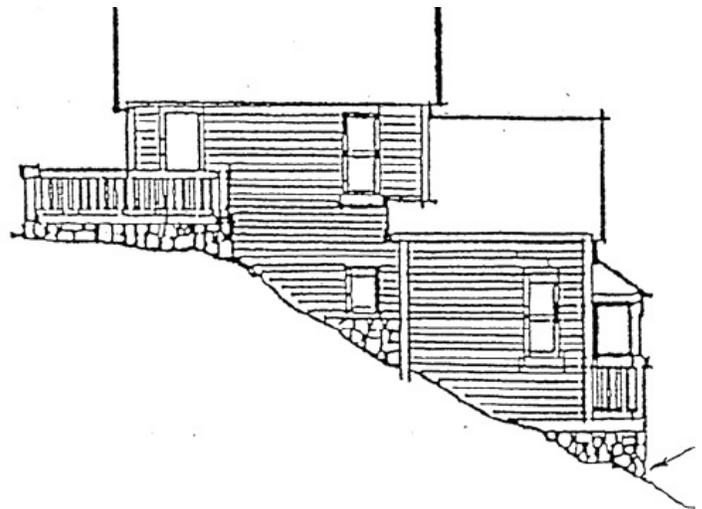
(3.7.2) Vary the mass of a building to express a human scale.



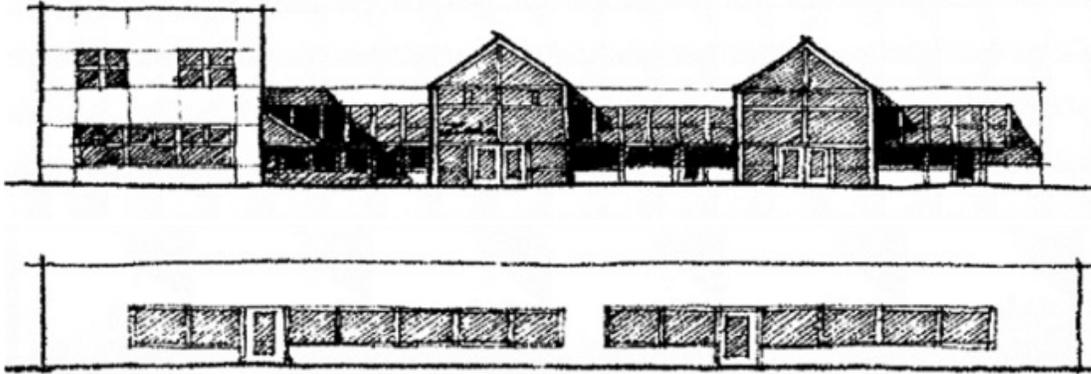
(3.7.2) Mass variation reduces actual building mass and scale by modulating building volume.



(3.7.2) Vary the mass of a building to reduce the bulkiness, including stepping a building foundation.



(3.7.2) Vary the mass of a building to express a human scale, such as through stepping the building foundation. On sloped sites, step a building into the hill in order to reduce the bulkiness of the building.



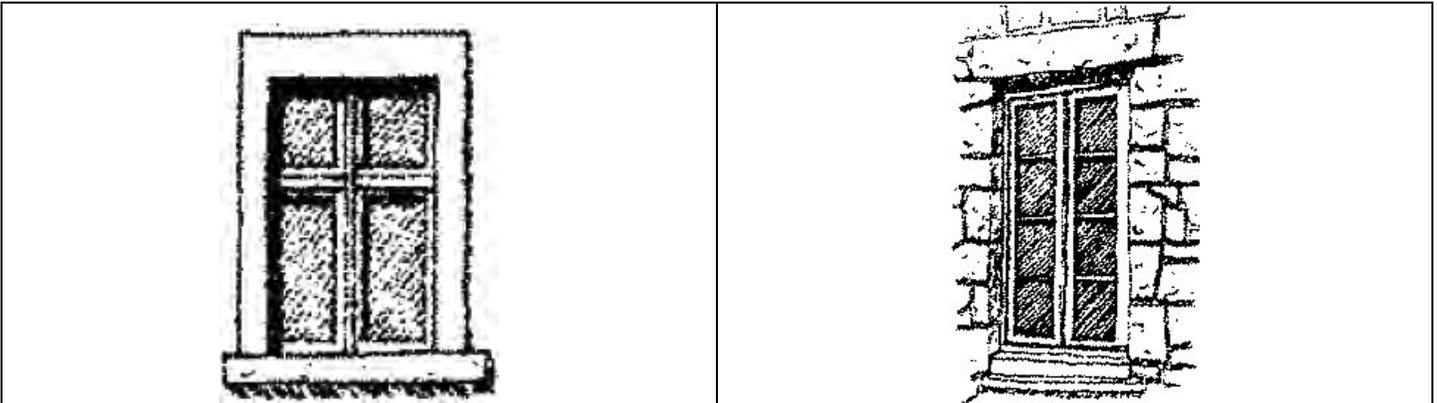
(3.7.2) Vary the mass of a building by incorporating height variations, for example. The sketch on top illustrates mass variation and is appropriate, while the sketch on the bottom is inappropriate.

3.7.3 Recess windows into the exterior mass walls to imply strength and to provide greater articulation.



(3.7.3) Recess windows into the exterior mass walls to imply strength and to provide greater articulation.

3.7.4 Utilize sills, lintels, mullions, and trim to add depth and elaboration to windows.



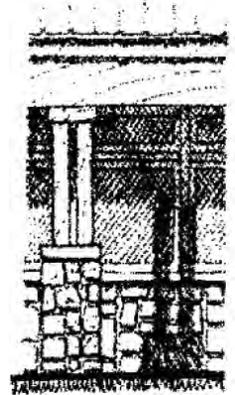
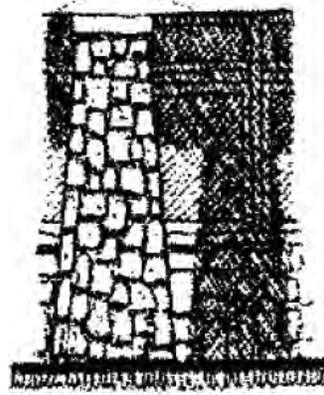
(3.7.4) Utilize sills, lintels, mullions, and trim to add depth and elaboration to windows.

3.7.5 Utilize roughly equal window-to-wall ratios on exterior walls.



(3.7.5) Utilize roughly equal window-to-wall ratios on exterior walls.

3.7.6 Structural elements - columns, beams, and trusses - should be proportional to the abundant snow loads which they support.



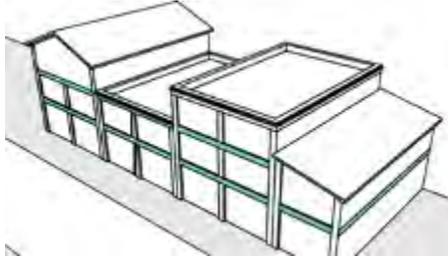
(3.7.6) Structural elements - columns, beams, and trusses - should be proportional to the abundant snow loads which they support.

Table A-8 Applying Wall Articulation Methods

Use articulation techniques in proportion to a building's overall mass. For example, wall plane offsets are needed as a building's length increases. A single method is typically insufficient to achieve reduced scale and provide interest. Combining methods is highly encouraged. These methods may be used for building articulation.

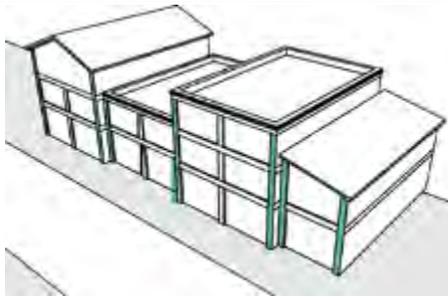
Accent Lines

Accent lines, fenestration, or other techniques help provide vertical or horizontal expression. They can help create rhythm and scale on a facade.



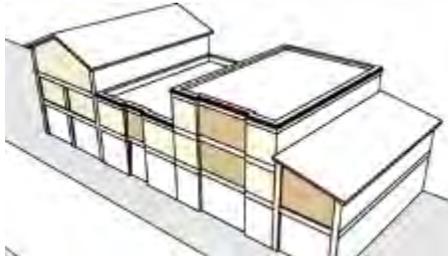
Wall Plane Offsets

Wall plane offsets include notches or projections such as columns, moldings or pilasters that generally rise the full height of the facade to add visual interest and express traditional facade widths. They help create a sense of texture and provide depth and visual interest.



Variations in Material and/or Color

A change in material adds visual interest and expresses traditional facade widths. This may be vertical or horizontal. When applied in units, panels or modules, materials can help convey a sense of scale.



Canopies and Awnings

Canopies and awnings add depth and help define the street-level pedestrian area and provide protection from the snow and sun. Careful attention should be taken to control the snow shed from these elements.

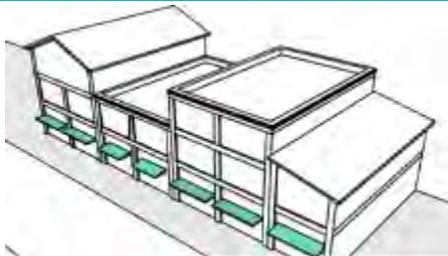
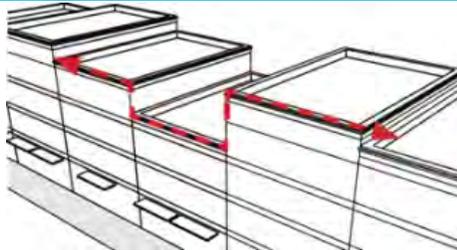


Table A-9 Applying Massing Variation Methods

Vary massing to reduce the perceived scale of a building while also helping to create an interesting building form. Stepping down the mass of a building adjacent to a pedestrian way or sensitive area will provide a smooth transition.

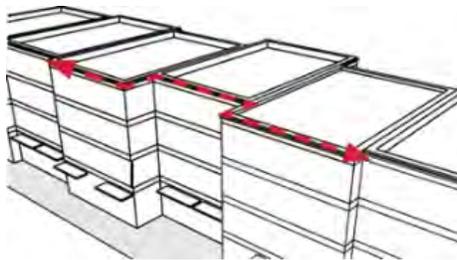
Height Variation

Vertical variation is an actual change in the height of a building of at least one floor.



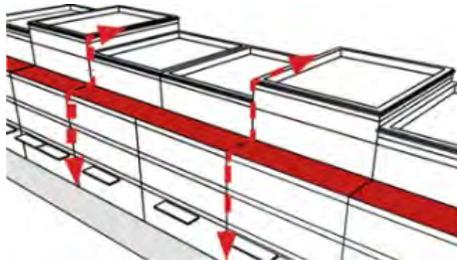
Increased Setbacks

A wall plane offset should extend the full height of the building and is most successful when combined with changes in roof form or building materials.



Upper Level Stepback

An upper level stepback adds visual interest and reduces the mass of a larger building.



3.8 Building and Roof Materials

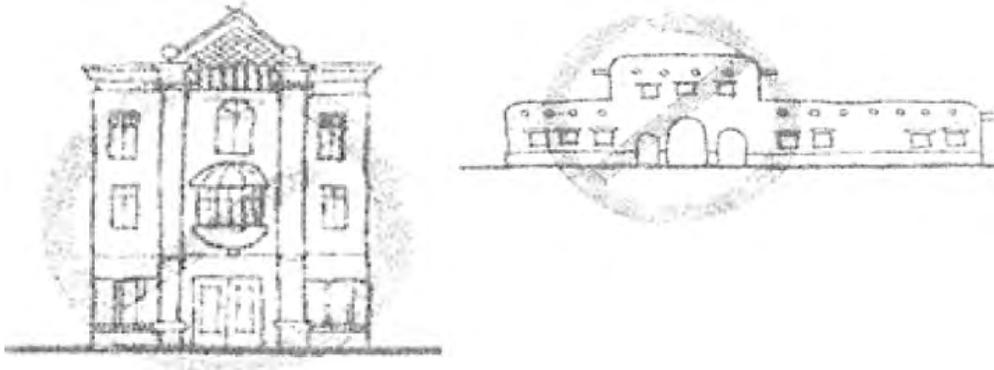
Exterior building materials and colors should provide a sense of scale and texture, and convey a high design quality and visual interest. Building facades should use high-quality, durable materials that have proven to be durable in Winter Park’s climate or in similar climates. The materials should also contribute to the visual continuity of the traditional Mountain Town character that Winter Park seeks to maintain. A sense of craftsmanship should be visible in each building, and the materials should be derived directly or indirectly from the mountain environment to continue the desired “mountain modern” aesthetic. Appropriate building and roof materials are shown in Tables [A-10](#) and [A-11](#).

3.8.1 Incorporate building materials that contribute to the visual continuity of the Town.

- Use stone, wood, stucco, and masonry, where possible.
- Incorporate traditional and contemporary alpine architectural styles, such as “mountain modern,” to set the tone for the Town.
 - This may include timber beams, stone, and some glass, as well as accent materials.
- Avoid building character that makes overt stylistic reference to other times and other places.
 - Exceptions will be considered for additions to existing buildings which have a defined style.
- Concrete block and stucco may be acceptable if appropriate to the design of the structure.
 - If considering the use of concrete, incorporate aggregate rather than raw concrete.



(3.8.1) Incorporate building materials that contribute to the visual continuity of the Town.



(3.8.1) Avoid building character that makes overt stylistic reference to other times and other places.

3.8.2 Use materials with textures and colors that are found naturally in the surrounding landscape.

- Incorporate materials with natural (earth) tones and muted colors.
- Use materials with matte finishes.
- To accomplish the desired harmonization with nature, incorporate the following materials for these specific uses:
 - Siding
 - Wood, as shingles, lap siding, logs, or vertical board and batten
 - Stained, painted, or unpainted
 - Synthetic materials with appearance similar to wood, including:
 - Fiber cement board, metal, and vinyl
 - Masonry
 - Brick, stone, detailed concrete, and detailed stucco (genuine or synthetic)
 - Metals
 - Sheet metal, corten, and weathered steel



(3.8.2) Use materials with textures and colors that are found naturally in the surrounding landscape.



(3.8.2) Incorporate materials with natural (earth) tones and muted colors.

3.8.3 Use materials to convey a sense of human scale and visual interest.

- Add visual interest through texture, finish, and detailing.
- Use changes in material to add visual interest and express a human scale.
- Incorporate an accent material to highlight an important feature like an entry or window.



(3.8.3) Use materials to convey a sense of human scale and visual interest.

