

Millcreek Township Planning Commission

Public Meeting Agenda

Wednesday, July 15, 2015 4:00 P.M.

****REVISED****

Location

SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, ROOM N1-100
NORTH BUILDING, MAIN FLOOR
(385) 468-6700

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The Planning Commission Public Meeting is a public forum where the Planning Commission receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

PUBLIC HEARINGS

Administrative

29440 – Bob Whitney– Requesting Preliminary Plat approval for the Estates at Evergreen 2 lot Subdivision. As part of the application the applicant is requesting an exception from roadway standards. The approval of this exception would exempt the applicant from the requirements to install curb, gutter, and sidewalk along Oakwood Street. **Location:** 3433 South Oakwood Street. **Zone:** R-1-8. **Planner:** Spencer Hymas

Legislative

29491 – Robert Jones is requesting approval of a Zone Change from the R-2-10 (Medium Density Residential) zone to the R-M (High Density Residential) zone in order to allow for the development of multi-family housing. **Location:** 3965 - 3971 South 300 East. **Community Council:** Millcreek. **Planner:** Spencer W. Brimley

BUSINESS MEETING

- 1) Approval of Minutes from the May 13, 2015 and June 10, 2015 meetings.
- 2) Ordinance Issues from today's meeting
- 3) Other Business Items (as needed)
- 4) Upcoming Utah APA Fall Conference
- 5) Status of Millcreek Meadowbrook Small Area Plan
- 6) C-1, C-2, R-M Draft Ordinance – Initial Discussion
- 7) Draft PUD Ordinance – Work Session

ADJOURN

File # 29440

Summary and Recommendation

Public Body: Millcreek Planning Commission

Meeting Date: July 15, 2015

Parcel ID: 16-27-479-040

Current Zone: R-1-8

Property Address: 3433 South Oakwood Street

Request: Two Lot Subdivision & Exception to Roadway Standards

Community Council: East Millcreek

Township/Unincorporated: Millcreek Township

Planner: Spencer Hymas

Community Council Recommendation: N/A for standard Subdivision

Planning Staff Recommendation: Approval

Applicant Name: Bob Whitney

PROJECT DESCRIPTION

Bob Whitney is requesting preliminary plat approval of a two lot subdivision of a 0.61 acre parcel. Each new subdivided lot will be over 12,000 square feet in size. The standard for this zone is 8,000 square feet. The applicant has demonstrated an ability to meet subdivision zoning requirements. At the time of this report the applicant is still working to complete his technical review, and compliance will be demonstrated before final plat approval is granted. All new construction will be subject to meeting the Residential Compatibility Overlay Zone found in 19.71 of Salt Lake County Ordinance, before building permits are issued.

In conjunction with this application is a request for an exception to roadway standards. The applicant plans to install required curb, gutter, and sidewalk along Evergreen Avenue, but would like an exemption from being required to install it along Oakwood Street. The Millcreek Planning Commission will need to make a separate recommendation to the Mayor with regards to this exception request.

SITE & VICINITY DESCRIPTION (see attached map)

There is single family residential in every direction surrounding this property. Adjacent land zoning designations include R-1-8, R-1-10, and R-1-21. There is also a church to the east of the subject property.

LAND USE CONSIDERATIONS

Requirement	Standard	Proposed	Compliance Verified
Height	28 Feet (RCOZ)	N/A	N/A
Front Yard Setback	25 Feet	25 Feet	Yes
Side Yard Setback	25% of Diameter (RCOZ)	N/A	N/A
Rear Yard Setback	15 Feet	15 Feet	Yes
Lot Width	65 Feet	85+ Feet	Yes
Lot Area	8000 Square Feet	12000 Square Feet	Yes
Parking	N/A	N/A	N/A
Lot Coverage	31% (RCOZ)	N/A	N/A

REVIEWING AGENCIES RESPONSE

AGENCY: Planning

DATE: June 25, 2015

RECOMMENDATION: The final plat needs to reference 19.71 of the Residential Compatibility Overlay Zone for setback information.

AGENCY: Transportation

DATE: June 25, 2015

RECOMMENDATION: The traffic engineer does not support the exception request. The applicant will need to make adjustments according to the outcome of the Mayor's Meeting with regards to the exception request.

