

PUD Zoning

A) Definitions

As used in this PUD, the following terms shall have the meanings provided below:

1. *Accessory dwelling unit* (ADU) means an attached or detached dwelling unit that is accessory and subordinate in size and character to a principal building situated on the same lot or parcel, and that otherwise satisfies the requirements contained in this PUD agreement. The square footage of an ADU shall not exceed seventy (70) % of the square footage of the primary structure on the lot or eight hundred fifty (850) square feet (whichever is less) and shall not be smaller than three hundred and fifty (350) square feet. Accessory dwelling units shall not be included in the total dwelling unit count and shall not exceed one hundred and fifty-six (156) for the PUD. ADUs are a permitted use and are only available for single-family residential, rowhouses, duplexes and live/works.
2. *Awning* is an architectural projection roofed with flexible material supported entirely from the exterior wall of a building.
3. *Balcony* is a small open-air platform with railings connected to a building on upper stories supported by either a cantilever or brackets.
4. *Bed and Breakfast* means a small owner operated business containing less than six lodging units in a private residence and serves breakfast at no additional cost to guests.
5. *Building Height* means the vertical distance from the average lot grade or sidewalk at frontage line, whichever is higher, to the building cornice for buildings with a parapet or the midpoint between the eave and the roof peak for peaked roof buildings.
6. *Build-To-Line* refers to the line along which the front wall of the building or front edge of the porch or stoop shall be built. The Build-to Line or Zone is specified on the Regulating Plan.
7. *Build-To-Zone* refers to the zone within which the front wall of the building or front edge of the porch or stoop shall be built. The Build-to Line or Zone is specified on the Regulating Plan.
8. *Civic Building* means a building that is primarily used for public purposes, including Community Centers, libraries, Town Hall, or other similar public-sector offices.
9. *Colonnade* is a covered open-air walkway at standard sidewalk level attached to or integral with the building frontage; structure overhead is supported by columns or arches.
10. *Commercial Indoor Recreation Facility* - a commercial recreational land use conducted entirely within a building, including by way of example: arcade, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, club or lounge, community center, exhibit hall, gymnasium, library, museum, performance theater, pool or billiard hall, or swimming pool.
11. *Commercial Outdoor Recreation Facility* - a recreational land use conducted outside of a building, characterized by potentially moderate impacts on traffic, the natural environment, and surrounding neighborhood. This may include by way of example: athletic fields, miniature golf, skateboard park, swimming, bathing, wading and other therapeutic facilities, tennis, handball, basketball courts, batting cages, trampoline facilities.
12. *Design Review Board* means a committee appointed by the developer or the declarant that is responsible for review of proposed building designs and uses within South Main PUD to ensure conformance with the PUD zoning and the South Main Development Standards. Evaluation by the Design Review Board is in addition to any review required by the Town of Buena Vista.
13. *Development Standards* are regulations adopted and approved by the developer, and which may be amended from time to time, that govern architectural design and character of the South Main PUD to be enforced by the Design Review Board.