3.8.4 Use high quality, durable building and roof materials.

- Use a material that is proven durable in Winter Park's climate.
- Choose a material that is likely to maintain an intended finish over time, or acquire a patina, when it is understood to be a desired outcome.
- Use a material on the ground-level that can withstand ongoing contact with the public and retain its quality.



(3.8.4) Use high quality, durable building materials.

(3.8.4) Choose a material that is likely to maintain an intended finish over time, or acquire a patina, as seen above.

Table A-10 Building Materials

The chart below identifies building materials that are appropriate in the Winter Park context.

Primary Materials

Wood and Similar Synthetics



Vertical / horizontal board and batten



Shake shingles



Horizontal lap

Metals



Corten



Non-reflective metal

Masonry Units



Brick, genuine (D-C District only)

Secondary Materials

Table A-10 Building Materials

Masonry Units



River rock and other native rock



Stone

Detailed Concrete and Board-Formed Concrete



Cement board siding



Detailed concrete



Board-formed concrete

Stucco and Masonry Units



Detailed stucco



Synthetic stucco



Concrete masonry unit (CMU)

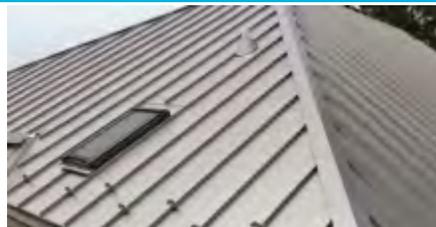
Table A-11 Roof Materials

The chart below identifies roof materials that are appropriate in the Winter Park context.

Appropriate Roof Materials



Standing metal seam



Standing metal seam



Shingles

Form Name: Winter Park's Draft Design Guidelines
Submission Time: December 7, 2020 6:14 pm
Browser: Chrome 87.0.4280.67 / Windows
IP Address: 73.243.212.188
Unique ID: 716833756
Location: 39.8916015625, -105.76309967041

Residency Status Full-time resident

Please select your occupation: Citizen

What do you like about the Draft Design Guidelines? I like the focus on incorporating the natural environment into the guidelines. We are a mountain town, the buildings here should fit in a mountain environment and be built to withstand the elements. It is also refreshing to be adding in some more modern materials into the mix of allowed construction materials.

What weaknesses, if any, did you observe in the Draft Design Guidelines? You discuss Low Impact Development, but in a lot of the visual examples they still show lots of paved surfaces and full cement sidewalks and plaza's. Show some public areas that are not covered with impermeable surfaces and that are designed to be utilized year round.

Overall, how do you like the following section within Part I (Introduction) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 2 (Site Design Guidelines) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 3 (Building Design Guidelines) as shown in the Draft Design Guidelines? Like

Agree or disagree: It is easy to understand how the Draft Design Guidelines connect to Imagine Winter Park. Agree

Agree or disagree: Overall, each guideline contains enough detail to stand by itself. Agree

Overall, how do you like the formatting? Like

What, if any, critique do you have for the formatting? No critique. Easy to follow outline. More general to specific, good flow.

Do you have any other comments about the Draft Design Guidelines you wish to share? Drop the "resort town". We all know we are a resort town, but the focus should be on becoming a year round sustainable community.

Form Name:	Winter Park's Draft Design Guidelines
Submission Time:	December 14, 2020 10:53 am
Browser:	Chrome 87.0.4280.88 / Windows
IP Address:	107.2.161.210
Unique ID:	723683104
Location:	39.736999511719, -105.02030181885

Residency Status Second homeowner

Please select your occupation: Architect

What do you like about the Draft Design Guidelines? Overall guidelines provide for a cohesive vision for the Town. The guidelines allow for creativity and design freedom through multiple ways.

What weaknesses, if any, did you observe in the Draft Design Guidelines? Not sure yet.

Overall, how do you like the following section within Part I (Introduction) as shown in the Draft Design Guidelines? Love it

Overall, how do you like the sections within Part 2 (Site Design Guidelines) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 3 (Building Design Guidelines) as shown in the Draft Design Guidelines? Love it

Agree or disagree: It is easy to understand how the Draft Design Guidelines connect to Imagine Winter Park. Agree

Agree or disagree: Overall, each guideline contains enough detail to stand by itself. Agree

Overall, how do you like the formatting? Love it

What, if any, critique do you have for the formatting? provide link the final PDF

Do you have any other comments about the Draft Design Guidelines you wish to share? no thanks

Form Name: Winter Park's Draft Design Guidelines
Submission Time: December 14, 2020 3:46 pm
Browser: Chrome 87.0.4280.88 / Windows
IP Address: 98.38.114.37
Unique ID: 724617853
Location: 37.750999450684, -97.821998596191

Residency Status Frequent visitor

Please select your occupation: Developer

What do you like about the Draft Design Guidelines? Great start and I would like to see more transition zones between the downtown core and multifamily and single family use.

What weaknesses, if any, did you observe in the Draft Design Guidelines? I think I will be tough to include vegetation to some lots given each unique character of the site.

Overall, how do you like the following section within Part I (Introduction) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 2 (Site Design Guidelines) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 3 (Building Design Guidelines) as shown in the Draft Design Guidelines? Like

Agree or disagree: It is easy to understand how the Draft Design Guidelines connect to Imagine Winter Park. Agree

Agree or disagree: Overall, each guideline contains enough detail to stand by itself. Disagree

Overall, how do you like the formatting? Like

What, if any, critique do you have for the formatting? Make it simple for anyone to use

Do you have any other comments about the Draft Design Guidelines you wish to share? Lets make sure that setbacks down take away from the economic use of a site.

Form Name: Winter Park's Draft Design Guidelines
Submission Time: December 14, 2020 9:23 pm
Browser: Mobile Safari / iOS
IP Address: 24.9.49.240
Unique ID: 724919161
Location: 40.176601409912, -105.89710235596

Residency Status Full-time resident

Please select your occupation: Citizen

What do you like about the Draft Design Guidelines? Very clear and well put together.

What weaknesses, if any, did you observe in the Draft Design Guidelines? I would like to see more examples photo of Winter Park or Fraser Valley.

Overall, how do you like the following section within Part I (Introduction) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 2 (Site Design Guidelines) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 3 (Building Design Guidelines) as shown in the Draft Design Guidelines? Like

Agree or disagree: It is easy to understand how the Draft Design Guidelines connect to Imagine Winter Park. Agree

Agree or disagree: Overall, each guideline contains enough detail to stand by itself. Agree

Overall, how do you like the formatting? Like

What, if any, critique do you have for the formatting? Formatting is good

Do you have any other comments about the Draft Design Guidelines you wish to share? What about addressing wild land urban interface? How about recycling during construction? Address pandemic designs?

Form Name: Winter Park's Draft Design Guidelines
Submission Time: December 15, 2020 9:14 am
Browser: Safari 14.0.1 / OS X
IP Address: 24.9.49.240
Unique ID: 726290457
Location: 40.176601409912, -105.89710235596

Residency Status Full-time resident

Please select your occupation: Citizen

What do you like about the Draft Design Guidelines? It seemed comprehensive. I like that the roof lines need to be pitched, as in no flat or mansard roofs. There was information regarding designing for snow. Sometimes people from areas with no snow don't realize how much snow we really get up here. It is a REAL thing.

What weaknesses, if any, did you observe in the Draft Design Guidelines? Doesn't address wildlife corridors. Or leaving areas for the animals. As our former mayor , jimmy, once said, we don't want to destroy what brought us here in the first place. So no open space plan. No guide lines for workforce housing. We want quality workforce housing not something that will be viewed as "the projects" in 20 years.

Overall, how do you like the following section within Part I (Introduction) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 2 (Site Design Guidelines) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 3 (Building Design Guidelines) as shown in the Draft Design Guidelines? Like

Agree or disagree: It is easy to understand how the Draft Design Guidelines connect to Imagine Winter Park. Agree

Agree or disagree: Overall, each guideline contains enough detail to stand by itself. Agree

Overall, how do you like the formatting? Like

What, if any, critique do you have for the formatting? I think the survey is silly. The questions are not specific enough to help inform staff as to what residents think is good design

Do you have any other comments about the Draft Design Guidelines you wish to share?

Yes this is a silly survey. You need to have pictures of specific parts of the actual design guidelines, so that we can respond to the individual parts in an informed way. You had leading questions- how do you like??? Sure i like! I thought in general staff did a good job on the guidelines, and yes I "liked" it

Form Name: Winter Park's Draft Design Guidelines
Submission Time: December 29, 2020 11:03 am
Browser: Chrome 87.0.4280.88 / OS X
IP Address: 174.29.246.189
Unique ID: 733461424
Location: 39.729000091553, -104.95279693604

Residency Status Infrequent visitor

Please select your occupation: Architect

What do you like about the Draft Design Guidelines? It is more urban

What weaknesses, if any, did you observe in the Draft Design Guidelines? It did not address parking at all

Overall, how do you like the following section within Part I (Introduction) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 2 (Site Design Guidelines) as shown in the Draft Design Guidelines? Like

Overall, how do you like the sections within Part 3 (Building Design Guidelines) as shown in the Draft Design Guidelines? Like

Agree or disagree: It is easy to understand how the Draft Design Guidelines connect to Imagine Winter Park. Agree

Agree or disagree: Overall, each guideline contains enough detail to stand by itself. Agree

Overall, how do you like the formatting? Like

What, if any, critique do you have for the formatting? There is some vagueness

Do you have any other comments about the Draft Design Guidelines you wish to share? Some actual guidelines are good - ie specifics like percentages of glass, or good roof lines specifics.

From: [linda behlen](#)
To: [Hugh Bell](#); [James Shockey](#)
Subject: Design Guidelines
Date: Tuesday, December 15, 2020 8:27:54 AM
Attachments: [Outlook-5i3elk5j.png](#)

Hi James and Hugh,

Thank you for hosting the open house last night. I will take the survey later today.

I found the photo of the house [REDACTED] I saw this on one of my dog walks and it made an impression.

It does not have diagonal siding, so not an example of that. But the siding is strongly striated with very pronounced vertical and horizontal elements. Then the roof lines have two gabled elements combined with shed roofs at completely different angles..

Should the guidelines say roofs should avoid having multiple angles? Or the same roof angles should be repeated throughout? Here the angle of roof shed over the door is not even the same as the garage shed or the shed roof on the room on the left. And what's going on with the fenestration on that room? I don't want to rule out trapezoidal windows, because I think they can be good design elements, but these aren't working.

Just my humble opinion (which you did ask for).



Linda Behlen
720-289-1422

From: [Alex Hritcu](#)
To: [Hugh Bell](#)
Subject: Design Guidelines
Date: Monday, December 14, 2020 1:43:13 PM

Hugh,

Great work today and I really think you're on the right track with updating the design guidelines.

Lets talk more about some traditional urban design. I will be happy to share more examples from my work with other communities and consultants regarding design and walkability too.

Regards,

--

Alex
970-445-2609

From: [Marc Hogan](#)
To: [Hugh Bell](#)
Cc: [James Shockey](#); [Jamie Pawlak](#)
Subject: Roof Articles
Date: Monday, December 14, 2020 3:08:24 PM
Attachments: [Roof Articles \(1\).pdf](#)
[IceDams \(1\).pdf](#)

Hello Hugh and James,

Attached to this email are the roof articles I mentioned this morning.

Regards.



From: [Jeffrey Vogel](#)
To: [James Shockey](#)
Cc: [Hugh Bell](#); [Keith Riesberg](#)
Subject: Winter Park Design Guidelines
Date: Wednesday, December 09, 2020 8:16:41 AM

James-

Thanks for sending the DRAFT of the Design Guidelines (DG). Outline below are initial comments regarding the respective items.

Landscape Requirements

- The landscape requirements with regards to plant quantities need to be reconciled with the intent of the Design Guidelines. The DG's discuss having an architectural edge along public streets, plazas.

Landscape requirements/quantities need to be adjusted to accommodate these urban conditions. As you recall, this condition existed at Hideaway Station and Rendezvous Center.

- The percentage of evergreen trees for urban edges/spaces also need to be adjusted. It can be challenging to locate multiple evergreen trees in urban space for streetscapes with reinforced architectural edges.

Architecture

- Green Walls (Pg.38) – Given the elevation and short growing season, the viability of incorporating green walls should be evaluated further. Green wall systems for high elevations should be researched further. This guideline may not be viable.
- Windows (Pg. 40) - The DG's discuss that windows should be recessed in the façade. There is also discussion of mountain modern expressions and styles that don't always include recessed windows. Rendezvous Center and Hideaway Station include architectural elements that do not include recessed element.
- Metal Siding (Pg. 45) Additional clarity is required regarding metal siding with regards to color and finishes. Some of the images are in conflict with the requirements.
- Parking Structures/Building Heights- The Development Standards and specifically the building height needs to be adjusted to reflect the hillside or ramp condition that is required to access the garage.
- Building Heights – The DG's discuss terracing building heights to adjacent residential uses. There are transitional areas within the Town Core that will have higher building heights that are adjacent to buildings that are likely to be redeveloped. Provisions need to be provided to accommodate these transitional areas.
- Images – Some of the images in the DG's contradict other guidelines. A suggestion would be to adjust the images for provide a statement clarifying the intent of the images.

Please call with questions or comments.

Thanks.

Jeff Vogel, AICP
Principal

Vogel & Associates
475 West 12th Avenue, Suite E
Denver, CO 80204
P: 303.893.4288
jvogel@vogelassoc.com



MEMO

TO Planning Commission
FROM Hugh Bell, Planner
THROUGH James Shockey, Community Development Director
DATE January 26, 2021
RE Unified Development Code – Chaps. 1 and 2 Review

Overview:

Staff is reviewing Chapters 1 and 2 of the draft Unified Development Code (UDC) and has highlighted significant sections of Chapters 1 and 2 below for the Planning Commissioners' review. These sections have either been significantly revised from their language in the current Code, or are not in the current Code altogether.

Chapter 1: General Provisions, Transitional Provisions, and Vested Rights

- **Vested Rights (1-B-3)**

Chapter 2: Zoning Districts and Use Standards

- **Special Uses (2-B-2)**
 - **Farmers Markets**
- **Limited Uses (2-B-2)**
 - **Hostels**
 - **Backyard Chickens**
 - **Live-work Units**
 - **Colleges, Universities, or Vocational Schools**
- **Accessory Uses and Structures (2-B-3)**
 - **Fences and Walls**
 - **Mechanical Equipment and Meters**
 - **Rain Barrels**
 - **Solar Collectors**

CHAPTER 1. GENERAL PROVISIONS AND VESTED RIGHTS

Article 1.A. General Provisions

Sec. 1-A-1 Title

- A. **Title.** This Unified Development Code (UDC) shall be officially known and cited as the Winter Park Unified Development Code.
- B. **Short Title.** This Unified Development Code may be referred to herein as “the UDC” or “this UDC”.