All other agencies have provided an approval to move forward with the technical review. Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval.

PLANNING STAFF ANALYSIS

The applicant has demonstrated the ability to comply with the necessary County standards for the proposed subdivision.

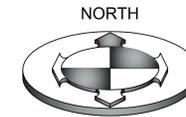
PLANNING STAFF RECOMMENDATION

Planning Staff recommends approval of the preliminary plat for this two lot subdivision subject to the applicant completing their technical review with staff; the applicant addressing compliance with the decision from the Mayor with regards to the exception request; and, subject to the applicant completing the steps for final plat approval within six months as per 18.08.015 of Salt Lake County Ordinance.

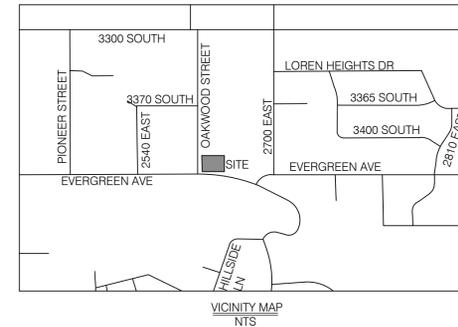
Planning Staff recommends the consideration of a delay agreement with the applicant in lieu of an exception.

ESTATES ON EVERGREEN

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27,
TOWNSHIP 1 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