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14. *Duplex* is a type of multi-family unit containing two attached dwelling units (not including ADUs) that may be subdivided or condominiumized.
15. *Façade* is the elevation of a building parallel to a frontage line.
16. *Frontage Line* is the portion of the lot boundary line that coincides with a thoroughfare or a civic space such as a square or waterfront park.
17. *Kiosk* means small temporary or semi-permanent structure, including tents, often open on one or more sides (used as a newsstand or booth) and push carts. Kiosks may be used for retail uses, selling items such as refreshments and food, arts and crafts, T-shirts, and souvenirs.
18. *Live/Work Unit* means a dwelling unit within which an at-home business is encouraged. Businesses are limited to a maximum of two employees that do not dwell in the principal or accessory dwelling unit.
19. *Lodging Unit* means a room intended for occupancy by a paying guest or guests on a temporary or transient basis, usually not exceeding thirty (30) days, and where no kitchen or other food preparation facilities are provided.
20. *Lot line, interior* means the lot line that defines the boundary between two adjacent lots (it does not face a street or public space).
21. *Multi-Family* means two or more attached dwelling units (not including ADUs) in a single structure or in detached multi-unit configurations.
22. *Neighborhood Retail* means a business or activity involving the sale or exchange of services, goods, or commodities, which supply goods and commodities primarily for the residents of the surrounding neighborhood. Neighborhood serving retail businesses shall be a maximum of 10,000 sq. ft. each.
23. *Other Educational Institutions* are facilities, public or private, that offer a specialized educational curriculum. Examples include vocational, language, business, music, dance, and art schools.
24. *Personal Services Establishments* are establishments providing non-medically related services, including but not limited to, beauty and barber shops, clothing rental, dry cleaning pick-up stores, laundromats, shoe repair shops, chiropractic clinics, massage services, tailor shops and similar uses.
25. *Rowhouse* means multi-family unit in a linear configuration of two (2) or more similar dwellings subdivided along common walls; each unit having its own separate water, sanitary sewer and ventilation and heating system inclusive of separate utility service lines and meters. Each dwelling unit is separated from the adjacent units(s) by a firewall that conforms to the Town's adopted fire and building codes.
26. *Screened Storage* means the stockpiling or keeping of materials, products, equipment or goods (utilized in association with the principal building on the lot) within an area enclosed by a fence, wall or other physical barrier designed to screen and obstruct the visual observation of the enclosed material by a person standing at ground level.
27. *Short-Term Accommodations* means a structure containing one or more lodging units in one or more buildings and may include hotels or motel type facilities.
28. *Stoop* means a small platform and/or entrance stairway at a house door.
29. *Temporary Use* means a use that may or may not be permitted under the regulations for a given zone district, but which may be allowed on a nonpermanent and temporary basis subject to a site specific review and approval by the Town of Buena Vista.
30. *Walkable* means a high level of accessibility for pedestrians and non-motorized transportation on a network of connecting trails, sidewalks and alleys that are conveniently available.

31. *Water Feature* means a recreational or aesthetic water use such as whitewater drop structures, small watercourses, wading pools and fountains.

B) District Regulations

1. *Mixed Use District*

Intent: The intent of the “MIXED USE” district is to provide a rich mix of uses, including residential, neighborhood retail, office space, and common open space, to create centers of activity within the pedestrian-friendly neighborhood.

Permitted Uses:

- a) Single-family residential dwelling units
- b) Multi-family residential dwelling units
- c) Live/Work dwelling units.
- d) Accessory dwelling units
- e) Public and private offices.
- f) Restaurants and bars (including outdoor dining).
- g) Short-Term Accommodations.
- h) Bed and Breakfasts.
- i) Schools and other educational institutions.
- j) Day care centers.
- k) Churches or similar places of worship.
- l) Civic buildings, police sub-stations.
- m) Commercial uses (businesses engaged in the retail sale of goods to the general public, but excluding those retail establishments requiring unenclosed storage, and excluding drive-thru restaurants, and fire stations).
- n) Personal Service Establishments.
- o) Commercial Indoor Recreation Facility.
- p) Screened storage areas, each not exceeding two hundred square feet, used in association with a permitted use.
- q) Veterinary Clinics without overnight boarding facilities for animals.
- r) All permitted uses in the Town of Buena Vista B-1 General Business District.

Special Uses:

- a) Commercial Outdoor Recreational Facilities.
- b) Lodging Units with more than 6 units.
- c) Medical clinics.
- d) Veterinary clinics providing overnight boarding for animals.
- e) Screened storage in excess of 200 square feet and used in conjunction with a permitted use.

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- f) Other uses deemed appropriate by the Town of Buena Vista Planning & Zoning Commission based upon: compatibility with adjoining uses, pedestrian access, traffic generation and impact, impacts from noise, odor, vibration, glare and parking demands.