Sec. 1-A-2 Authority

- A. **Home Rule Charter.** Pursuant to the Constitution of the State of Colorado, Article XX, Home Rule Cities and Towns, Section 6, *Home Rule for Cities and Towns*, the principal authority for this UDC is the Home Rule Charter of the Town of Winter Park, as may be amended from time to time, first approved on April 12, 1983.
- B. **Colorado Statutes.** The provisions of this UDC are also authorized by the Colorado Revised Statutes (C.R.S), including, but not limited to:
 - 1. Title 24, Government - State, Article 68, *Vested Property Rights*;
 - 2. Title 29, Government - Local, Article 20, *Local Government Regulation of Land Use*; and
 - 3. Title 31, Government - Municipal, Article 23, *Planning and Zoning*.

Sec. 1-A-3 Jurisdiction

These regulations are applicable within the following described as all land located within:

- A. The legal boundaries of the Town of Winter Park (Town); and
- B. Three miles of the corporate limits of the Town and not located in any municipality for the purposes of control with reference to major street plans only.
- C. Where the land is outside the municipal boundary of Winter Park and another municipal boundary is within three miles of the Winter Park boundary, the application of these regulations shall be governed by the provisions of C.R.S. Sec. 31-23-212, *Jurisdiction*.

Sec. 1-A-4 Purposes

The provisions of this UDC are adopted for the purposes of:

- A. Promoting the public health, safety and general welfare of the citizens of the Town;
- B. Implementing the 2019 Imagine Winter Park Town Plan;
- C. Guiding the future growth and economic development of the Town while balancing the protection of community resources and individual property rights;
- D. Achieving orderly, functional, and attractive development through land use and subdivision controls;
- E. Enhancing the special characteristics of the Town's natural and built environments;
- F. Creating a unique sense of place through proactive planning and contemporary regulations;
- G. Protecting and conserving the value of land and buildings;
- H. Conserving natural resources such as the scenic hillsides and mountain views, the Fraser River, Vasquez Creek and Little Vasquez Creek and their wetlands, floodplains, riparian areas, and wildlife habitat;
- I. Maximizing the compatibility and cohesiveness of land and buildings through good design and engineering practices;

- J. Preserving and enhancing the Town's natural environment and its parks, open spaces, and recreational amenities;
- K. Following good land management and construction practices to avoid natural and manmade hazards;
- L. Assuring good subdivision design and neighborhood quality through:
 - 1. Adequate road and utility infrastructure;
 - 2. The preservation of the natural topography and vegetation;
 - 3. Sufficient open space and views; and
 - 4. Good pedestrian and vehicular circulation, safety and comfort;
- M. Sustaining the quality natural environment of the region through resource protection, open space preservation, and the acquisition and development of public parks and recreation areas and facilities;
- N. Providing for a stable and diversified local economy to sustain and grow businesses for permanent residents, as well as for tourists and visitors;
- O. Capitalizing on the natural setting to create a town that is of unique character and an inheritable quality of living; and
- P. Establishing fair and efficient processes to facilitate quality growth and sustainable development.

Sec. 1-A-5 Applicability

- A. **Generally.** Except as hereinafter provided, no building, structure or land shall be used and no building or other structure shall be erected, reconstructed, structurally altered or maintained except in conformance with the regulations specified in this UDC, nor shall a yard or lot area be reduced in dimensions to an amount less than the minimum requirements specified by the provisions of this Title.
- B. **Public-Owned Property.** This UDC and its standards, requirements, and regulations is applicable to all public agencies and organizations to the full extent allowed by law and under the United States and Colorado Constitutions.
- C. **Effect on Permits, Licenses, or Approvals.** These regulations shall not abrogate, annul, modify or amend any permit, license or approval or any modification or amendment issued or authorized by the:
 - 1. Planning and Zoning Commission (PZC);
 - 2. Town Council;
 - 3. United States Forest Service (USFS);
 - 4. Grand County Planning Commission;
 - 5. Board of County Commissioners of Grand County; or
 - 6. Any other governmental authority having appropriate jurisdiction prior to the effective date of this UDC.
- D. **Effect on Vested Property Rights, Development Agreements, or Easements.** This UDC shall not be interpreted to interfere with or abrogate:
 - 1. Any vested property right established pursuant to C.R.S. 24-68-101, et seq. or with the provisions of Sec. 1-B-3, *Vested Rights*, of this UDC;
 - 2. The terms, conditions, or obligations of any development agreement or easement to which the Town is a party.
- E. **Effect on Private Restrictions.**
 - 1. *Generally.* This UDC shall not interfere with, abrogate, or annul any private easement, covenant, deed restriction, or other agreement between private parties.
 - 2. *Consistent Enforcement.* This UDC will be enforced on property that is subject to private restrictions in the same manner as other properties.

3. *No Duty to Search for Private Restrictions.* The Town has no duty to search for the existence of private restrictions on property.
4. *Private Agreements.* The Town will not interpret, apply, or enforce agreements between two private parties.
5. *Private Party Responsibility.* Parties to private covenants who seek development approvals that are inconsistent with their private covenants do so at their own risk that the covenants may be enforced by other private parties who may have standing to file suit.

Sec. 1-A-6 General Rules

- A. **Required Compliance.** No person, firm, partnership, corporation, or other entity may use, occupy, or develop land, buildings, or structures unless the use, occupancy, or development is in compliance with this UDC.
- B. **Minimum Standards, Requirements, or Regulations.** The provisions of this UDC shall be regarded as the minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity and welfare.
- C. **Review Criteria in Deciding Violations.** Any matter brought before the Board of Adjustment (BOA), Planning and Zoning Commission, or Town Council to decide a violation of this UDC shall consider the applicable review criteria stated in this UDC.

Sec. 1-A-7 Effective Date

- A. **Effect.** The regulations of this UDC shall take effect upon adoption by the Town Council, and may be adopted prior to the adoption the Official Zoning Map. However, the UDC regulations will not take effect until after the Official Zoning Map is adopted.
- B. **Supersede Prior Regulations.** Except as otherwise stated in this UDC or State of Colorado Statutes, on the Effective Date and thereafter, this UDC shall supersede all prior regulations governing the development of land, buildings, and structures in the corporate limits of the Town.
- C. **After the Effective Date.** Except as set out in [Article 1.B, Transitional Provisions and Vested Rights](#), all development applications and proposals filed on or after the Effective Date of this UDC shall be processed in accordance with the standards, regulations, and requirements of this UDC.

Sec. 1-A-8 Consistency with Plans

Pursuant to the requirements of C.R.S. Title 31, Article 23, *Planning and Zoning*, zoning within the Town of Winter Park shall be in accordance with the Town's Master Plan adopted by Town Council Resolution 1669, Series 2018 and the Three-Mile Plan adopted by Town Council Resolution 1687, Series 2019, and as may be subsequently amended.

Sec. 1-A-9 Conflicting Provisions

- A. **Conflict with Other Governmental Regulations.** If the provisions of this UDC are inconsistent or in conflict with those of the State, the more restrictive provision shall control, as permitted by law.
- B. **Conflict with Other Regulations or Agreements.** If any provision of this UDC is inconsistent or in conflict with any other provision of this UDC or other adopted resolutions, ordinances, or regulations of the Town, the more restrictive provision shall control.

Sec. 1-A-10 Severability

The provisions of this UDC shall be severable, in accordance with the following:

- A. **Invalid Provision within Title.** If any provision of this Title is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared that:
 1. The effect of such decision shall be limited to that provision or provisions which are expressly stated in the decision to be invalid; and

2. Such decision shall not affect, impair, or nullify the UDC as a whole or the application thereof. The remainder of the UDC shall continue in full force and effect.
- B. **Invalid Development Approval Condition.** If any court of competent jurisdiction judges invalid any condition attached to the approval of an application for development approval, then such judgment shall not affect any other conditions or requirements attached to the approval of any similar application that is not specifically included in that judgment.

Article 1.B. Transitional Provisions and Vested Rights

Sec. 1-B-1 Purpose and Applicability

- A. **Purpose.** The purposes of this Article is to establish the rights of applicants and landowners who:
1. Have submitted or are in the process of submitting development applications before the effective date of this UDC; or
 2. Have obtained specific vested real property rights pursuant to state law.
- B. **Applicability.** This Article shall pertain to all development applications governed by this UDC prior to the effective date of this UDC.

Sec. 1-B-2 Transitional Provisions

- A. **Generally.** It is the intent of the UDC to respect pending applications and development approvals.
- B. **Scope of Approvals.** This Section shall not be interpreted to confer rights upon any applicant that is not set out within the scope of a development's approval.
- C. **Pending Applications.** Each application for development approval shall be evaluated only by the adopted ordinances and technical regulations in effect at the time that each complete application was submitted.
- D. **Development Applications that Precede this UDC.** Approved developments may be carried out within the scope of the development approval, including applicable standards in effect at the time of approval, provided that the approval is valid and has not lapsed.
- E. **Planned Development.**
1. *Generally.* Final development plans for a planned development approved prior to the effective date of this UDC may be carried out and are governed according to the terms and conditions of their approvals, unless expressly repealed or modified as provided in Sec. 7-D-5, *Planned Development*.
 2. *Phased Approval.* Final development plans for a planned development that were preliminarily approved prior to the effective date of this UDC, but with phases requiring final approval after the effective date of this UDC may seek approval in accordance with the standards and procedures of this UDC should the applicant so desire.
- F. **Application to Subdivision Plats.**
1. A modification or amendment to Chapter 2, *Zoning Districts and Use Standards*, adopted after the approval of a residential subdivision plat that affects the exterior appearance of a single-family house, including the type and amount of building materials; or the required landscaping does not apply to that subdivision based on:
 - a. The date the plat was approved; or
 - b. The date the Town accepts the subdivision improvements offered for public dedication.
 2. This Section does not prevent the Town from:
 - a. Adopting or enforcing building codes;
 - b. Prohibiting the use of building materials that have been proven to be inherently dangerous; or

- c. Adopting or enforcing amendments to this UDC that do not affect the provisions within Chapter 2, *Zoning Districts and Land Use*.
- G. **Prior Conditions of Approval.** Conditions of development approvals that were granted prior to the effective date remain in full force, regardless of the standards of this UDC.
- H. **Right to Complete Construction.** This UDC does not require any change in the plans, construction, or designated use of any structure if:
 - 1. A building permit for the structure was lawfully issued prior to the effective date of this UDC;
 - 2. The building permit had not by its own terms expired prior to the effective date of this UDC, or as set out in [Sec. 7-C-9, Expiration of Approvals](#); and
 - 3. Construction pursuant to the building permit was commenced prior to the expiration of the permit and within 90 days of the effective date of this UDC, or an amendment to this UDC, and was thereafter diligently pursued to completion.
- I. **Right to Occupy.** A structure may be occupied by, and a certificate of occupancy may be issued for, the use designated on a building permit, subject to [Article 7.A, Nonconformities](#).
- J. **Stale Applications.** Applications for development approval that are not pursued with due diligence may expire pursuant to [Sec. 7-C-9, Expiration of Approvals](#).
- K. **Existing Violations.** Any violations of previous versions of any code or ordinance of the Town shall continue to be a violation under this UDC and shall be subject to the penalties and enforcement set forth in [Article 7.G, Enforcement, Violations, and Penalties](#).

Sec. 1-B-3 Vested Rights

- A. **Purpose.** The purpose of this Section is to provide the procedures necessary to implement the provisions of C.R.S. Title 24, Article 68, *Vested Property Rights*, as amended that establishes a vested property right to undertake and complete development and use of real property under the terms and conditions of an approved site specific development plan that receives approval by the Town Council, under these provisions. By adopting this Section, the Town does not acknowledge that the establishment of vested property rights is a matter of statewide concern which supersedes the local enactments of the Town Council, a home rule municipal corporation.
- B. **Approval.** A site specific development plan that creates vested property rights under C.R.S. Title 24, Article 68, *Vested Property Rights* shall be deemed approved upon the effective date of the Town Council's action relating to these provisions.
 - 1. *Necessary Approval Language.* Each map, plat, site plan, or master site plan constituting a site specific development plan shall contain the following language: "Approval of this plan creates a vested property right pursuant to Section 24-68-103, C.R.S., Sec. 24-68-103, *Vested Property Right - establishment - waiver*, as amended".
 - 2. *Amendments.* If, after such approval, amendments are made to the site specific development plan with the approval of the legal and equitable title owner, the amendment shall relate back to the date of original approval of the site specific development plan and shall not extend the vested rights originally approved.
 - 3. *Terms and Conditions.* A site-specific development plan may be approved with terms and conditions as may reasonably be necessary to protect the public health, safety and welfare, and as provided in this UDC.
 - 4. *Forfeiture.* Failure to comply with such terms and conditions shall result in forfeiture of the vested property rights.
- C. **Optional Clause.** Each landowner may decide to pursue vested property rights approval from the Town or may elect to waive the vested property rights along with the application and review process of any land development application pursuant to the UDC. Each landowner must notify the Town by completing an application stating that vested property rights are being sought or waived, 25 days prior to the date said approval of a site specific development plan would be considered by the Town.

- D. **Public Notice.** A public notice generally describing the type and intensity of use approved, the specific parcel or parcels of property affected and stating that a vested property right has been created shall be published once, not more than 14 days after approval of the site specific development plan, in a newspaper of general circulation within the Town. The notice shall include the following information:
- (i) A statement advising the public of the site specific development plan approval, including the name of the project, the type and intensity of the use approved and the specific property or development parcels affected;
 - (ii) A statement that a vested property right has been created in accordance with Article 68 of Title 24, C.R.S., including the duration of the vested property right; and
 - (iii) A statement that the citizen's rights of referendum shall run from the date of publication.
- E. **Other Provisions Unaffected.** Approval of a site specific development plan shall not constitute an exemption or waiver of any provision of this UDC.
- F. **Duration and Termination of Vested Property Rights.**
- 1. A vested property right extends for a period of three years from the date of the site specific development plan approval. The Town Council may approve a period of vested property rights exceeding three (3) years by approval of a development agreement, which shall be part of the site specific development plan.
 - 2. The guidelines in this paragraph shall be considered when determining whether to grant vested property rights for a period greater than three (3) years, provided that site specific development plans that are granted vested property rights for a period greater than three (3) years because of the size, phasing or absorption rate of such site specific development plan should have separate vesting created for the various phases of the development, as set forth below. It shall be the burden of the applicant to propose appropriate reasons for granting a vested property right that is greater than three (3) years.
 - a. The size and phasing of the development, specifically, but not limited to, whether the development can be reasonably completed within the vested rights period;
 - b. Economic cycles and specifically but not limited to resort community economic cycles, regional and state economic cycles and national economic cycles;
 - c. Market conditions and specifically but not limited to absorption rates for leasing and sales of similar development projects;
 - d. Compliance with the Winter Park Comprehensive Plan and other community planning documents;
 - e. Proposed public amenities and benefits that enhance the project and the overall attractiveness of the Winter Park community, including the degree to which such public amenities and benefits are defined in terms of design, timeframe and phasing with development;
 - f. Projected public financial benefits or costs estimated to be caused by the development project, including the timeframe for realization by the Town or other public entities and potential costs for operation and maintenance of any new public amenities or infrastructure dedicated to the Town or other public entities;
 - g. The breadth and scope of the requested vested property right, including but not limited to the extent to which such vested property right restricts the Town's ability to apply future legislatively adopted fees and regulations for the purpose of providing public infrastructure, public services and public facilities and for the purpose of meeting evolving community needs;
 - h. The terms of any existing site specific development plans with development agreements for the applicant's property that specify the duration of vested property rights;
 - i. Any proposed modifications to previously approved vested property rights to address changed conditions within the Winter Park community, compliance with the Comprehensive Plan and other community planning documents or performance of previously approved site specific development plans; and
 - j. Any other factors deemed relevant by the Council when determining to grant a vested property right for a period greater than three (3) years.