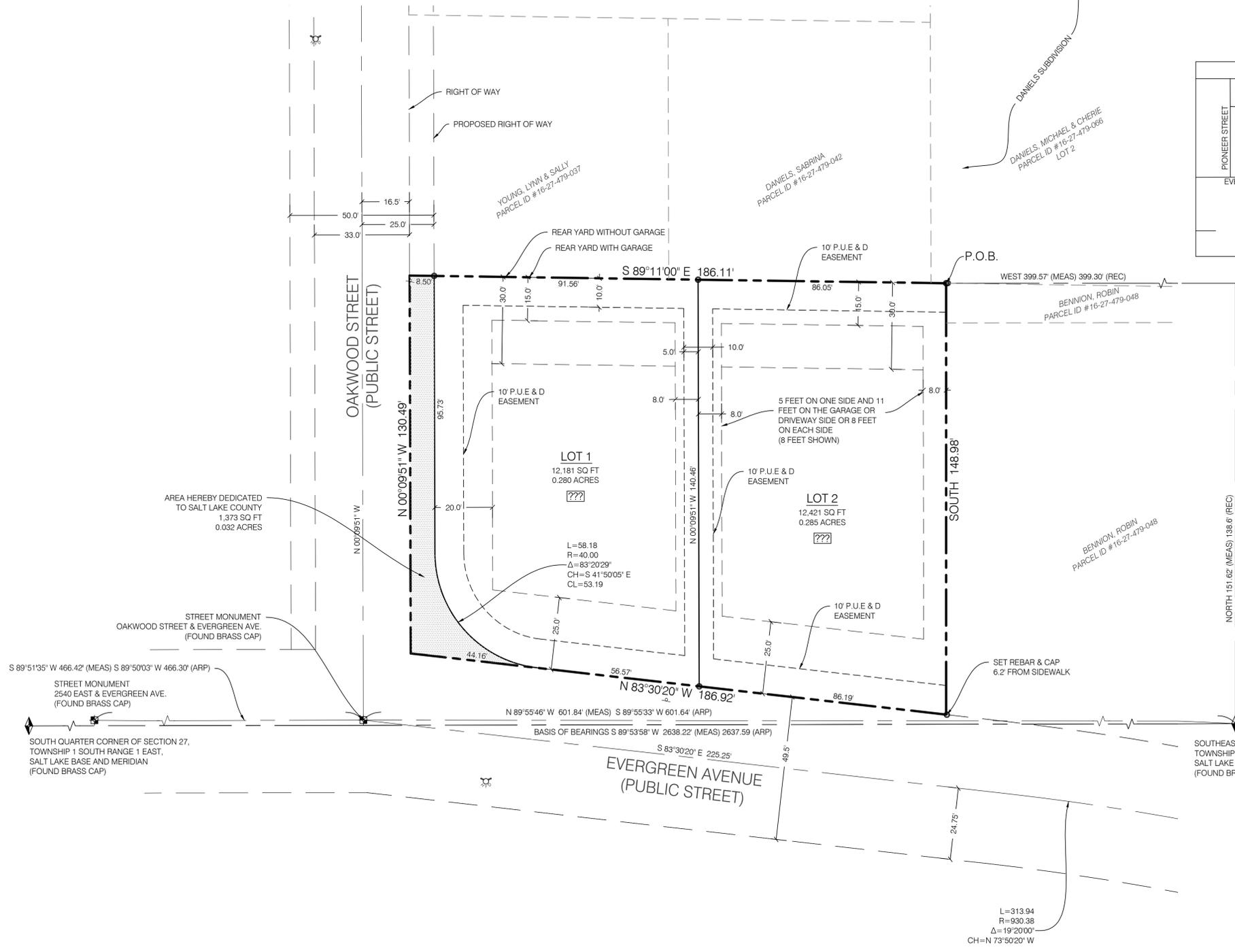


GRAPHIC SCALE



LEGEND

- SECTION CORNER (FOUND)
- SET 24" x 5/8" REBAR WITH PLASTIC CAP MARKED 'BENCHMARK ENG.'
- BOUNDARY LINE
- ADJACENT PROPERTY
- STREET CENTERLINE EXISTING
- EASEMENT
- LOT LINE
- SETBACK LINE
- RIGHT OF WAY
- FIRE HYDRANT
- SALT LAKE COUNTY DEDICATION AREA



SURVEYOR'S CERTIFICATE

I, BRIAN A. LINAM, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 7240531 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW. A RECORD OF SURVEY PREPARED BY BENCHMARK ENGINEERING AND LAND SURVEYING, LLC, HAS BEEN FILED AT THE SALT LAKE COUNTY SURVEYOR'S OFFICE AS ENTRY NO. S2015-04-0158, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREAFTER TO BE KNOWN AS:

ESTATES ON EVERGREEN

BOUNDARY DESCRIPTION

BEGINNING AT A POINT NORTH 151.62 FEET AND WEST 399.57 FEET FROM THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 148.98 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF EVERGREEN AVENUE; THENCE NORTH 83°30'20" WEST 186.92 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE EAST RIGHT OF WAY LINE OF OAKWOOD STREET; THENCE NORTH 00°09'51" WEST 130.49 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE SOUTH 89°11'00" EAST 186.11 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.596 ACRES, MORE OR LESS
2 LOTS



OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT _____, THE _____ UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE

ESTATES ON EVERGREEN

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREBY _____ HAVE HEREUNTO SET
THIS _____ DAY OF _____ A.D., 20__.

ACKNOWLEDGMENT

STATE OF UTAH }
County of Salt Lake } S.S.

ON THE _____ DAY OF _____ A.D., 20__, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN SAID STATE OF UTAH, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT _____ SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

COMMISSION NUMBER: _____ PRINTED NAME _____
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC (SIGNATURE)
A NOTARY PUBLIC COMMISSIONED IN UTAH

ESTATES ON EVERGREEN

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 1 OF 1

RECORD OF SURVEY	UNIFIED FIRE AUTHORITY APPROVAL	ADDRESSING APPROVAL	FLOOD CONTROL AND ENGINEERING
RSC NO.: _____			
SIGNED _____ DATE _____	SIGNED _____ DATE _____	SIGNED _____ DATE _____	SIGNED _____ DATE _____

BENCHMARK CIVIL
BENCHMARK ENGINEERING & LAND SURVEYING
9130 SOUTH STATE STREET SUITE # 100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com
DATE: 07/21/2011

CHECKED FOR ZONING COMPLIANCE

ZONE: _____ LOT AREA: _____
FRONT YARD: _____ REAR YARD: _____
SIDE YARD: _____

SIGNED _____ DATE _____

HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _____ A.D., 20__.

SALT LAKE VALLEY HEALTH DEPARTMENT

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____ A.D., 20__, BY THE SALT LAKE COUNTY PLANNING COMMISSION.

SALT LAKE COUNTY PLANNING COMMISSION

PLAN CHECK

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

PLAN REVIEW SECTION MANAGER _____ DATE _____

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20__.