All Special uses shall be subject to review and approval by the Town of Buena Vista and shall be evaluated in accordance with and pursuant to all applicable provisions for special uses in the Buena Vista Municipal Code.

Prohibited Uses:

- a) Un-screened outdoor storage.
- b) Auto and mechanized equipment sales yards, including truck and trailer open sales yards.
- c) Farm machinery and equipment open sales yards.
- d) Auto and vehicle or equipment repair and paint shops.
- e) Mobile home and travel trailer open sales yards.
- f) Uses pertaining to the keeping, care or sale of domestic farm animals.
- g) Vehicle fueling service stations.
- h) Storage of petroleum, highly flammable products or explosive materials.

Temporary Uses:

- a) Kiosks may be permitted. Kiosks shall also be subject to design review and approval by the Design Review Board.

All Temporary Uses shall be subject to review and approval by the Town of Buena Vista and shall be evaluated in accordance with and pursuant to all applicable provisions for Temporary Uses in the Buena Vista Municipal Code.

2. Residential-Mixed District

Intent: The intent of the “RESIDENTIAL MIXED” district is to provide a mix of housing types and common open spaces to accommodate a wide variety of residents within a high-quality neighborhood.

Permitted Uses:

- a) Single-family residential dwelling units
- b) Multi-family residential dwelling units
- c) Live/Work dwelling units.
- d) Accessory dwelling units.
- e) Short-Term Accommodations with no more than 6 units.
- f) Bed and Breakfasts.

Special Uses:

- a) Schools and other educational institutions.
- b) Short-Term Accommodations with more than 6 units.
- c) Churches or similar places of worship.
- d) Civic buildings.

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- e) Commercial Indoor or Outdoor Recreational Facilities.
- f) Other uses deemed appropriate by the Town of Buena Vista Planning & Zoning Commission based upon: compatibility with adjoining uses, pedestrian access, traffic generation and impact, impacts from noise, odor, vibration, glare and parking demands.

All Special uses shall be subject to review and approval by the Town of Buena Vista and shall be evaluated in accordance with and pursuant to all applicable provisions for special uses in the Buena Vista Municipal Code.

2. *Open Space District*

Intent: The intent of the “OPEN SPACE” district is to provide areas for water retention, wildlife, and active and passive recreation for subdivision residents.

Permitted Uses:

- a) Developed and undeveloped parks.
- b) Water features.
- c) Commercial and non-commercial outdoor recreational events.
- d) Utility buildings associated with open space maintenance.

Special Uses:

- a) Other uses deemed appropriate by the Town of Buena Vista Planning & Zoning Commission based upon: compatibility with adjoining uses, pedestrian access, traffic generation and impact, impacts from noise, odor, vibration, glare and parking demands.

All Special uses shall be subject to review and approval by the Town of Buena Vista and shall be evaluated in accordance with and pursuant to all applicable provisions for special uses in the Buena Vista Municipal Code.

Temporary Uses:

- a) Kiosks may be permitted in the area of the riverfront square (located within the “MIXED USE” district). Kiosks shall be subject to design review and approval by the Design Review Board.

All Temporary Uses shall be subject to review and approval by the Town of Buena Vista and shall be evaluated in accordance with and pursuant to all applicable provisions for Temporary Uses in the Buena Vista Municipal Code.

C) Regulations of General Application

1. Parking

Parking for uses within South Main shall be based on the following requirements:

Required Parking Spaces by Use	
Single Family Residential	2 off-street spaces per unit (a)
Multi-Family Residential	1 bedroom unit: 1 off-street space per unit(a) 2 or more bedroom unit: 2 spaces per unit(a)
Live/Work Residential **	2 off-street spaces per unit(a)
Apartments in Mixed-Use Buildings	1 bedroom unit: 1 space per unit; space may be located on-street, off-street, or in one of the common parking lots within South Main* 2 or more bedroom unit: 2 spaces per unit; space may be located on-street, off-street, or in one of the common parking lots within South Main *
Accessory Dwelling Unit	1 space per unit; space may be located on-street or off-street*
<ul style="list-style-type: none"> -Public and private offices -Restaurants and bars -Schools and other educational institutions -Day care centers -Churches and other civic buildings 	1 space per 400 square feet of floor space; spaces may be located on-street, off-street, or in one of the common parking lots within South Main.*