3. Any site specific development plan for a multiple-phase development approved after adoption of the UDC, may have separate vesting created for each phase. The vesting for any subsequent phase may be contingent upon completion of the preceding phase and review by the Town Council. Such review shall include but not be limited to whether the landowner, developer, successors or assigns are in compliance with its obligations to the Town, including but not limited to the terms and conditions of a site specific development plan, a development agreement and any other agreements between the landowner, developer, successor and assigns and the Town, as they may have been amended from time to time.
- G. **Extension of Vested Property Rights.** A landowner may request an extension of vested property rights by submitting an application for extension of vested property rights at least six (6) months prior to the expiration of the vested property rights. No application for extension of a vested property right shall be approved until after providing notice and conducting public hearings in compliance with Subsection 1-B-3(D). The guidelines 1-B-3(F) shall be considered when determining whether to grant an extension to a vested property right. An extension of a vested property right shall be approved by ordinance. The notice of approval provisions in 1-B-3(D) above shall apply to any approval for extension of vested property rights.
- H. **Forfeiture of Vested Property Rights.** Failure to abide by the terms and conditions of a vested property right will result in a forfeiture of the vested property rights in accordance with the procedures set forth herein.
1. The process to consider forfeiture of vested property rights shall be initiated by passage of a resolution by the Town Council stating the grounds therefor.
 2. No vested property right shall be deemed forfeited until after providing notice and conducting a public hearing. Notice shall be provided by publishing notice in a newspaper of general circulation, posting notice in the designated official places of posting and mailing notice to the property owner sent to the address of record according to the County Assessor's records via first-class United States mail at least thirty (30) days prior to the date of a hearing. A copy of the resolution initiating the process to consider forfeiture of the vested property right shall be included with the mailed notice to the property owner.
 3. At the hearing, the Town Council shall consider all evidence and testimony presented concerning any failure to abide by the terms and conditions of a vested property right. The Town Council may continue the public hearing to allow additional evidence to be gathered and presented.
 4. If the Town Council finds a failure to abide by the terms and conditions of the vested property right, the Town Council may take action by ordinance to declare the vested property rights forfeited. The forfeiture of a vested property right shall have no effect upon public streets, alleys, rights-of-way or other lands or easements previously dedicated or conveyed to the Town or other public entities pursuant to the terms of a site specific development plan. Upon forfeiture of vested property rights, the site specific development plan shall be subject to all zoning, land use and general regulations in effect at the time of forfeiture and as such may be amended from time to time thereafter.
- I. **Limitations.** Nothing in this Section is intended to create any vested property right, but only to implement the provisions of C.R.S. Title 24, Article 68, *Vested Property Rights*, as amended.

CHAPTER 2. ZONING DISTRICTS AND USE STANDARDS

Article 2.A. Zoning Districts

Sec. 2-A-1 Purpose

- A. **Generally.** The purpose of this Article is to establish the zoning districts, the permitted, limited, special, and prohibited uses in each zoning district, and the additional standards that apply to limited and special uses.
- B. **Use Tables.** The purpose of Sec. 2-B-1, *Use Tables*, is to establish whether each land use within a specific zoning district will be either a permitted, limited, special, or prohibited use.
- C. **Limited and Special Use Standards.** The purpose of Sec. 2-B-2, *Limited and Special Uses*, is to provide additional standards to ensure that uses that are listed in Sec. 2-B-1, *Use Tables*, as "Limited" or "Special" are compatible with other uses in the district in which they are located.
- D. **Accessory Uses and Structures.** The purpose of Sec. 2-B-3, *Accessory Uses and Structures*, is to set out standards for accessory uses and structures and to ensure that they established in appropriate locations throughout the Town.
- E. **Temporary Uses.** The purpose of Sec. 2-B-4, *Temporary Uses and Structures*, is to set out standards for the location and conduct of temporary uses of land to ensure that they do not become a nuisance, safety hazard, or diminish the character or function of the area in which they are located.
- F. **New and Unlisted Uses.** The Purpose of Sec. 2-B-5, *New and Unlisted Uses* is to set out standards for making a determination if a new or unlisted use is either a subcategory of a permitted, limited, or special use, or a use that is functionally similar to a permitted, limited, or special use.

Sec. 2-A-2 Applicability

- A. **Generally.** This Article:
 - 1. Sets out which land uses are allowed by right (permitted), permitted subject to particular standards (limited), or subject to a public hearing (special), or prohibited within each zoning district; and
 - 2. Applies to all parcels in the Town limits of Winter Park. Each parcel is assigned a specific zoning district per the Official Zoning Map.
- B. **Zoning Districts.** Set out in Sec. 2-A-4, *Zoning Districts*, are the zoning districts that provide for the type and character of development that is allowed in various parts of the Town. The zoning districts are shown on the Official Zoning Map, which is established in Sec. 2-A-3, *Official Zoning Map*.
- C. **Uses That Are Not Specifically Listed.** Any land use that is not listed in the tables in Sec. 2-B-1, *Use Tables*, is prohibited. It is, however, not the intent of the Town Council to prohibit closely related uses or new uses that have impacts that are similar to those of uses that are allowed. Refer to Sec. 2-A-2 *New and Unlisted Uses*, for additional guidance.

Sec. 2-A-3 Official Zoning Map

- A. **Official Zoning Map Adopted.** Zoning districts are shown on the map entitled "Official Zoning Map" of the Town of Winter Park which is made part of this Unified Development Code (UDC).
- B. **Force and Effect.** The Zoning Map and all notations, references, and other information shown on it are a part of this UDC and have the same legal force and effect as the UDC.
- C. **Status of Official Zoning Map.** The Zoning Map that is officially on file at Town Hall shall control in the event of a conflict between the map that is officially on file and any other reproduction of said map.

- D. **Interpreting the Zoning Map.** Where the map appears to be unclear regarding the location of district boundaries, the Administrator, or at the Administrator's discretion the Planning Commission, shall make a determination using the following criteria:
1. *Rights-of-Way or Easements.* Where boundary lines appear to follow existing streets, alleys, railroad tracks, utility lines, or similar features, the zoning boundary shall be construed to follow the center line of the rights-of-way or easement. Where the location of these features on the ground differs from that shown on the Official Zoning Map, the features on the ground control.
 2. *Corporate Limits.* Where district boundaries are indicated as approximately following corporate limits, such corporate limits shall be considered the district boundaries.
 3. *Property Lines.* Where the boundaries are indicated as approximately following property or other lot lines, such lines shall be construed to be the boundaries.
 4. *Watercourses.* Boundaries shown as following, or approximately following, the centerline of drainage ways, streams, water bodies, or other watercourses shall be construed as following the channel centerline. In the event of a natural change in the location of such streams or other watercourses, the zoning district boundary shall be construed as moving with the channel centerline.
 5. *Unsubdivided Land or No Identifiable Feature.* On unsubdivided land, or where a district boundary follows no identifiable feature, the location of the boundary, unless the same is indicated by dimensions, shall be determined by applying, in order, the following rules:
 - a. *Legal Description.* The boundary shall be according to the legal description in the ordinance establishing the district boundaries.
 - b. *Text Dimensions.* The boundary shall be located by reference to dimensions shown in the text on the Official Zoning Map, if any.
 - c. *Map Scale.* The boundary shall be located using the map scale appearing on the Official Zoning Map.
 6. *Vacation or Abandonment.* Where a public street, alley, or parcel of land is officially vacated or abandoned, the regulations applicable to the abutting property apply equally to the vacated or abandoned street or alley.
- E. **Annexed and Undesignated Lands.** For the purposes of ensuring that all land has a zoning designation, any land that is not assigned a zoning district on the Official Zoning Map or any land that is annexed into the Town shall be zoned Open Space, Forestry, Agricultural, and Recreational (O-S-F).
- F. **Conflicts Resolved.** In the event of a conflict between the district boundaries on the Official Zoning Map and the zoning of property provided by a duly enacted rezoning ordinance adopted before the effective date of this UDC, the Official Zoning Map shall control.

Sec. 2-A-4 Establishment of Zoning Districts

Established in Table 2-A-4, *Zoning Districts*, are the zoning districts for the Town. The table identifies the district name and abbreviation, along with the intended development character, and a purpose statement for each district.

Table 2-A-4 Zoning Districts			
District		Character	The purpose of the district is to provide for:
Name	Abbreviation		
Open Space and Residential			
Open Space, Forestry, Agriculture, and Recreational Zone District	O-S-F	Forest and Open Land	Preservation of the US Forest Service Property; protection of the Fraser River and associated creeks and their wetland and riparian areas; provision of agricultural areas and uses; and expanding upon the recreational amenities and assets of the Town.
Mountain Estate Zone District	M-E	Rural	Rural estate living on acreage lots or conservation development with smaller lots that are clustered around common open space to

**Table 2-A-4
Zoning Districts**

District		Character	The purpose of the district is to provide for:
Name	Abbreviation		
			protect environmental resources, such as steep slopes, forest lands, recreational lands, or wildlife corridors.
Single Family Residential Zone District	R-1	Low Density Residential	Single-family detached residential neighborhoods on moderately sized lots, including provision for varying lot areas and widths, home siting, and by-right cluster development to preserve resources, protect sensitive lands, and accommodate natural topography.
Multiple-Family Residential Zone District	R-2	Medium Density Residential	Single-family detached residences on smaller lots, together with single-family attached and multiple family dwelling types developed in proximity to but not abutting Main Street, and in proximity the Resort Base.
Multiple-Family Residential District Within Old Town Zone District	R-2-O	Varied Density Residential	Lot and building standards that are flexible and unique to the Old Town neighborhood where development preceded incorporation into the Town and hence the types and patterns of lots and buildings do not conform to a uniform set of requirements.
Non-Residential and Mixed-Use			
Residential-Commercial Service Zone District	R-C	Mixed Use	Single-family attached uses within close proximity to commercial uses. This district provides for convenience commercial uses subject to design and performance standards.
Limited Commercial Zone District	C-1	Tourist Oriented	Commercial retail, office and service uses that include single use and multi-tenant centers, and may also include multi-family residential uses located near select tourist-oriented locations and recreational attractions that offer specialized retail services and environments for visitors.
Destination Center Zone District	DC	Mixed Use	A planned mixture of high density and upper-floor residential and commercial uses in horizontal and vertical formats that are arranged to create a walkable pedestrian environment.
Overlay Districts			
Downtown Business Overlay Zone District	DBO		The objective of the DBO zone is to preserve the business district along the major arterial, US Highway 40, of Winter Park in accordance with the downtown master plan which encourages intensive mixed use - retail use on lower levels and residential use on upper levels of a structure. In addition, concentrated mixed use development is deemed essential in said areas to foster greater pedestrian activity, less reliance on the automobile, comparison shopping, and other goals set forth in the master plan. The overlay will occur within the first seventy five feet (75') of the property as measured from the property line adjacent to the US Highway 40 right of way.

Table Notes: A development plan is required for the Limited Commercial (C-1) and Destination Center (DC) zone districts.

Article 2.B. Use Standards

Sec. 2-B-1 Use Tables

- A. **Purpose.** The purpose of this Section is to establish the allowable land uses for each zoning district.
- B. **Applicability.** These standards apply to new development, redevelopment, and substantial improvements of properties within in the Town of Winter Park.
- C. **Land Use Designations.** Outlined in Table 2-B-1-1, *Residential and Agricultural Permitted Uses by District*, and Table 2-B-1-2, *Non-Residential and Mixed-Use by District*, is a description of which land uses are:
 - 1. (P) - Permitted;
 - 2. (S) - Permitted subject to a recommendation by the Planning Commission and subsequent approval of a special use permit by the Town Council [See Sec. 7-D-5, *Special Use Permit*];
 - 3. (L) - Permitted subject to approval by the Administrator and limited use standards; and
 - 4. (--) - Prohibited.
- D. **Allowed Land Uses.** Land uses that are designated as either (P), (S), or (L) in either Table 2-B-1-1, *Residential and Agricultural Permitted Uses by District*, or Table 2-B-1-2, *Non-Residential and Mixed-Use by District* are required to meet all other standards of this UDC and the City's Code of Ordinances.
- E. **Use Categories.** The zoning districts that are established by this Article are divided into the following primary land use categories:
 - 1. Residential;
 - 2. Agricultural;
 - 3. Commercial, Civic, and Institutional;
 - 4. Industrial and Storage;
 - 5. Solid Waste and Recycling; and
 - 6. Utility.
- F. **Uses Not Listed.** See Sec. 2-B-5, *New and Unlisted Uses*.
- G. **Residential Land Use Table.** Set out in Table 2-B-1-1, *Residential and Agricultural Uses by District*, are the residential uses allowed and organized by individual zoning district.
- H. **Development Standards.** The lot and building standards for each of the districts shown in Table 2-B-1 below, may be found in Sec. 3-A-3, *Residential Districts*, and Sec. 3-A-5, *Nonresidential and Mixed Use Districts*.