SALT LAKE COUNTY DISTRICT ATTORNEY

MAYOR

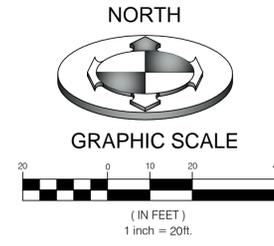
PRESENTED TO THE SALT LAKE COUNTY MAYOR THIS _____ DAY OF _____ A.D., 20__, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACRESCEPTEED.

MAYOR OR DESIGNEE _____

SALT LAKE COUNTY RECORDER

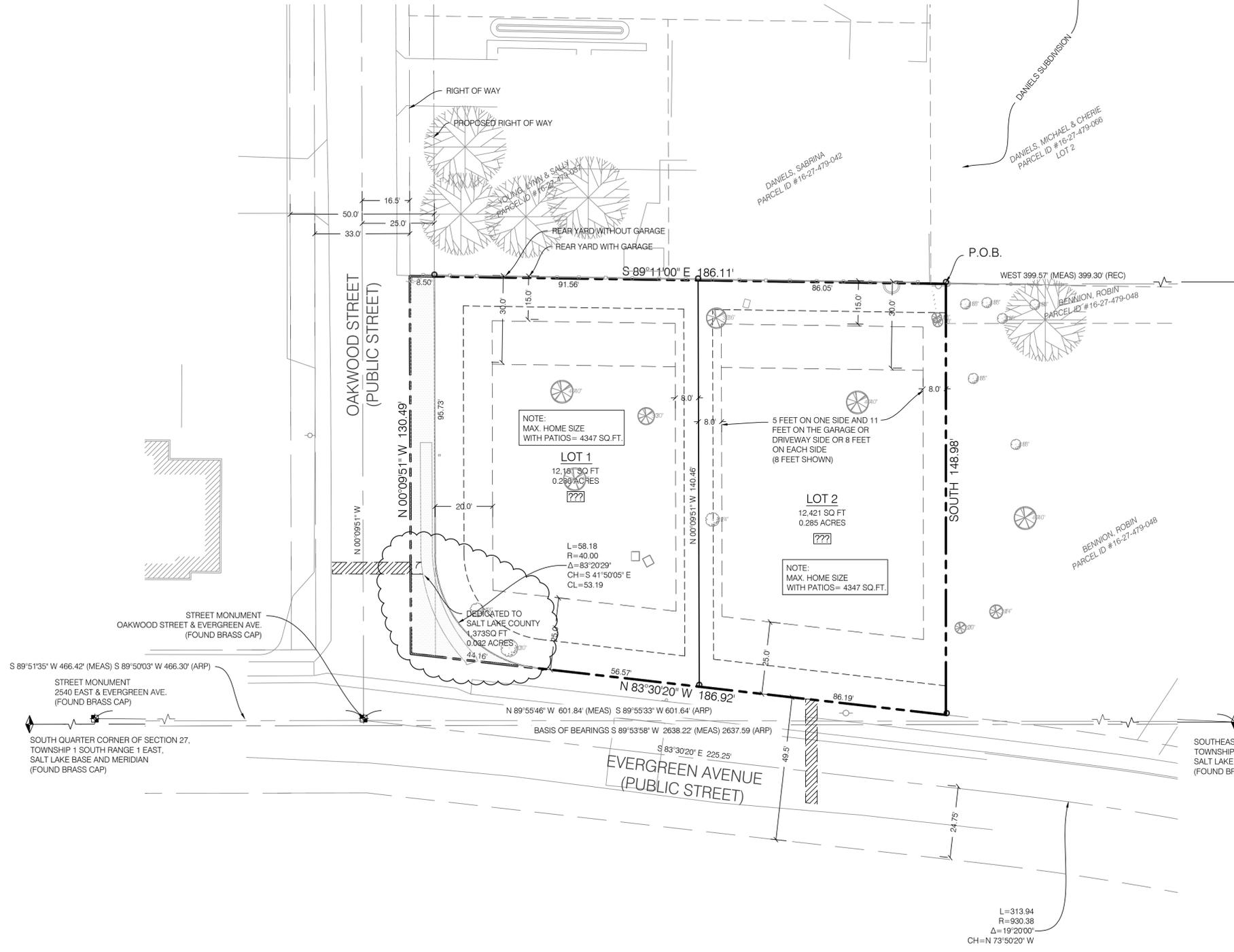
RECORDED # _____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE \$ _____
SALT LAKE COUNTY RECORDER