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-Commercial uses (stand alone or in mixed-use or live/work buildings)	
Short-Term Accommodations Bed and Breakfast	1 space for each Lodging Unit; spaces may be located on-street, off-street, or in one of the common parking lots within South Main*

* Parking located on-street and in common parking lots may be used towards parking requirements as indicated above. Approval for each use shall be granted based on the number of on-street and common spaces available within the South Main PUD. The Project Developer and/or the Design Review Board (as applicable) shall keep the Town informed of the number of on-street and common spaces that remain available following each approval.

** Commercial uses and residential uses within a live/work or mixed-use building configuration may share parking spaces. The parking spaces required for the residential unit on a live/work building lot may be applied toward the number of spaces required for the commercial use if it can be adequately demonstrated that the spaces are available for the commercial use during the hours of operation for that use.

The Town may permit joint-use of required parking spaces where two or more uses are able to jointly use the same parking spaces because their demands occur at different times. The applicant must submit to the Town of Buena Vista in conjunction with a building permit or a proposed use parking plan an analysis showing that the peak parking demand of each proposed use occurs at different times and that the parking area will meet the anticipated demands of all proposed uses. Additionally, a request for shared parking shall be accompanied by an agreement, submitted to the Town of Buena Vista, between both parties indicating mutual consent for and long term availability of shared parking. Shared parking permits may be issued on live-work or mixed-use buildings where the owner uses both the residential and commercial spaces.

For more information about parking in the South Main PUD, refer to Section C1, "Parking".

(a) *On-Street Parking Allocation Exception:*

Required off-street parking spaces may be allocated on-street or in one of the common parking lots within South Main by special review. Approval for each use shall be granted based on the number of on-street and common spaces available within the South Main PUD. Requests to allocate on-street spaces shall be submitted to the Development Coordinator on application forms provided by the Town of Buena Vista and with the required fee. The allocation review process for the first fifty (50) off-street to on-street parking spaces for single-family residential, live/work residential and multi-family residential may occur administratively. After the first 50 off-street spaces have been allocated to on-street locations, any additional requests shall be referred to the Planning Commission for a decision. Applications for special review shall include the following:

- a. A site plan of the proposed building and parking on the lot.
- b. A plan drawn to scale showing proposed on-street and off-street parking configuration.
- c. The most current South Main PUD parking table showing the total proposed on-street and off-street parking, the available off-street parking and the required on-street allocation.
- d. Evidence and location of available on-street parking.

The Buena Vista Development Coordinator shall have 14 days after receipt of a complete application to prepare a written report approving, denying or conditionally approving the application based upon the following criteria. Additionally, the development coordinator shall in his/her sole discretion have the right to refer the application to the Buena Vista planning commission at the next regular meeting following the initial 14 day review period. The planning commission shall use the development coordinator's written report and the review criteria to approve, deny or conditionally approve the application.

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Review Criteria:

- a. Location of available parking and proximity to the proposed use.
- b. Potential adverse impacts on adjacent sites
- c. Uses within the proposed building and the calculated parking demand.
- d. Existing on-street parking load.
- e. Other factors that may adversely impact availability of on-street parking.