Table 2-B-1-1 Residential and Agricultural Uses by District											
P = Permitted L = Limited S = Special "--" Prohibited											
Use Category	Land Use	Zoning Districts									Use Specific Standards
		O-S-F	ME	R-1	R-2	R-2-O	R-C	C-1	D-C	DBO	
Residential											
Single-Family Detached Dwelling	Site Built Dwelling or Modular Home	--	P	P	P	P	P	--	--	--	--
	Manufactured Home or Manufactured Home Park	--	--	--	S	--	--	--	--	--	2-B-2
	Zero Lot Line Home	--	--	--	P	P	P	--	--	--	--
Single-Family Attached Dwelling	Duplex	--	--	--	P	P	P	P	P	--	--
	Townhouse	--	--	--	P	P	P	P	P	--	--
	Twin Home	--	--	--	P	P	P	P	P	--	--

Table 2-B-1-1 Residential and Agricultural Uses by District												
P = Permitted L = Limited S = Special "--" Prohibited												
Use Category	Land Use	Zoning Districts										Use Specific Standards
		O-S-F	ME	R-1	R-2	R-2-O	R-C	C-1	D-C	DBO		
Multiple-Family	Apartment	--	--	--	P	P	P	P	P	P	--	--
	Multiplex	--	--	--	P	L	P	--	L	--	2-B-2	
	Assisted Living Facility	--	--	--	P	--	P	--	--	--	--	
Mixed Use	Live-Work Unit	--	--	--	--	L	L	L	L	--	2-B-2	
Residential Accessory Uses	Accessory Structures	--	L	L	L	L	L	L	L	--	2-B-3	
	Accessory Dwelling Unit	--	L	L	L	L	L	L	L	--	2-B-2	
	Greenhouse (Personal)	--	P	P	P	P	P	--	P	--	--	
	Home Occupation	--	L	L	L	L	L	--	--	--	2-B-2	
	On-Site Employee Housing	--	--	--	--	--	L	L	L	--	2-B-2	
	Outdoor Storage Area	--	--	--	--	--	--	--	--	--	--	
	Outdoor Swimming Pool	--	L	L	L	L	L	L	L	--	2-B-2	
Overnight Accommodations	Bed and Breakfast	-	-	L	L	L	L	L	L	--	2-B-2	
	Campground with Overnight Accommodations	L	--	--	--	--	--	--	--	--	2-B-2	
	Hostel	--	--	--	--	--	L	L	L	--	2-B-2	
	Hotel or Motel	--	--	--	-	--	L	L	P	--	2-B-2	
	Short-Term Rental	--	L	L	L	L	L	L	L	--	2-B-2	
Agricultural												
Agricultural	Crop Production	P	--	--	--	--	--	--	--	--	--	
	Nursery (Retail)	--	--	--	--	--	L	L	L	--	2-B-2	
	Stable (Public)	L	--	--	--	--	--	--	--	--	2-B-2	
Agricultural Accessory Use	Animal, Crop, and Farm Equipment Storage	P	--	--	--	--	--	--	--	--	--	
	Backyard Chickens	L	L	L	L	L	--	--	--	--	2-B-2	
	Farm Stand	P	--	--	--	--	--	--	--	--	--	
	Stable (Private)	L	--	--	--	--	--	--	--	--	2-B-2	

I. **Nonresidential and Mixed-Use Land Use Table.** Set out in Table 2-B-1-2, *Non-Residential and Mixed Uses by District*, are the nonresidential and mixed-uses permitted and organized by individual zoning district.

Table 2-B-1-2 Non-Residential and Mixed Uses by District												
P = Permitted L=Limited S = Special "--" Prohibited												
Use Category	Subtype	Zoning Districts										Use Specific Standards
		O-S-F	ME	R-1	R-2	R-2-O	R-C	C-1	DC	DBO		
Commercial, Civic, and Institutional												
Automotive Sales and Services	Convenience Store and Gasoline Station	--	--	--	--	--	S	S	S	S	2-B-2	
	Vehicle Parts, Sales, Rental, and Leasing	--	--	--	--	--	S	--	--	--	2-B-2	
	Vehicle Service	--	--	--	--	--	--	--	--	--	--	

**Table 2-B-1-2
Non-Residential and Mixed Uses by District**

P = Permitted | L=Limited | S = Special | "--" Prohibited

Use Category	Subtype	Zoning Districts									Use Specific Standards
		O-S-F	ME	R-1	R-2	R-2-O	R-C	C-1	DC	DBO	
Civic and Institutional	Adult Daycare	--	--	--	--	--	P	P	P	P	--
	Airport or Heliport	--	--	--	--	--	--	--	--	--	--
	Art Gallery and Studio	--	--	--	--	--	P	P	P	P	--
	Cemetery	L	--	--	--	--	--	--	--	--	2-B-2
	Clinic, Medical Lab, or Urgent Care	--	--	--	--	--	L	L	L	L	2-B-2
	Club or Lodge	--	--	--	--	--	--	P	P	P	--
	College, University, or Vocational School	--	--	--	--	--	--	L	L	L	2-B-2
	Community Garden	P	P	P	P	P	P	--	--	--	--
	Daycare Facility	--	--	--	--	--	P	P	P	P	--
	Funeral Home	--	--	--	--	--	--	L	L	L	2-B-2
	Hospital	--	--	--	--	--	--	S	S	S	2-B-2
	Library	--	--	--	--	--	--	P	P	P	--
	Museum	--	--	--	--	--	--	P	P	P	--
	Park or Playground	P	P	P	P	P	P	P	P	P	--
	Passenger Terminal	P	--	--	--	--	--	--	P	P	--
	Place of Public Assembly	--	L	L	L	L	L	L	L	L	2-B-2
	Plaza	--	--	--	--	--	P	P	P	P	--
Public Service Facility	L	P	P	P	P	P	P	P	P	2-B-2	
School, Primary or Secondary	--	--	P	P	P	P	--	P	P	--	
Special Event	S	S	S	S	S	S	S	S	S	2-B-2	
Commercial and Service	Adult Entertainment Business	--	--	--	--	--	--	S	--	--	2-B-2
	Bank / Credit Union	--	--	--	--	--	P	P	P	P	--
	Bar/ Tavern	--	--	--	--	--	P	P	P	P	--
	Brewing/Distillery/Winery Production with On-Premise Consumption	--	--	--	--	--	P	P	P	P	--
	Commercial Amusement, Indoor	--	--	--	--	--	--	P	P	P	--
	Commercial Amusement, Outdoor	P	--	--	--	--	--	S	S	S	2-B-2
	Farmers' Market	--	--	--	--	--	P	P	P	P	--
	Kennel	--	--	--	--	--	--	S	S	S	2-B-2
	Marijuana Related Uses	--	--	--	--	--	--	--	--	--	--
	Personal Services	--	--	--	--	--	P	P	P	P	--
	Restaurant	--	--	--	--	--	P	P	P	P	--
	Retail Sales	--	--	--	--	--	P	P	P	P	--
Veterinary Services, Small Animal	--	--	--	--	--	--	P	P	P	--	
Nonresidential and Mixed-Use Accessory	Accessory Structures	L	L	L	L	L	L	L	L	L	2-B-3
	Drive-Through Facility	--	--	--	--	--	L	L	L	L	2-B-2
	Garden Center	--	--	--	--	--	L	P	P	P	2-B-2
	Mobile Vending	--	--	--	--	--	--	S	S	S	2-B-2
	Outdoor Display & Sales	--	--	--	--	--	--	L	L	L	2-B-2
	Refuse Containers	P	--	--	P	P	P	P	P	P	--
	Vehicle Wash	--	--	--	--	--	--	L	L	L	2-B-2

**Table 2-B-1-2
Non-Residential and Mixed Uses by District**

P = Permitted | L=Limited | S = Special | "--" Prohibited

Use Category	Subtype	Zoning Districts									Use Specific Standards
		O-S-F	ME	R-1	R-2	R-2-O	R-C	C-1	DC	DBO	
	Outdoor Swimming Pool	L	L	L	L	L	L	L	L	L	2-B-2
Office	Professional Office	--	--	--	--	--	P	P	P	P	--
	Medical Office		--	--	--	--	P	P	P	P	--
Parking, Free-Standing	Parking Lot (Off-Site)	S	--	--	--	--	S	S	S	--	2-B-2
	Parking Lot or Parking Garage (Commercial)	S	--	--	--	--	--	S	S	--	2-B-2
Self-Service Storage	Mini-Warehouse	--	--	--	--	--	--	--	--	--	--
Industrial and Storage											
Industrial	Industrial, Heavy	--	--	--	--	--	--	--	--	--	--
	Industrial, Light	--	--	--	--	--	--	--	--	--	--
	Rock Crushing	S	S	S	S	S	S	S	S	S	2-B-2
Storage	Building or Development Contractor Storage	--	--	--	--	--	--	--	--	--	--
	Bus Storage	S	--	--	--	--	--	--	--	--	2-B-2
	Mini-Warehouse	--	--	--	--	--	--	--	--	--	--
Utility											
General Utility Uses	Utility, Major	S	S	S	S	S	S	S	S	S	2-B-2
	Utility, Minor	P	P	P	P	P	P	P	P	P	--
Telecommunication Uses	Wireless Telecommunication Facility	S	--	--	--	--	--	--	--	--	2-B-2
Waste-Related Services	Disposal / Recycling Facility	S	--	--	--	--	--	--	--	--	2-B-2

Sec. 2-B-2 Limited and Special Uses

- A. **Land Use Approval and Permit Types.** The tables set out in Sec. 2-B-1, *Use Tables*, identify certain land uses and specify their applicable development standards and methods of approval, which include:
1. *Limited Uses.* Limited uses may be authorized by the Administrator, or designee, if the proposed use:
 - a. Meets the standards of this Section; and
 - b. Complies with all other applicable requirements of this UDC.
 2. *Special Uses.* Special uses are able to be approved through a public hearing process by the Planning Commission and Town Council if the proposed use:
 - a. Meets the standards of this Section; and
 - b. Complies with all other applicable requirements of this UDC.
- B. **Timing of Compliance.** The standards of this Section are applicable when:
1. A limited or special use is requested to be established in an existing or new structure or site; and
 2. An existing limited or special use is proposed to be expanded by more than 10 percent of the existing square footage currently devoted to the use.
- C. **Review Standards Applicable to All Limited and Special Uses.** An application for use approval may be approved if it is demonstrated that:

1. The proposed use in its proposed location will not conflict with the implementation of current adopted plans of the Town.
 2. The use is compatible with surrounding land uses and the natural environment, and will not materially detract from the character of the immediate area or negatively affect the anticipated development or redevelopment plans for surrounding land uses.
 3. There is no practicable alternative location where the use is permitted by right within the general vicinity of the parcel proposed for development, or, if such a location exists, the proposed location is comparable or more favorable in terms of:
 - a. Providing a needed community service;
 - b. Providing a critical mass of related and mutually supportive land uses that promote quality economic development and opportunity;
 - c. Providing a balance of land uses, ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another; and
 - d. Making more efficient use of public infrastructure.
- D. **Review Standards Applicable to All Special Uses.** An application for special use permit may be approved if it is demonstrated that:
1. Provisions for hours of operation, parking and loading areas, driveways, lighting, signs, landscaping, buffering, and other site improvements have been provided; and
 2. Adequate public services (such as: streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, police and fire protection) shall be available without the reduction of services to any existing uses.
- E. **Specific Standards for Special Uses.** In addition to the review standards applicable to all special uses (Subsection C & D, shown above), the following land uses have specific standards that shall be met to obtain a Special Use Permit. Land uses that are allowed by special use that do not have any specific standards shown in this Subsection need only to comply with Subsection (C and D) shown above.
1. Adult Entertainment Business. To operate an adult entertainment business, the proposed use shall:
 - a. Not be injurious or otherwise detrimental to the public health, safety, morals and general welfare of the public;
 - b. No one under twenty one (21) years of age shall be admitted. This minimum age limitation also applies to any employees, agents, servants or independent contractors working on the premises during hours when nude entertainment is being presented;
 - c. Adult Entertainment shall only be available at establishments from the hours of four o'clock (4:00) P.M. to twelve o'clock (12:00) midnight, Monday through Saturday of each week;
 - d. Be located at least five hundred feet (500') away from any of the following uses (as measured from the closet property line of such use listed below:
 1. All residential uses;
 2. All overnight accommodation uses; and
 3. All civic and institutional uses.
 2. Convenience Store and Gasoline Station.
 - a. Outdoor Display and Storage. Outdoor display, storage, or sale of merchandise, vehicles, trailers or other equipment on a permanent, temporary or seasonal basis shall not be permitted, except that items such as propane tanks and other merchandise not permitted to be stored inside may be located outside of the convenience stores or principal building of a gasoline service station, if it does not include a convenience store. all vending machines shall be placed within the building.

b. Access, Circulation and On-Site Parking.

1. A convenience store or gasoline station shall be designed with sufficient drive aisles and parking areas to avoid potential conflicts between loading and unloading, trash collection and other facility operations, use of emergency access easements and fire lanes, and pedestrian access. On-site circulation shall be adequate to allow vehicles to stack in a line for fuel dispensing services without using or obstructing any portion of an adjacent sidewalk or right-of-way.
2. To the greatest extent possible, access points and driveways must be planned and shared between adjacent properties and access easements must be noted on the site plan.
3. Sidewalks to accommodate pedestrian activity shall be provided. Pedestrian access must be provided from the perimeter of the property to the convenience store or gasoline station. Sidewalks in front of, or directly adjacent to the principal building must be in conformance with the Town's Standards and Specifications for Design and Construction.

c. Architectural Design.

1. A convenience store or gasoline station must maintain a consistent style and architectural theme and comply with the standards established in Article 3.B, Development Design. Architectural design, building materials, colors, forms, roof style and detailing must all work together to express a harmonious and consistent design. This requirement includes fuel pump canopies, cashier booths, and car wash and other accessory structures, convenience stores.
2. Architectural treatments shall be provided on all building facades. Building design must incorporate variations in building height, building mass, roof, entrances, and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls. Canopies shall have a gabled roof, the ceiling of which shall mirror the form of the gable.
3. Building elements shall not function as signage. Incorporation of franchise or business design elements unique or symbolic of a particular business shall be secondary to the overall architectural design. Bold, brush, intense, fluorescent or metallic accent colors shall be used in limited application such as in signage.

3. Disposal/Recycling Facility.

- a. The use shall have an on-site manager on duty at all times when the facility is open;
- b. The facility does not present a hazard to nearby residents;
- c. The site shall be surrounded by a Type D Bufferyard, except at points of ingress and egress;
- d. The use complies with all applicable Town, State, and Federal statutes including environmental regulations; and
- e. The site shall be located no closer than 250 feet from an existing residential use or residential district as measured along a straight line from the closest lot lines.

