

## **CHAPTER 6. PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT (PUD)**

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### **7-6-1. Purpose.**

The purpose of the Planned Unit Development Overlay District, when used in conjunction with the requirements of the base, or underlying zoning district, is to permit flexibility in subdivision and site planning, to promote the efficient utilization of resources, and to preserve and protect valuable site features and to add desired amenities for the neighborhood or area. The application of the Planned Unit Development Overlay District is intended to promote the achievement of quality neighborhood and site design while complying with the policies of the Tooele City General Plan and the requirements of the Zoning Ordinance. The intent of the Planned Unit Development Overlay District is to:

- (1) Create opportunities for flexible site planning and development options where the standard lot configuration is not practical or desirable;
- (2) Provide flexibility in site and building design, placement of buildings, use of open space, provision of circulation facilities and parking, and other design considerations;
- (3) Encourage the preservation and enhancement of desirable site characteristics, including open space areas, vegetation and critical natural areas;
- (4) Allow design, landscape or architectural treatments to create an attractive and pleasing environment;
- (5) Support reductions in development costs and the costs of providing ongoing maintenance; and
- (6) To allow and encourage the provision of special development amenities.

(Ord. 97-21, 06-04-97)

### **7-6-2. Definition.**

Planned Unit Development (PUD) is a site plan or subdivision layout technique allowing buildings and structures with some or all of the lots reduced below the minimum lot sizes and/or differing setback standards than required by the base zoning district, but where the overall project or site area meets the density standard of the zoning district. While the underlying zoning district establishes the allowed use and densities, the Planned Unit Development overlay district allows flexibility in

the general configuration of the subdivision or site plan area. Development areas being proposed as a Planned Unit Development require that the planning for lots and the locations of buildings and structures be achieved in a coordinated, functional and unified manner. (Ord. 97-21, 06-04-97)

### **7-6-3. Allowed Uses.**

The Planned Unit Development Overlay District does not establish or identify any of the uses allowed within an area or proposed development site. Rather, it is the underlying zoning district which identifies and establishes the uses which are allowed, either as a permitted, or as a conditional use. (Ord. 97-21, 06-04-97)

### **7-6-4. Authorization of a Planned Unit Development Overlay District.**

(1) Qualifying Districts. A Planned Unit Development Overlay District may be allowed by the City Council as an overlay zoning district in the Residential Zoning Districts of the City with a minimum area of five (5) acres.

(2) Procedure for Approval. A Planned Unit Development Overlay District may only be authorized by the City Council, as an amendment to the Tooele city Zoning District Map, after receipt of a recommendation from the Planning Commission, and after complying with all the requirements of §10-9-403, Utah Code Annotated (U.C.A.). In evaluating the appropriateness of approving a Planned Unit Development Overlay District the City Council and Planning Commission may consider the following factors, among others:

(a) The suitability of the properties for a Planned Unit Development Overlay District designation;

(b) That adequate public services and facilities exist or can be provided to serve the proposed Planned Unit Development area;

(c) A Planned Unit Development area will encourage greater efficiency in the delivery of City-provided services ;

(d) The Planned Unit Development has the potential of providing additional amenities for the residents of the area, or the residents of the City, than would be achieved by a conventional development pattern;

(e) Whether the establishment of a Planned Unit Development District will have a negative affect on the rights, enjoyment and uses on nearby and adjoining properties; and

(f) The gain to the public health, safety and welfare and the overall community benefit to authorizing a Planned Unit Development designation. (Ord. 97-21, 06-04-97)

### **7-6-5. Application Requirements.**

Applications for a Planned Unit Development

Overlay district shall provide the following information in addition to the information generally required by the City for a Zoning District Map amendment (rezoning) application:

(1) Representative architectural drawings and elevations of proposed dwellings, structures and other buildings;

(2) Concept subdivision layout or site plan design, as the case may be, showing the general locations of all buildings, structures, parking areas, open space areas, streets and roads and other private and public improvements;

(3) Tables showing the total number of acres in the proposed development identifying the percentages of the total area devoted to each proposed use including residential structures, residential lots, parking areas, streets and roads, parks, open space areas, and any other uses, and a tabulation of the overall density for the development site;

(4) Any other information, reasonably related to the application that the Planning Commission and City Council may require to determine the appropriateness of authorizing a Planned Unit Development Overlay District designation. (Ord. 97-21, 06-04-97)

#### **7-6-6. Planned Unit Development Designation.**

Following the receipt of a Planning Commission recommendation and following the requirements of §10-9-403 U.C.A. the City Council may authorize that the Tooele City Zoning District Map be amended to allow a Planned Unit Development Overlay District. If this occurs the underlying district designation shall be followed by the “PUD” identifier, i.e. if a single family R1-12 district is the underlying district the revised or amended district classification would be R1-12(PUD), indicating the R1-12 district as the underlying zoning district and the Planned Unit Development District as the overlay zoning district. (Ord. 97-21, 06-04-97)

#### **7-6-7. Authorization and Approval Procedures for Subdivisions and Site Plans within a Planned Unit Development District.**

All subdivision and site plan layouts and designs proposed within a Planned Unit Development Overlay District shall be reviewed and considered pursuant to the procedures as established in Chapter 19 of this Ordinance for subdivision applications of Chapter 11 of this Ordinance for site plan applications.