2. ***Building Height Exceptions***

A) The maximum height of buildings and/or turrets or cupolas (in locations outside those specified on the regulating plan approved as part of the South Main PUD) in the South Main PUD may exceed the maximum permitted building height specified in the dimensional requirements of this section by special review. Requests to exceed the maximum building height shall be submitted to the development coordinator on application forms provided by the Town of Buena Vista and with the required fee. Applications for special review shall include the following:

1. Elevations of the proposed building drawn to scale with sufficient detail to make calculations and other related analysis of the proposed structure.
2. A base elevation point and maximum elevation of the proposed structure that includes original and finish grades in conformance with the definition of building height in these PUD regulations.
3. Photographs of all structures within 100 feet of the boundaries of the lot on which the proposed building is to be located.
4. Measurements or reasonably accurate estimates of building heights (measured to roof peak) of all surrounding structures within 100 feet of the lot on which the proposed building is to be located.
5. A written statement about fire protection needs and related fire code issues from the Town of Buena Vista fire chief based upon his/her review of the scaled drawings the proposed building.
6. A written statement from the Buena Vista building official about related building code issues/concerns.
7. Other information from the applicant applicable to and in support of the request to exceed building height.

The Buena Vista Development Coordinator shall have 14 days after receipt of a complete application to prepare a written report approving, denying or conditionally approving the application based upon the following criteria. Additionally, the Development Coordinator shall in his/her sole discretion have the right to refer the application to the Buena Vista planning commission at the next regular meeting following the initial 14 day review period. The planning commission shall use the development coordinator's written report and the review criteria to approve, deny or conditionally approve the application.

Review Criteria:

- a. Geographic location.
- b. Unreasonable adverse visual effect on adjacent sites or other areas in the vicinity.
- c. Potential problems for adjacent sites caused by shadows, a loss of air circulation or loss of view.
- d. Influence on the general vicinity, with regard to extreme contrast, vistas, and open space.

- e. Uses within the proposed building.
 - f. Fire protection needs.
- B) The following roof elements and appurtenances may extend above the maximum building height:
- 1. Chimneys may extend up to five (5) feet above the highest point of the roof.
 - 2. Weather vanes may extend up to three (3) feet above the highest point of the roof.
- C) Turrets or Cupolas in four (4) locations of civic importance identified on the South Main PUD regulating plan may extend up to a maximum height of 65 feet. Review and approval by the Town of Buena Vista development coordinator for these four sites shall be based solely on architectural compatibility with the proposed building and structures directly adjoining the subject lot. No turret or cupola shall be used as occupied space except for periodic maintenance.
- D) Occupancy of Building Space above Maximum Building Height. No building space, attic, room or other space above 35 feet shall be used as habitable or occupied space except for periodic maintenance without specific written approval granted by the Town of Buena Vista upon consultation with the Buena Vista Fire Department and Town Building Official. Criteria for granting habitation or occupancy above 35 feet shall include, but not be limited to, fire access, ingress/egress, fire suppression, building construction, and rating of the structure according to applicable building and fire codes.

Special Building Elements and Appurtenances

Subject to obtaining an encroachment permit, the following dimensional requirements shall apply to special building elements that may encroach within the right-of-way within the South Main PUD:

- a) Awnings/ Marquees
 - 1. Depth: 5 ft minimum. Marquees and Awnings shall occur forward of the Build-to Line and may encroach within the right-of-way upon approval and issuance of an encroachment permit by the Town of Buena Vista, but shall not extend into the planting zone and shall not extend within 24" of the curb.
 - 2. Height: 8 ft minimum measured from the average surface plane of the street or sidewalk directly below the marquee or awning.
 - 3. The above requirements are for first-floor awnings and marquees. Awnings above the first floor shall comply with the same dimensional requirements except they shall be a minimum depth of 2 ft.
- b) Balconies
 - 1. Balconies shall occur forward of the build-to line and may encroach within the right-of-way with approval and issuance of an encroachment permit by the Town, but shall not extend into the planting zone and shall not extend within 24" of the curb.
 - 2. Height: 10 ft minimum clear measured from the average surface plane of the street or sidewalk directly below the balcony. Balconies may have roofs, but are required to be open, unairconditioned parts of the building.
- c) Colonnades / Arcades
 - 1. Depth: 6 ft minimum from the build-to line to the inside column face. 24" from outside column face to curb. Colonnades shall only be constructed where the minimum depth can be obtained. Colonnades shall occur forward of the build-to line and may encroach within the right-of-way with approval and issuance of an

encroachment permit by the Town, but shall not extend into the planting zone and shall not extend within 24" of the curb.