4. Kennel.

- a. Minimum Distance from Residential. Any building used for the boarding of animals shall be located at least 200 feet, as measured from the nearest point of one property line to another property line, from any residential use or residential zoning district boundary, school, daycare facility, or park/playground, other than a dog park.
- b. Sound-Proofing. Where the site is located adjacent to a residential use or zoning district boundary, all buildings used for the care or boarding of animals shall be fully enclosed and sound-proofed so animal noises will not be audible from a property line.

- c. Hours for Outdoor Dog Runs and Animal Exercise Areas. No outdoor animal exercise shall occur between the hours of 9:00 PM and 8:00 AM.
 - d. Front Yard Maintenance. The front yard area shall not be used for animal exercise, and all yards shall be cleared daily of any animal waste.
 - e. Screening of Outdoor Dog Runs and Animal Exercise Areas. Any outdoor dog runs or animal exercise areas visible from a public right-of-way or adjacent residential use or zoning district boundary shall be enclosed by a fence designed in compliance with Appendix A - Design Guidelines and having a minimum height of five feet.
 - f. No Nuisance Created. The use shall not create or cause any perceptible noise or odors that constitute a public or private nuisance to neighboring properties in accordance with Title 4, Chapter 12 of the Town Code.
5. Manufactured Home and Manufactured Home Park. Manufactured Homes are permitted subject to the following conditions:
- a. The dwelling shall be transported, installed, occupied, and used in compliance with all applicable federal, state, local laws and adopted building code;
 - b. The dwelling is installed on a permanent foundation consisting of masonry or concrete, with running gear, tongue, towing hitch, axles, and transporting lights removed, and has an anchoring system that is totally concealed under the structure;
 - c. The dwelling is oriented such that the longer side is parallel to the centerline of the most adjacent public roadway where the lot is addressed, or in instances where this standard cannot be met, the unit is rotated 90 degrees so that the side wall faces parallel to the same aforementioned street frontage;
 - d. The dwelling is built to the Manufactured Home Construction and Safety Standards (HUD Code, 42 USC Ch. 5401-5426); and
 - e. The dwelling displays a certification label on the exterior of each transportable section.
6. Mobile Vending. RESERVED
7. Wireless Telecommunication Facility. Refer to Title 8 of the Town's Code of Ordinances.
8. Rock Crushing. Rock Crushing is permitted subject to the following conditions:
- a. The operation shall not last more than four months.
 - b. The hours of operation shall be Monday – Friday, 8:00am to 5:00pm. Equipment shall not be turned on prior to 8:00am and shall be shut down prior to 5:00pm. No work is permitted on weekends or holidays.
 - c. All state permits shall be obtained prior to operation.
 - d. A Dust Mitigation Plan shall be provided prior to operation. The plan shall identify steps that will be taken to mitigate potential fugitive dust during the operation.
 - e. Screening shall be placed along all property lines and adjacent to any public sidewalks/trails to shield operations from the public.
 - f. Work shall only occur on days when site and environmental conditions are appropriate. Wind direction, precipitation, air and ground temperature, and other site conditions shall be monitored to mitigate impacts of the rock crushing operation on neighboring properties and businesses.
 - g. Excess material left from the operation shall be revegetated in conformance with Town Standards.
 - h. The location of the operation shall be central to the property to minimize impact to surrounding properties.
9. Special Event.

- a. The event is appropriate to the location, the lot, the neighborhood, and the Town;
- b. The event does not substantially or inalterably change the character of the neighborhood; and
- c. All special events requesting to have alcoholic sales as an accessory use must also comply with Sec. 3-4-5-D of the Town's Code of Ordinances.

10. *Utility, Major.* The use is permitted provided that:

- a. All above-ground structures and equipment are screened from public view by a masonry wall with a minimum height of 12 feet or the height of the structure or equipment, whichever is less; and
- b. The setback is a minimum of 25 feet from the right-of-way of all streets bounding the property on which the use is located.

F. Specific Standards for Residential Accessory Limited Uses.

1. *Accessory Dwelling Unit.*

- a. Any accessory dwelling unit (ADU)
 - 1. shall have a minimum size of three hundred (300) square feet not to exceed fifty percent (50%) of the gross floor area of the principal dwelling;
 - 2. shall include a kitchen (to include, but not be limited to, a sink, a refrigerator, and a range);
 - 3. shall include a full bathroom (to include, but not be limited to, a sink, a toilet, and a shower or bathtub);
 - 4. shall be provided with a separate entrance from the principal dwelling;
 - 5. shall not be subdivided or/or subsequently sold as fee simple ownership. It shall remain as part of the property where the primary unit is located;
- b. Detached ADUs shall be:
 - 1. Served by a driveway that complies with the requirements of this UDC and applicable standards and specifications;
 - 2. Separated from the principal dwelling unit by a minimum of 10 feet; and
 - 3. Located to the rear of the principal dwelling.
- c. Where a principal residential use is expanded to accommodate an attached or detached ADU, the expansion shall be designed, clad, painted, and roofed in a manner that is comparable to the principal dwelling unit.
- d. Use Of Principal And Accessory Dwelling Units: Either the accessory dwelling unit or the principal dwelling unit shall be restricted to long term tenancy by persons who meet the following criteria:
 - 1. The unit must be the primary residence of the tenant(s); and
 - 2. The tenant(s) must work a minimum of 32 hours per week or 1,000 hours per year at a job in Grand County.
 - 3. Long term tenancy shall mean rental for a term of at least six months is required for an initial lease. Carryover leases may be month-to-month.
- e. The Town may allow exceptions to the residency requirements in a unit designated as a caretaker unit, for units designated as on-site employee dwelling units, for persons with disabilities, or for persons who have reached retirement age;
- f. Any property containing an accessory dwelling unit not properly leased or inhabited in accordance with these requirements shall be deemed a violation of the accessory dwelling unit approval and a breach of the covenant restricting the unit. The town shall have the ability to pursue any and all remedies necessary to enforce the requirements of this section including revocation of the accessory dwelling unit approval,

and the town shall be entitled to recover all costs, including reasonable attorney fees, incurred in enforcing the same.

- g. Any accessory dwelling unit that is rented for at least six months of each calendar year to a tenant that meets the requirements of this section shall be allowed to lease the unit under short term leases for up to six months of said calendar year.
- h. Recordation Of Covenant: All permits issued for an accessory dwelling unit shall include the requirement that the property owner record a covenant restricting the use and occupancy of the property in accordance with the requirements of this section. The covenant shall be drafted by the town of Winter Park and shall grant enforcement power to the town of Winter Park or its designee.
- i. Financial Incentive: Construction of an accessory dwelling unit pursuant to the requirements of this section may qualify the property owner for the affordable housing fee waiver and/or the affordable housing incentive as provided for in Title 6, Chapter 5 of the Town Code.

2. Accessory Structures. Refer to Section 2-B-3 of this UDC.

3. Bed and Breakfast. A Bed and Breakfast uses shall be:

- a. Compliant with the applicable limited use standards for a Short-Term Rental;
- b. Conducted by the owner, lessee or manager of the property who resides on the premises;
- c. Limited to the signage which is allowed by Sec. 6-C-6, *Signs Requiring a Permit*; and
- d. Required to meet the standards and specifications established in Sec. 6-A-3, *Minimum and Maximum Parking Ratios*.

4. Campground with Overnight Accommodations.

- a. The use must provide and maintain on-site water supply, sewage disposal, and common restroom facilities in compliance with all Town and other applicable ordinances and requirements.
- b. Campground shall be no less than three acres.
- c. Permanent skirting of a recreational vehicle is prohibited.
- d. The operators of the use must ensure that all residents are temporary in nature meaning that residents cannot stay at the campground longer than three weeks.
- e. The perimeter of the campground shall be screened by a Type B bufferyard.
- f. The campground shall be located no less than 100 feet from a residential district.

5. Home Occupations.

- a. General Regulations.
 - 1. The home occupation shall be incidental to the residential use of the property where it is operated. No more than 20 percent of the total gross floor area of the principal dwelling may be used for the operation of a home occupation.
 - 2. The owner and operator of the home occupation must live on the premises.
 - 3. All work activities shall be conducted entirely within the dwelling unit and/or accessory structure.
 - 4. There shall be no visible or audible evidence from the outside of the dwelling unit and/or accessory structure in which a home occupation is being conducted.
 - 5. The home occupation shall not constitute a hazard or nuisance to neighboring properties. See Chapter 12, *Nuisances*, of the Town's Code of Ordinances.
 - 6. Outdoor storage of any equipment, machinery, parts, goods, materials, or other items related to the business are prohibited, other than one vehicle used for work purposes.

7. The home occupation shall not involve the parking or storage of tractor-trailers, semi-trucks, or heavy equipment, such as construction equipment.
 8. The home occupation shall not cause glare, noise, odors, dust or electronic interference to the residents of surrounding properties.
 9. The home occupation shall not require additional on- or off-street parking; nor shall it generate, on a consistent basis, more vehicular traffic or deliveries than a typical residential use.
 10. There shall be no signs allowed at the residence for the home occupation.
- b. Outside Employment. A home occupation shall not employ individuals other than a member of the owner's family.
 - c. Licensure Required. All home occupations are required to obtain a business license per Sec. 3-1-4, *License Required*, of the Town's Code .
 - d. Prohibited Home Occupations. The following is a list of land uses that are strictly prohibited from being permitted as a home occupation. This list is not exhaustive and additional uses may also not be prohibited.
 1. Private schools;
 2. Child-care facilities that are classified by the Colorado Department of Human Services (CDHS) as requiring a non-home child care license;
 3. Welding;
 4. Automobile vehicle service, including body repair, vehicle painting, and the rebuilding or dismantling of vehicles;
 5. Mechanical service or repair of any kind to any personal property items not owned by the resident; and
 6. The production, storage, distribution, or collection of hazardous chemicals, toxic materials, fireworks, or similar materials, or other like businesses.
6. Hotel / Motel.
- a. Hotels or Motels in the Limited Commercial (C-1) District shall be a building or group of buildings containing a minimum of five (5) and a maximum of fifty (50) rooms , with all rooms being accessible from a common area.
 - b. Hotels or Motels in the Residential Commercial (R-C) District shall:
 1. Have hotel/motel staff on-site 24 hours a day.
 2. Only be located along a collector or arterial street; and
 3. Set external balconies a minimum of 50 feet from any single-family residential district (measured along a straight line from the ground below the balcony to the closest single-family residential district boundary line);
7. Hostel. The use shall have the following:
- a. Laundry facility;
 - b. Common eating facility; and
 - c. An on-site manager available whenever guests are residing at the property.
8. Live Work Unit.
- a. The nonresidential portion of a live-work unit may be only an office use category as identified in Sec. 2-B-1, *Use Tables*;
 - b. The floor area of the nonresidential portion of the use shall not exceed 3,000 square feet;

- c. If the use is located in a pre-existing residential dwelling that was converted to a live-work unit, the use shall maintain the residential character and appearance of the structure;
- d. The business owner and the residents' occupant in the residential portion of the live-work unit must be the same person; and
- e. The use shall not include a drive-through activity.

9. **Multiplex.** Multiplexes are allowed if it is demonstrated that:

- a. They are constructed with not more than four units;
- b. In the DC district, vehicular access to the units is provided via an alley or parking court; and
- c. Individual unit and garage entries must be on at least three facades, or designed in a manner so as to appear as a single-family dwelling.

10. **On-Site Employee Housing.**

- a. All residents of the use must be employees of the primary use and/or a family member of the employee;]
- b. The amount of square footage dedicated to the use must be 50 percent or less of the total square footage of the primary use.
- c. The housing shall include a kitchen (to include, but not be limited to, a sink, a refrigerator, and a range) and a full bathroom (to include, but not be limited to, a sink, a toilet, and a shower or bathtub).

11. **Outdoor Swimming Pool.** Outdoor swimming pools are allowed if it is demonstrated that the use:

- a. Is limited to the occupants of the dwelling and their guests;
- b. Is walled or fenced to prevent uncontrolled access to the swimming pool; and
- c. Arranges all fixed lighting fixtures on the property to prevent glare of beams onto any adjacent property.
- d. Must be connected to sanitary sewer system.

12. **Short-Term Rental (Owner/Non-Owner).** Refer to Sec. 3-10-1 of the Town's Code of Ordinances.

G. Specific Standards for Agricultural Limited Uses.

1. **Backyard Chickens.**

- a. Roosters are prohibited. No more than six adult hens are allowed per lot; provided, that if a person has more than six adult hens, the keeping of additional chickens shall require a Special Use Permit;
- b. Location and setbacks. All chicken coops shall be located:
 - 1. At least 15 feet from an abutting property line or 30 feet from an inhabited dwelling unit on abutting property, whichever is greater;
 - 2. At least 10 feet from any inhabitable building,
 - 3. Not within the front setback, and
 - 4. Behind fencing
- c. Coop design.
 - 1. All chicken coops shall provide a minimum of 4 sq. ft. per chicken; shelter from the elements; resistance to predators; and proper ventilation; and
 - 2. The coops shall be attached to a chicken run that provides a minimum of 10 sq. ft. per chicken;
- d. Chickens shall be kept in a clean, sanitary and healthy condition and confined to the owners' property. Animal waste, fecal matter, feathers or other chicken debris shall not be allowed to accumulate on any public property;

- e. Chicken feed shall be stored in a rodent proof container inside a locked structure;
- f. During daylight hours, hens shall be provided access to the sun, the chicken coop, and access to the chicken run that is adequately fenced to prevent the escape of the chickens; and
- g. Chickens shall be kept in the chicken coop between the hours of dusk and dawn to provide protection from predators.

2. Nursery (Retail).

- a. The display of goods, materials, and merchandise will not reduce the minimum required parking and/or loading requirements for the use (See Sec. 6-A-3, *Required Parking* and Sec. 6-A-6, *Off-Street Loading*); and
- b. Bulk sales of mulch, sand, pebbles, rock, or other non-vegetative ground covers will not be stored or sold on-site.

3. Stable (Public and Private). All stables, regardless of whether they provide access to the public shall be located no closer than 50 feet from either the street right-of-way or building on the same or adjoining lot.

H. Specific Standards for Civic and Institutional Limited Uses.

1. Cemetery. A cemetery shall be separated from residential dwelling units by a Type B bufferyard.

2. Clinic, Medical Lab, or Urgent Care. A Clinic, Medical Lab, or Urgent Care use shall not:

- a. Engage in laboratory activity not related to the principal clinic or urgent care use; and
- b. Provide overnight stays for those receiving care.