(1) Application Requirements. Applications for preliminary and final subdivision plat and preliminary and final site plan review and approval must contain all information required by the City for subdivision approval as identified in Chapter 19, or for site plan approval as identified in Chapter 11 as well as the following:

(a) A statement of how the purpose and intent of this Chapter will be achieved by the proposed

Planned Unit Development (PUD) project. The statement should include sketches or illustrations of the proposed character of the development, including architecture of buildings and a description of how the development will relate to surrounding land uses.

(b) A summary report identifying: the different land uses, including the amount of land for housing, open areas, streets, and parking; the number and type of housing units; and a statement of how necessary services will be provided and whether the services will be publicly or privately owned and operated.

(c) Preliminary architectural drawings and elevations of proposed dwellings, structures and other buildings.

(2) Allowed Density. The density allowed by a Planned Unit Development designation shall not exceed the density allowed by the underlying zoning district.

(3) Calculation of Density. The density allowed in a Planned Unit Development area is to be calculated in the following manner:

(a) Land set aside or dedicated for schools, religious institutions, and public or quasi-public activities (excluding park and open space areas) is to be subtracted from the gross site area to determine net usable site area.

(b) Net usable site area is multiplied by the density allowed by the underlying zoning district, as established in the Table of Allowed Residential Density (Table 2, Table of Allowed Residential Density; Residential Zoning Districts) to identify the maximum number of residential units allowed.

(c) If the Planned Unit Development project is to be located in more than one residential zoning district, the total number of residential units allowed is calculated by adding the number of units allowed by each zoning district. Dwelling units may be placed without regard to district boundaries, provided the total number of units do not exceed that allowed by the underlying zoning districts.

(d) Lot Sizes. In a Planned Unit Development area there is no minimum lot size requirement (area, width, or depth). However, lot sizes must be adequate to promote compatibility with adjoining activities on and off the development site as determined by the Planning Commission and City Council.

(e) Housing Types Allowed. Dwelling units allowed are to be consistent with the types of housing units allowed by the underlying zoning district.

(f) Building Locations and Setbacks. The proposed building areas, and proposed setback lines for all buildings and structures must be shown on the preliminary and final plat or site plan. Along the perimeter of the development site / project area, all development must meet the building setback standards of the underlying zoning district. Within the site, building setbacks and building separation is to be established as part of the preliminary subdivision plat or

preliminary site plan review and approval process sufficient to promote a functional, attractive and compatible development.

(Ord. 97-21, 06-04-97)

(g) Height. The height limit of the underlying zoning district applies.

(h) Open Space and Park Areas. Park and open space areas provided within a Planned Unit Development may be proposed for dedication to the City. Open space and park areas proposed for dedication to the City may be received by the City, at the discretion of the City Council, following the receipt of a Planning Commission recommendation. All open space areas and park areas provided as part of a Planned Unit Development must be in common ownership, city ownership, or held in a form acceptable to the City to guarantee access and continued preservation and maintenance.

(i) Maintenance of Open Space Areas. Unless dedicated and accepted by the City, an enforceable maintenance agreement for any commonly owned areas must be created and recorded with the Tooele County Recorder, and a copy of the recorded agreement provided to the City. The final plat or site plan shall also carry a note identifying the existence of the recorded maintenance agreement. Prior to recordation the agreement must be approved by the City Attorney to assure that the City's interests are maintained and protected.

(j) Provision of Services and Improvements Standards. It is the responsibility of the applicant to provide all service facilities necessary for the functioning of the Planned Unit Development project consistent with the requirements generally imposed on subdivision or site plan approvals, including compliance with the City's public improvement, design and construction standards.

(k) Phased Development Procedures. An applicant may submit a preliminary subdivision plat or preliminary site plan for the entire Planned Unit Development area with proposed phased final subdivision plats and / or phased final site plans.

(l) Amendments to the Planned Unit Development Subdivision Plats and Site Plans. Applicants may be granted revisions to approved preliminary or final Planned Unit Development subdivision plats or site plans by following the amendment procedures for subdivision plats and site plans as identified in this Ordinance and as required by applicable State law requirements. Requests for revisions must be submitted in writing to the City. Changes and amendments to approved preliminary and final Planned Unit Development plans are processed following the same procedures as the original review and approval.

(m) Certificates of Occupancy. Certificates of occupancy will not be issued unless all improvements and conditions of approval have been fulfilled to the satisfaction of the City Engineer and Building Official.