2. Height: 10 ft minimum measured from the average surface plane of the street or sidewalk directly below the colonnade/arcade.
3. Open multi-story verandas, awnings, balconies, and enclosed usable space shall be permitted above the colonnade.

d) Stoops

1. Depth: 4 ft minimum. Stoops may occur forward of the Build-to Line or Zone, but shall not extend into the right-of-way without approval and issuance of an encroachment permit by the Town. Stoop stairs may run to the front or to the side of the building. Sidewalks shall have clear access for pedestrians. Stoops may be covered or uncovered. (See South Main Development Standards "Stoops")
2. Height = 30" minimum from grade to top of stairs; 96" maximum.

e) Outdoor Dining

Outdoor dining (winterized or open) may be permitted forward of the build-to line and/or within the public sidewalk area provided that a minimum of 5 feet of clear sidewalk access for pedestrians can be maintained. Outdoor dining areas within the public right-of-way shall require an encroachment permit if they extend into the public right-of-way.

During the encroachment permit process, the Town Administrator may determine it appropriate to further restrict encroachments to ensure the health, safety and welfare of the citizens of Buena Vista.

3. ***Accessory Dwelling Units***

Accessory dwelling units (ADUs) within the South Main PUD shall comply with all regulations contained in Section 16-257 of Chapter 16, Zoning, of the Buena Vista Municipal Code, with the following exceptions:

- a) A minimum of one parking space shall be provided for each ADU in addition to the required parking spaces for the principal building/use. The parking space may be located on-street or off-street.
- b) The square footage of an ADU shall not exceed seventy (70) % of the primary structure on the lot of the square footage or eight hundred fifty (850) square feet (whichever is less) and shall not be smaller than three hundred and fifty (350) square feet.
- c) ADUs may be located as a part of the primary dwelling unit or in a separate detached structure that may or may not contain a garage.

4. ***Signage & Lighting***

All signs and outdoor advertising shall be subject to review and approval by the Town of Buena Vista and shall be evaluated in accordance with and pursuant to all applicable provisions for signs and outdoor advertising in the Buena Vista Municipal Code, with the following exceptions:

- a) All signs shall be subject to design review and approval by the Design Review Board.
- b) All building signs shall be mounted flat against the façade or projecting from the façade. Free standing monument signs are not permitted. Images of signs mounted flat against the façade and projecting from the façade can be referred to in the South Main Development Standards.

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- c) Temporary signs within the public right-of-way, such as sandwich boards, may be allowed by approval of an encroachment license by the Town of Buena Vista. Maximum gross area of any single side shall be 8 square feet. All Temporary Uses shall be subject to review and approval by the Town of Buena Vista and shall be evaluated in accordance with and pursuant to all applicable provisions for Temporary Uses in the Buena Vista Municipal Code.
- d) Maximum gross area of a sign mounted flat against a façade shall not exceed 10% of the façade area.
- e) Maximum gross area of any single sign mounted projecting from a given façade shall not exceed 10 square feet.
- f) Signs shall maintain a minimum clear height above sidewalks of 8 feet measured from the average surface plane of the street or sidewalk directly below the sign.
- g) Signs shall not extend closer than 24 inches to the curb.
- h) Signs shall be externally lit from the front. Externally lit signs shall be illuminated by downcast light fixtures that minimize adverse lighting impact to pedestrians and vehicular traffic. Back lighting of signs is prohibited.
- i) Flashing or animated signs are not permitted.
- j) To avoid light pollution and adverse lighting impacts, outdoor lighting must shine downward, utilize full cut off fixtures, not shine onto adjacent properties, and be designed and aimed to minimize adverse visual impact to pedestrians and vehicular traffic.