3. College, University, or Vocational School. Any College, University, or Vocational School shall be:

- a. Separated from any residential use(s) / district(s) with a Type C bufferyard; and
- b. Required to submit circulation and parking plans which demonstrate:
 - 1. Peak traffic impacts to the adjacent streets are mitigated to allow the rights-of-way to function at an acceptable level of service that is no greater than one level worse than the traffic conditions that existed prior to the establishment of the use;
 - 2. On-campus circulation includes improvements that provide for the mobility and safety of pedestrians and bicyclists; and
 - 3. Parking will be accommodated on campus or in parking lots adjacent to or near the campus so as to preserve the traffic carrying capacity of local streets for the purpose of public safety.

4. Funeral Home. Funeral homes shall:

- a. Not permit on-site cremation; and
- b. Meet all certifications, licensing, and/or monitoring requirements of the State.

5. Place of Public Assembly.

- a. For new uses: Parking shall be provided on-site ; off-site parking requires a special use permit. (See Sec. 6-A-3, *Required Parking* and Sec. 6-A-6, *Off-Street Loading*)
- b. For the expansion of existing uses: The expansion does not increase the material impact on adjacent residential uses or districts.

6. Public Service Facility.When the site abuts a residential district or use, it shall be screened by a Type C bufferyard.

I. Specific Standards for Commercial and Service Limited Uses.

1. Brewing / Distillery / Winery, Production with On-Premise Consumption. Production of beer, wine, and spirits with on-premise consumption may be permitted, if in addition to the other applicable standards of this UDC,

compliance with the following standards is demonstrated that the use will not create offensive odors which are perceptible from other properties.

J. Specific Standards for Nonresidential and Mixed-Use Accessory Limited Uses.

1. *Accessory Structures*. Refer to Section 2-B-3 of this UDC.
2. *Drive-Through Facility*.
 - a. A Drive-Through Facility in the Residential-Commercial Service (R-C), Limited Commercial (C-1), and Destination Center (D-C) districts shall comply with the standards set out in Sec. 3-A-7, *Site Planning*.
 - b. The facility shall not be located within the front yard adjacent to street right-of-way;
 - c. Ordering stations, service windows and drive-through lanes shall be screened by a Type B bufferyard from all street rights-of-way and adjoining uses;
 - d. Each service window or station, human or mechanical, shall be provided with a minimum of five stacking spaces measuring eight feet by 20 feet; and
 - e. Stacking spaces shall not be located in public right-of-way or a common access drive.
3. *Outdoor Display and Sales*. The use is allowed provided that it is:
 - a. Attached to the principal use;
 - b. Within the buildable area of the site;
 - c. Configured as a walled or decoratively fenced area that entirely screens the merchandise on all sides; and
 - d. Not located in areas that are required or used for parking, loading, or vehicular circulations. (See Sec. 6-A-3, *Required Parking* and Sec. 6-A-6, *Off Street Loading*).
4. *Vehicle Wash*.
 - a. A single-bay vehicle wash facility is allowed as an accessory use to a permitted convenience store or light automobile service / gasoline station, subject to any use restrictions imposed by a site plan or master site plan or applicable zone district.
 - b. Water Recycling and Wastewater.
 1. All vehicle wash facilities accessory to a convenience store or gasoline station shall be required to be equipped with, and shall maintain in operation, a water recycling system that will recycle not less than 50 percent of the water being used by such vehicle wash installation.
 2. An applicant for a convenience store or gasoline station with an accessory vehicle wash facility proposed for construction after the Effective Date shall submit its site plan or master site plan, as applicable, to ensure appropriate and safe provision, use and discharge of water into the wastewater system.
 3. Where a convenience store or gasoline service station abuts property zoned or used for residential purposes, lights illuminating the fuel pumps, canopies or other areas of the site shall comply with the standards of Sec. 6-D-3, *Lighting Standards*.
 - c. Vehicle washes are not permitted as an accessory use to any Convenience Store and Service Station use in the Residential-Commercial (R-C) District.

Sec. 2-B-3 Accessory Uses and Structures

- A. **Purpose**. The purpose of this Section is to authorize the approval of certain accessory structures that are incidental to, and customarily associated with, a principal use, which require standards to manage impacts to surrounding properties.
- B. **Applicability**. Accessory structures are permitted in all zoning districts in connection with a principal use that is designated as either a permitted, limited, or special use in the zoning district that it is located (See Sec. 2-B-1, *Use*

Tables). Accessory uses shall be compatible with the principal use and shall not be established prior to the establishment of the principal use.

C. All Accessory Structures.

1. *Primary Structure Built First.* In all districts, no garage, tent, trailer or other accessory structure or accessory use shall be erected for residential purposes prior to construction of the principal building.
2. *Scale.* The accessory structure must not have a footprint greater than 50 percent of the principal building's footprint.
3. *Height.* An accessory structure shall not exceed 25 feet or the height of the principal building, whichever is less.
4. *Setbacks.*
 - a. An accessory structure must be set back at least 10 feet behind the rear facade of the principal building.
 - b. No accessory structure shall be located within a required front, side, or rear yard. Accessory structures must comply with the corner yard setbacks set out in [Article 3.A, Lot and Building Standards](#).
 - c. An accessory structure shall not be located within any easement unless approved otherwise by the Planning Commission.

D. Fences and Walls.

1. *Purpose.* The purpose of these regulations is to maintain adequate visibility on private property and in public rights-of-way, to protect the light and air to abutting properties, to provide adequate screening by regulating height, location, and design, and to promote the movement of wildlife through portions of Town.
2. *Privacy Gates.* Privacy gates are prohibited within the Town.
3. *Fence Design Standards.* The welfare of the Town is based to a great extent on the community's character, which includes natural terrain, open spaces, wildlife corridors, and wooded hillsides. The installation of fences and privacy gates in residential areas can erode this character by impeding views, hindering wildlife movement, and creating the image of a closed, unwelcoming community. It is the intent of the Town to limit fences in most situations in areas outside of the commercial zones (R-C, D-C, and C-1) in order to maintain the open, natural, and wooded alpine character of the Town and establish mandatory requirements for the erection of allowed fences in residential zone districts. Fence/Wall Permits are required (see [Article 7.F, Administrative Decisions](#)). Temporary fences that are installed to protect a construction site shall comply with [Sec. 2-B-4-E-2, Temporary Construction Fencing](#).
 - a. *General Design Standards:*
 1. All fences require approval from the Town.
 2. Prohibited Materials: Contemporary security fencing such as electrical wire, razor wire, barbed wire, or chain-link fencing (with and without slats) are prohibited, as are PVC, vinyl, and plastic fencing.
 3. Height Limitations and Solid-to-Void Ratios are set out in [Table 2-B-3-1, Permitted Height and Solid-to-Void Ratios](#).
 4. Rough sawn timbers, natural logs, and patinaed metal are preferred; Permitted Materials are set out in [Table 2-B-4, Permitted Materials](#).
 5. Fences shall have the finished side face away from the interior of the property being fenced.

Table 2-B-3-1 Permitted Height and Solid-to-Void Ratios		
Yard Setback Type	Maximum Permitted Height	Maximum Solid-to-Void Ratio
Front ¹	4'	1:3
Corner ²	3'	1:3 or 1:5 ³
Side ¹	6'	NA

**Table 2-B-3-1
Permitted Height and Solid-to-Void Ratios**

Yard Setback Type	Maximum Permitted Height	Maximum Solid-to-Void Ratio
Rear	6'	NA

Notes:

Unless otherwise stated all measurements are in feet.

1. Measured from the front plane of the primary structure forward or, in the absence of a structure, from the front yard setback forward.
2. Fences shall not obstruct sight distance at intersections for a minimum distance of thirty five feet (35') measured from property corners at intersections of streets, roads, highways and railroads except when the town engineer determines that the fence, hedge or wall should be less than three feet (3') in height to permit unobstructed vision of vehicles and pedestrians (intersection sight triangle), as defined by the Standards And Specifications For Design And Construction.
3. Only applicable if corner fence is within intersection sight triangle.

4. *Residential zone districts (ME, R-1, R-2, and R-2-O).*

- a. Although discouraged in these zone districts, in all instances fences should complement the property and landscape rather than contain it. Fences delineating property boundaries are not permitted. Fences will be considered for approval by the Administrator only when demonstrated by the applicant that the design is consistent with the following criteria:
 - i. Fences shall have a maximum solid-to-void ratio of one to three (1:3) [insert reference to figure for example diagram]. Pet fences are exempt from this requirement. (example: 1 inch of solid material for every 3 inches of opening).
 - ii. Fences shall not enclose an area greater than 25 percent of the total property or 2,000 square feet, whichever is more restrictive;
 - iii. Fences shall ensure the proposed design does not hinder wildlife migration;
 - iv. If a fence is part of a multi-family project, approval shall be received from the association and the fence design shall be integrated with the property's overall landscape design; and
 - v. If a fence is located on a duplex, twin home, or townhome property, written approval shall be received from the adjoining property owner for that shared lot line and the fence design shall be integrated with the overall landscape and building design.
- b. *Pet Fence.* Shall be located in a rear or side yard or where the fence is not visible from a public right-of-way. Pet fences shall be located to minimize their visibility to the greatest extent possible, which in most instances will require the fence posts to be located behind or to the side of a structure. Pet fences may incorporate a wire mesh or solid wood material to enclose pets. While both materials may be installed vertically on the fence posts, the wire mesh may also extend horizontally over the top of the enclosed pet area. The maximum area of a fenced pet enclosure shall be four hundred (400) square feet or 25% of the overall non-buildable area, whichever is more restrictive. The maximum height is limited to fifty-four inches (54") in height.
- c. *Hot Tub Fence.* Privacy fences around hot tubs shall not exceed six feet (6') in height and shall not exceed fifteen feet (15') in total length. Such fences shall be architecturally compatible with adjacent buildings. Where a fence around a hot tub is highly visible, a Type A bufferyard shall screen the hot tub to soften the fence's visual impact.

5. *All other zone districts (R-C, C-1, D-C, O-S-F).*

- a. *Compatibility.* Walls and fences shall be architecturally compatible with the style, materials, and colors of the principal buildings on the same lot. If used along collector or arterial streets, such features shall be made visually "cohesive" by integrating architectural elements, such as brick (in the D-C zone district only) or stone columns, varying the alignment or setback of the fence, softening the appearance of fence lines

with plantings, or through similar techniques. Length of a fence or wall shall not exceed ninety percent (90%) of the front lot line length.

b. *Materials.*

- i. Solid walls and fences are permitted only in rear and side yards. Retaining walls are permitted where required for grading purposes. Hedges may be used in the same manner and for the same purposes as a fence or wall.
- ii. Fences used in front yards shall have a maximum solid-to-void ratio of one to three (1:3) [insert reference to figure for example diagram]. Fence materials not listed in Table 2-B-3, *Permitted Materials*, may be approved by the Administrator if they are materials of a similar nature. Where an applicant can demonstrate to the satisfaction of the Town that an alternative material would be architecturally compatible with the surrounding neighborhood, the Administrator may authorize such materials.
- iii. Solid fences shall be constructed to meet the wind design criteria of the adopted International Building Code, using a basic wind speed of ninety (90) miles per hour.
- iv. For details about integrating fences and walls into the surrounding landscape, see the Town's Design Guidelines: Appendix A, Section G, *Fences and Walls*

Table 2-B-3-1 Permitted Materials							
ZD	Split Rail	Buck & Rail	Wooden Post/Wire Mesh	Horizontal Wooden Board	Wrought Iron	Stone Pier ¹	Brick ¹
Residential							
ME	P	P	P	P	--	--	--
R-1							
R-2							
R-2-O							
Mixed Residential							
R-C	--	--	P	P	P	P	--
C-1							
D-C							P
Notes							
1. Stone walls or brick walls shall have a stone or cast stone cap.							

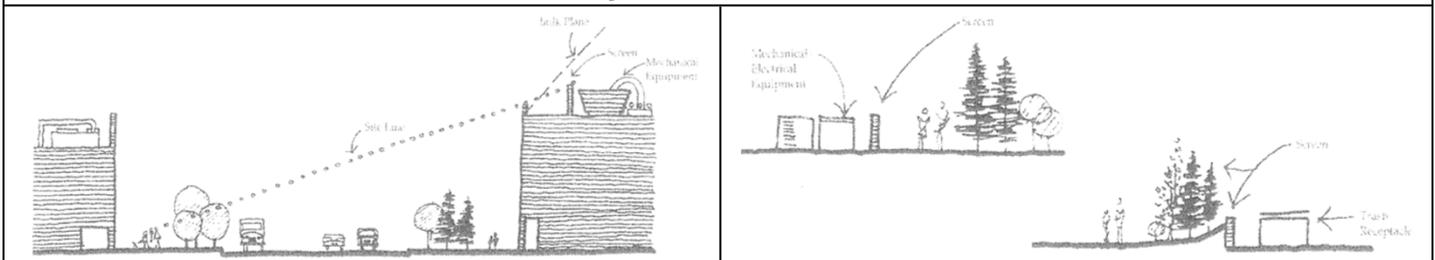
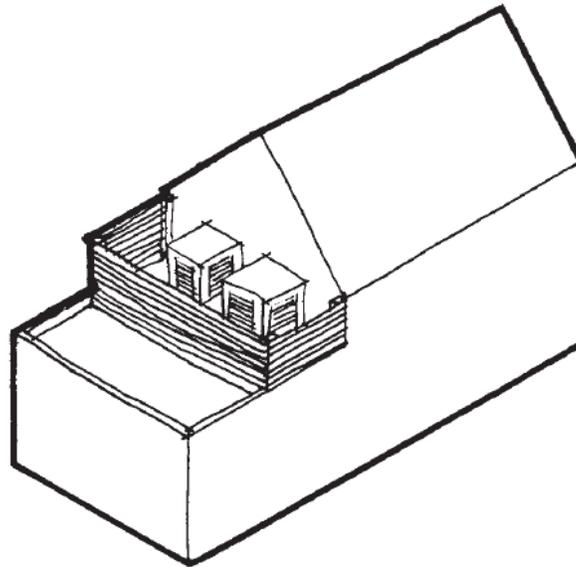
E. **Mechanical Equipment and Meters.**

1. *Ground-Level Equipment.* Mechanical equipment and meters shall be screened from public view by building wall extensions, opaque fencing, structural enclosures, or landscaping. Hedges and screen walls that are used to screen mechanical systems shall be maintained at a height that is at least one foot higher than the equipment. Wall extensions, opaque fencing, and structural enclosures shall use materials and colors that match or are consistent with the design and materials of the principal building.
2. *Roof-Mounted Equipment.* Mechanical equipment and meters shall be fully screened from ground level views from all adjacent property and rights-of-way by:
 - a. Parapet walls, which shall include cornice treatments that are of adequate height to fully screen the equipment (a slope of one foot rise per 25 feet of run shall be used to determine if the wall is of adequate height); or
 - b. Screening walls of adequate height to fully screen the equipment, which use materials and colors that match or are consistent with the design of the principal building; or

- c. Sloped roof systems or other architectural elements of adequate height to fully screen the equipment from all adjacent property and rights-of-way.
3. *Building-Mounted Equipment.* Mechanical equipment and meters that are mounted on a building wall that is within public view shall be enclosed, screened by opaque fencing and landscaping, or painted to match the building façade.