5. *Landscaping*

Landscaping within South Main shall comply with the standards established in the Town of Buena Vista Planting Guide, with the following exceptions:

- a) *Internal Parking Lot Landscape Areas*

The percentage of parking lot area dedicated to internal landscaped areas requirement shall be waived for parking lots in mid-block locations that are shielded from the street by buildings.
- b) *Site Features, Buffering and Screening*

Screening requirements of service and loading areas shall be waived for rear and side-yard service and loading locations that are accessed by alleys and are shielded from the street by buildings).
- c) *Waiver of Requirement on Number of Trees on Lot*

Requirements regarding the number of trees to be planted on individual lots shall be waived, due to the small average lot size and the number of trees provided within the public spaces.

All landscaping shall conform to the *Landscaping Plan* approved as part of the final plat approval of the South Main PUD.

6. *South Main Development Standards*

In addition to the regulations contained in this PUD Zoning section, any improvements within South Main PUD shall be subject to design review standards adopted and amended by the South Main Design Review Board. The Design Review Board shall use the South Main Development Standards, which contain regulations that will impact the architectural design and character of the South Main PUD, as the basis for their design review. The intent of the Development Standards is to create a high quality Walkable Neighborhood. The Development Standards reflect the principles of Traditional Neighborhood Design, which draws upon precedents established by historic towns, such as Buena Vista, in determining street layout and design, mixture of uses,

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building placement, and architectural standards. The Design Review Board reserves the right to modify the Development Standards as set forth in the South Main Master Deed Restrictions.

The Town of Buena Vista shall have no liability for issuance of a building permit for which no approvals for building design, ADU allocation or building type have been granted by the South Main Design Review Board.

7. Applicability of the Buena Vista Municipal Code

Any use, definition, code requirement or other provision governed by the Buena Vista Municipal Code and not otherwise provided for in the South Main PUD shall be governed by the Town of Buena Vista Municipal Code or other applicable Town code provisions and as they may be amended from time to time.

8. Dimensional Requirements

The dimensional requirements as set forth in the following table shall apply in the South Main PUD.

		Lot Size			Minimum Yard Requirements				
		Min. Lot Area (sq. ft.)	Max. Lot Area (sq. ft.)	Min Lot Width (feet)	Front Yard Setback (feet)	**Side Yard Setback (feet)	Rear Yard Setback (feet)	Allowable Max. Building Coverage	Maximum Building Height (feet)**
Residential Mixed District	Single Family House	1,600	None	25'	*See Build-to Line or Zone	3' minimum	0' min.	85%	35'
	Rowhouse	1,000(a)	None	16'	*See Build-to Line or Zone	0' min.****	0' min.	100%	35'
	Multi-Family Building	2,500(b)	None	25'	*See Build-to Line or Zone	0' min.****	0' min.	100%	35'
	Live/Work Building	1,000(a)	None	16'	*See Build-to Line or Zone	0' min.****	0' min.	100%	35'
Mixed Use District	Mixed-Use Building	1,000(a)	None	16'	*See Build-to Line or Zone	0' min.****	0' min.	100%	35'

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Single Family House	1,600	None	25'	*See Build-to Line or Zone	3' minimum	0' min.	85%	35'
Rowhouse	1,000(a)	None	16'	*See Build-to Line or Zone	0' min.****	0' min.	100%	35'
Multi-Family Building	2,500(b)	None	25'	*See Build-to Line or Zone	0' min.****	0' min.	100%	35'
Live/Work Building	1,000(a)	None	16'	*See Build-to Line or Zone	0' min.****	0' min.	100%	35'

(a) Creation of lots less than 1,400 square feet shall require a subdivision final plat prepared and processed in conformance with the subdivision regulations of the Town of Buena Vista. Each final plat that includes lots less than 1,400 square feet shall be accompanied by a conceptual lot plan for each lot less than 1,400 square feet demonstrating the feasibility of developing each lot with regard to utilities, drainage, access, parking, non-motorized access and similar development related issues. Although the conceptual lot plan does not bind a particular lot to a particular unit type, issuance of a building permit shall be dependent upon assurance to the Town of the aforementioned items are adequately addressed.

(b) For Multi-Family projects with more than two principal dwelling units the applicant shall add 750 square feet of additional lot area per principal dwelling unit, up to 7,750 square feet. All Multi-Family projects with 7,750 square feet of lot area or more shall have no lot specific density limitations. However, the PUD limitations, in general, shall apply. Dwelling units in Mixed-Use buildings are exempt from this rule.

*The Build-to Line or Zone is specified for each lot on the Regulating Plan.

**The Side Yard setbacks may be superseded by lot-specific build-to requirements designated on the Regulating Plan.

***Refer to "Building Height" definition, and Section 2, "Building Height Exceptions", for definition of building height, roof elements and appurtenances that may extend above the maximum building height.

****Side Yard setback may be 0' if the adjacent lot is a live/work, rowhouse, or mixed use lot that is designed to allow a zero lot line construction. Side Yard setbacks shall be 3' min. in all other instances.

9. Multiple Principal Buildings on a Single Lot

Multiple Single-Family, Multi-Family, Live/Works or Mixed-Use principal buildings, which may or may not be condominiumized*, may be built on a single lot subject to a site plan review. Applications for less than ten (10) principal buildings on a lot shall be subject to administrative site plan review and applications for more than ten (10) principal buildings shall be subject to review by the Planning Commission. Applications shall include an accurately drawn, scaled and dimensioned 24 x 36 (or a smaller legible size acceptable to staff) site plan with the following information:

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- A. The location of all existing and proposed buildings, utilities, and other improvements on the property. A building envelope (a portion of the property within which a building may be located) may be shown for proposed buildings to allow minor adjustments;
- B. The location and number of parking spaces for off-street and on-street parking, loading areas and the finished surface material of the parking area (e.g., concrete, asphalt, or gravel);
- C. A traffic circulation plan showing the direction of traffic flows and indicating the locations of entries and exits of parking lots and the relationship of parking lots to entrances and exits of any buildings;
- D. Non-motorized circulation plan showing sidewalks, bicycle parking and other components providing access and circulation for pedestrians, bicycles and other non-motorized uses.
- E. The location of service and refuse collection areas;
- F. The area and location of open space, if any;
- G. The location of existing and proposed fences, proposed landscaping features and other methods of visual screening. The proposed landscaping plan shall indicate the areas to be landscaped including a list type, size and quantities of plant materials and the general location, if any and the method of maintenance.
- H. The estimated date of completion of the proposed improvements; and
- I. Adjacent streets and rights-of-way and street improvements.

*All condominiums are subject to the Town of Buena Vista Condominium Regulations which may be amended from time to time.

The Buena Vista Development Coordinator shall have 14 days after receipt of a complete application to prepare a written report approving, denying or conditionally approving the application. Additionally, the Development Coordinator shall in his/her sole discretion have the right to refer the application to the Buena Vista planning commission at the next regular meeting following the initial 14 day review period. All projects containing ten (10) or more principal buildings on a single lot shall be referred to the Town of Buena Vista Planning Commission at the next available meeting. The planning commission shall use the development coordinator's written report and the review criteria to approve, deny or conditionally approve the application.

10. Appeals.

Appeals to or from any provision of these PUD zoning regulations may be made to the Buena Vista Board of Adjustment in conformance with Chapter 16, Article III of the Buena Vista Municipal Code. In addition to appeals to or from a decision of the Town Administrator or other zoning enforcement official, appeals may also be made to or from a decision made by the Buena Vista Planning Commission pertaining to the South Main PUD Zoning Regulations under the provisions of Chapter 16, Article III of the Buena Vista Municipal Code.