Figure 2-B-3-1

Minimize the visual impact of building equipment and equipment affixed to a building.



Locate mechanical equipment on a rooftop in a location that is out of view from the street; otherwise, screen it or integrate it architecturally with the overall building design

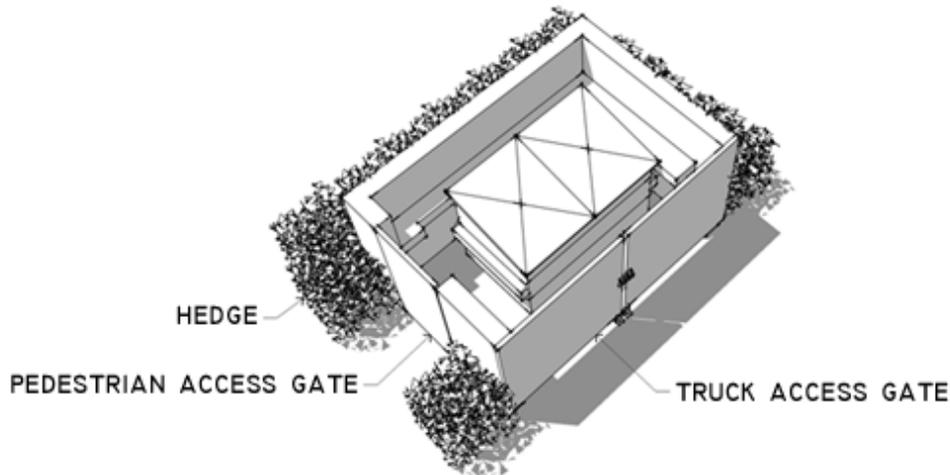
F. Rain Barrels.

1. Rain Barrels shall comply with all State of Colorado Requirements as set forth in [C.R.S. 37-96.5-103](#).
2. Rain barrels shall be located behind the principal building or, if in an interior side yard or corner yard, they shall be screened by an opaque fence or landscaping that is one foot taller than the barrel.
3. Rain barrels shall be located no closer than two feet from an interior side or rear property line.
4. Rain barrels shall be covered with a screen to allow water to filter in but to prevent wildlife access if the top is open and no lid is used. If the rain barrel contains an overflow, it too must be screened. If a rain barrel lid is fitted to feed directly from a gutter drain spout, and it has no other openings, then a screen is not required.

G. Retaining Walls.

1. Retaining walls shall be designed in accordance with the [Town of Winter Park Standards and Specifications for Design and Construction](#).
 2. Retaining walls may be approved by the Planning Commission to encroach into required setbacks in the following circumstances:
 - a. It is shown that the wall cannot be located within the setback due to structural issues;
 - b. They are an appropriate engineering solution needed to mitigate risk to life and property;
 - c. They are necessary to retain soils and stabilize sites; or
 - d. Their use is part of an approved landscape plan, erosion control plan, slope stability plan, or stormwater management plan.
 3. Permitted retaining walls will blend with the natural setting as follows:
 - a. Retaining walls will be finished with timbers, native rock, finished masonry, architectural concrete, or concrete masonry units (CMU) (if not facing a public right-of-way);
 - b. Retaining walls shall reference earthtones found in the surrounding area.
 4. Retaining walls will be designed and stamped by a Colorado Registered Professional Engineer, specializing in Structural Engineering, when required by the Town's Building Code.
 5. Retaining walls shall be limited to three tiers with a maximum height of four feet per tier. Tiers shall be staggered at least four to six feet apart horizontally and each tier shall be screened by:
 - a. One five-gallon shrub per every four linear feet; and
 - b. One six-foot evergreen tree per every fifteen linear feet.
 6. For details about integrating retaining walls into the surrounding landscape, see the Town's Design Guidelines: Appendix A, Section G, *Fences and Walls*.
- H. **Trash Enclosures.** Bear-proof refuse and recycling containers and enclosures shall be provided for all multiple-family, nonresidential, and mixed-use developments for collection of solid wastes (See Section 6-B-6, *Screening*). All containers are subject to the following standards:
1. The solid waste container enclosures shall be located no more than 200 feet from the individual uses they are intended to serve;
 2. Access to the solid waste enclosure shall be configured to meet the requirements of the solid waste hauler;
 3. The solid waste enclosure shall have an opaque fence or wall constructed of wood, metal, or masonry and designed to match or complement the architecture of the principal building.
 4. As shown in Figure 2-B-3, *Trash Enclosure*, the enclosure must have:
 - a. Solid walls no less than six feet in height;
 - b. Solid wood or metal service gates that remain closed except when servicing the container;
 - c. Solid covers or lids on each solid waste container that can be secured to prevent easy access;
 - d. A separate solid wood or metal pedestrian access gate that screens the container(s) from view; and
 - e. An adequate size to accommodate one or more solid waste containers of a sufficient size to serve the use, based on the frequency of solid waste collection.
 5. Orient the truck access gate to face away from the street when feasible.
 6. Setbacks shall be as follows:
 - a. Front and corner yards: No less than the required building setback for the principal structure.
 - b. Interior Side Yard: 5 feet.
 - c. Rear Yard: 5 feet.

Figure 2-B-3
Trash Enclosure



I. Solar Collectors.

1. Roof-mounted solar collectors on principal and accessory buildings shall meet the following:
 - a. Roof-mounted solar panels match the pitch of the roof to which they are attached;
 - b. Installed directly to and in parallel with the roof form.
 - c. Panels shall not project above the ridge, and to the extent practical, should generally fill the roof plane when facing a public right-of-way, resulting in the appearance of a full-coverage material over the roof plane.
 - d. Panels shall not be staggered along roof valleys, nor stopped short of gable or shed roof edges. To the extent practical, solar panels should be selected and installed in a manner that minimizes reflectivity and glare.
2. Ground- or structure-mounted solar collectors shall be set back from property lines a distance equal to that of detached accessory buildings.
3. Carports and covered walkways covered with solar collectors shall meet the following:
 - a. There is not less than eight feet of clearance under the carport or covered walkway, and
 - b. Solar panels that cover carports and walkways are set back from the front property line as required for principal buildings if located in a residential district, and
4. If solar collectors are damaged, such that the damage is obvious when viewed from public right-of-way, then the collectors shall be removed or replaced within 30 days of the event that caused the damage.

J. Storage Shed.

1. *Maximum Square Footage.* Storage structure that is incidental to a principal use, provided that such accessory storage structure shall not exceed 120 square feet in gross floor area.
2. *Storage Shed Design Standards.* Storage structures shall be harmonious with the main structure or structures on the site. The same or other harmonious building materials should be used on principal structures and storage structures.

Sec. 2-B-4 Temporary Uses and Structures

- A. Purpose.** This UDC allows for the establishment of certain temporary uses for limited duration, provided that such uses comply with the general and specific standards of this Section.

- B. Applicability.** A Temporary Use Permit is required for any temporary use or structure that may be allowed in each zone district as listed in this Section unless such temporary use is an exempt temporary use as defined below.
- C. Review Procedures.** Applications for a Temporary Use Permit shall follow the general review procedures set forth in Sec. 7-F-6, *Temporary Use Permit*. Applications for Temporary Use Permit may be initiated by the owner or lessee of the property for which a temporary use or structure is desired. Temporary Use Permit may be extended or renewed by applying for a new Temporary Use Permit in accordance with the procedures and review criteria in this Section.
- D. Standards Applicable to All Temporary Uses.**
1. *Location and Site Requirements.* Temporary uses shall:
 - a. Have legal access to the site on which the use is to be conducted;
 - b. Be conducted in areas designated by an approved temporary use plan or site plan;
 - c. Be at least set back 25 feet from public rights-of-way; and
 - d. Be at least set back 15 feet from an R-1, R-2, or R-2-O district.
 2. *Buildings and Structures.* Temporary buildings and structures shall:
 - a. Temporary buildings or structures must comply with the district height limits.
 - b. All structures must be in compliance with Title 6 - Building Regulations, Town Code.
 - c. All structures must be in compliance with Appendix A, Design Guidelines.
 - d. Temporary buildings or structures shall obtain a building permit.
 3. *Access, Circulation, and Parking.* A temporary use shall:
 - a. Have adequate sight distances for safe vehicular ingress and egress;
 - b. Take access to a street with adequate capacity for the anticipated volume of traffic;
 - c. Not obstruct vehicular circulation nor access by emergency service providers;
 - d. Provide safe circulation by:
 1. Maintaining access to permanent uses operating simultaneous to the temporary use;
 2. Providing directional signage; and
 3. Minimizing points of conflict between vehicles and pedestrians.
 - e. Have sufficient on-site parking for the principal and temporary use.
 4. *Utilities.* Temporary uses shall provide sufficient potable water and adequate sewage disposal.
 5. *Outdoor Lighting.* All light sources shall comply with the standards set out in Sec. 6-D-3, *Lighting Standards*.
 6. *Public Convenience and Litter Control.*
 - a. Adequate public restroom facilities may be required on-site.
 - b. Adequate waste containers and a written guarantee shall be required such that all litter will be removed at no expense to the Town.
- E. Standards Applicable to Specific Temporary Uses:**
1. *Construction Trailers.*
 - a. Construction trailers shall be located on the lot that is subject to an associated, valid building permit. Construction trailers may be located on adjacent property with consent of the property owner, upon a finding by the Administrator that the construction trailer cannot be located on the subject property due to the size or characteristics of the lot or development activity.
 - b. Construction trailers shall comply with minimum yard requirements. The Administrator may waive yard requirements upon a finding that the construction trailer is not located in a sight triangle and will not cause detriment to the public health, safety, and welfare.

- c. The number of construction trailers per development or subdivision shall be limited to one trailer plus one additional trailer per every 15,000 square feet gross floor area being constructed.
 - d. The number, location, and site layout of construction trailers shall be reviewed and approved as part of a Site Plan.
 - e. Construction trailers shall not be used for overnight accommodations.
 - f. Construction trailers shall be removed from the lot or development parcel prior to Certificate of Occupancy or if construction ceases on the lot or development parcel for thirty (30) days or longer.
2. *Temporary Construction Fencing.*
- a. Temporary construction fences consisting of chain-link, no more that six feet in height above the ground, shall not require a Temporary Use Permit.
 - b. Temporary construction fences installed along a public right-of-way shall have opaque mesh fabric that is securely attached to the fence.
 - c. Temporary construction fences proposed in excess of six feet in height will require review and permitting by the Building Division.
3. *Real Estate Sales Office, Temporary On-Site.*
- a. Temporary on-site real estate sales offices shall not:
 - 1. Facilitate the rental of units; or
 - 2. Advertise for off-site properties.
4. *Real Estate Sales Trailer.*
- a. Real estate sales trailers shall be located on the same lot or within the same development or subdivision as the properties for sale.
 - b. Real estate sales trailers are permitted for one year or until 75 percent of the property interests are sold, whichever occurs first.
 - c. The number of real estate sales trailers per development or subdivision shall be limited to one.
 - d. Real estate sales trailers shall not exceed 1,000 square feet gross floor area.
 - e. Access and parking areas serving the real estate sales trailer shall be an approved all-weather surface and maintained in a dust-free condition.
5. *Seasonal Outdoor Sales*
- a. Seasonal outdoor sales shall be limited to 30 consecutive days. The Administrator may approve a longer duration upon a finding that the time period is appropriate for the seasonal sales and that the longer duration will not result in any adverse impacts.
 - b. Temporary buildings or structures associated with seasonal outdoor sales shall comply with minimum yard requirements.
 - c. Display of Christmas trees need not comply with the yard and setback requirements of this section provided no tree is displayed within 25 feet of the curb lines of any two intersecting streets.
 - d. Display of goods and merchandise related to seasonal sales of live plantings, landscaping materials, and firewood may be conducted outside of enclosed buildings in any nonresidential or mixed-use district, subject to the following conditions:
 - 1. An area equivalent to the lesser of five percent of the gross floor area of the enclosed permanent principal use or 500 square feet may be used for open display and sales of seasonal outdoor merchandise;
 - 2. No portion of the display shall be within the required front yard setback or on publicly-owned property; and

3. No portion of the display shall interfere with traffic circulation or reduce the on-site parking below that required for the principal use.

F. *Exemptions.* The regulations in this Section shall not apply to the following uses:

1. Outdoor sales or events which do not exceed five days total in any calendar year;
2. Construction activities located on a subject property, including the storage of construction materials and construction equipment, and construction-related parking associated with a valid building permit for such property;
3. Funeral processions;
4. Garage or estate sales;
5. Private parties;
6. Weddings of immediate family of the homeowner;
7. Staging and assembly grounds for natural disasters and emergencies; and
8. A governmental agency acting within the scope of its functions.

Sec. 2-B-5 New and Unlisted Uses

- A. **Authorization of Unlisted Uses.** If a proposed use is not specified in Sec. 2-B-1, *Use Tables*, and the Administrator has made a determination that the use is either a subcategory of a permitted, limited, or special use, or a use that is functionally similar to a permitted, limited, or special use, the Administrator may authorize the proposed use, and apply all standards that would have applied to the similar use.
- B. **If Not Authorized Then Prohibited.** If the Administrator determines that a proposed use does not fit within a listed land use and is not functionally the same as a permitted, limited, or special use, then the use is a prohibited.
- C. **Decision Criteria.** In making such determinations, the Administrator may consider but not be limited to the following criteria:
 1. The actual or projected characteristics of the activity in relation to those of the listed land use;
 2. Nature and impacts of operation;
 3. Character and scale of associated buildings and structures;
 4. The amount of site area or floor space and equipment devoted to the activity;
 5. Vehicle parking demand;
 6. Average daily and peak hour trip generation (people, personal vehicles, and delivery vehicles);
 7. Types of vehicles used and their parking requirements;
 8. Building impervious surface coverage;
 9. Regulated air or water emissions;
 10. Noise, lighting, dust, vibration, electronic interference, and odors;
 11. Solid waste generation;
 12. Use and storage of hazardous materials;
 13. How the use is advertised;
 14. Hours of operation;
 15. Visibility of equipment; and
 16. Any other reasonable and pertinent considerations necessary to assess the nature and impacts of a proposed use.



D. **Appeal of the Administrator's Decision.** Appeals to the Administrator's decision may be made following procedures under Sec. 2-B-5, Appeals.