DEVELOPER/OWNER: WHITNEY INVESTMENT PROPERTIES
 NAME: BOB WHITNEY
 ADDRESS: 4050 SPLENDOR CIRCLE
 SALT LAKE CITY, UTAH 84124
 TELEPHONE: (801) 272-7111
 EMAIL: Bob@wattsliving.com



CONSTRUCTION KEY NOTES REFERENCE		
NO.	DESCRIPTION	DETAIL
①	ASPHALT PAVEMENT WITH GRANULAR BASE	2/CDT.01
②	CONCRETE PAVEMENT	2/CDT.01

AREA TABLE		
PARTICULARS	S.F.	%
BUILDING	8,694	33.5
HARDSCAPE	1,006	3.9
LANDSCAPE	16,275	62.6
TOTAL	25,975	100



NOTES:
 BUILDER WILL LANDSCAPE SITE.

NOTES:
 OUTDOOR REFUSE AND GARBAGE COLLECTION CONTAINERS SHALL BE FULLY SCREENED FROM VIEW USING THE SAME MATERIALS AS THE BUILDING OR APPROVED MASONRY FENCING. ENCLOSURES SHALL ALSO BE SURROUNDED BY LANDSCAPING TO FURTHER SOFTEN THEIR VISUAL IMPACT. THE GENERAL PUBLIC SHALL BE RESTRICTED FROM ACCESSING SUCH AREAS.

CALL BEFORE YOU DIG.
 IT'S FREE & IT'S THE LAW.

BLUE STAKES OF UTAH
 UTILITY NOTIFICATION CENTER

1-800-662-4111
 www.bluestakes.org

NO.	DATE	DESCRIPTION

SCALE MEASURES 1/4" ON FULL SIZE SHEETS
 ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS



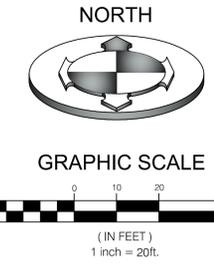
BENCHMARK ENGINEERING & LAND SURVEYING
 9130 SOUTH STATE STREET SUITE # 100
 SANDY, UTAH 84070 (801) 542-7192
 www.benchmarkcivil.com

ESTATES ON EVERGREEN
 3433 S OAKWOOD STREET
 SALT LAKE CITY, UT

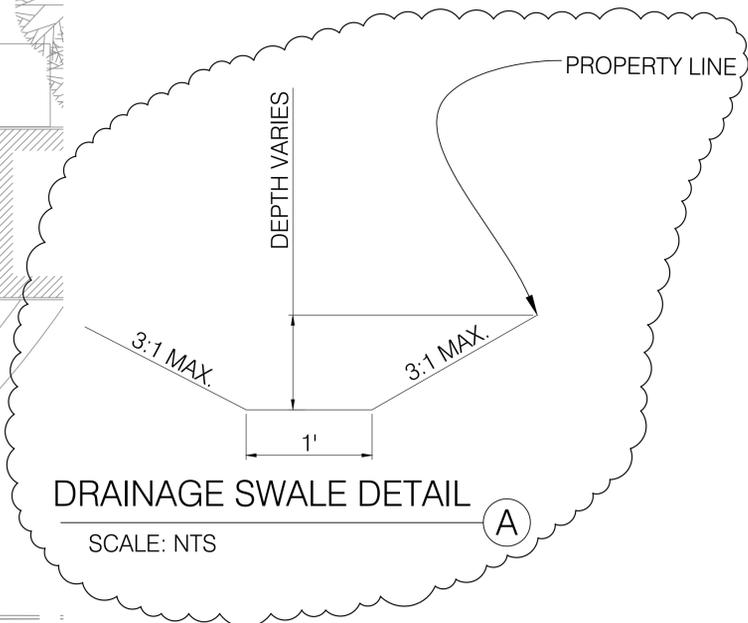
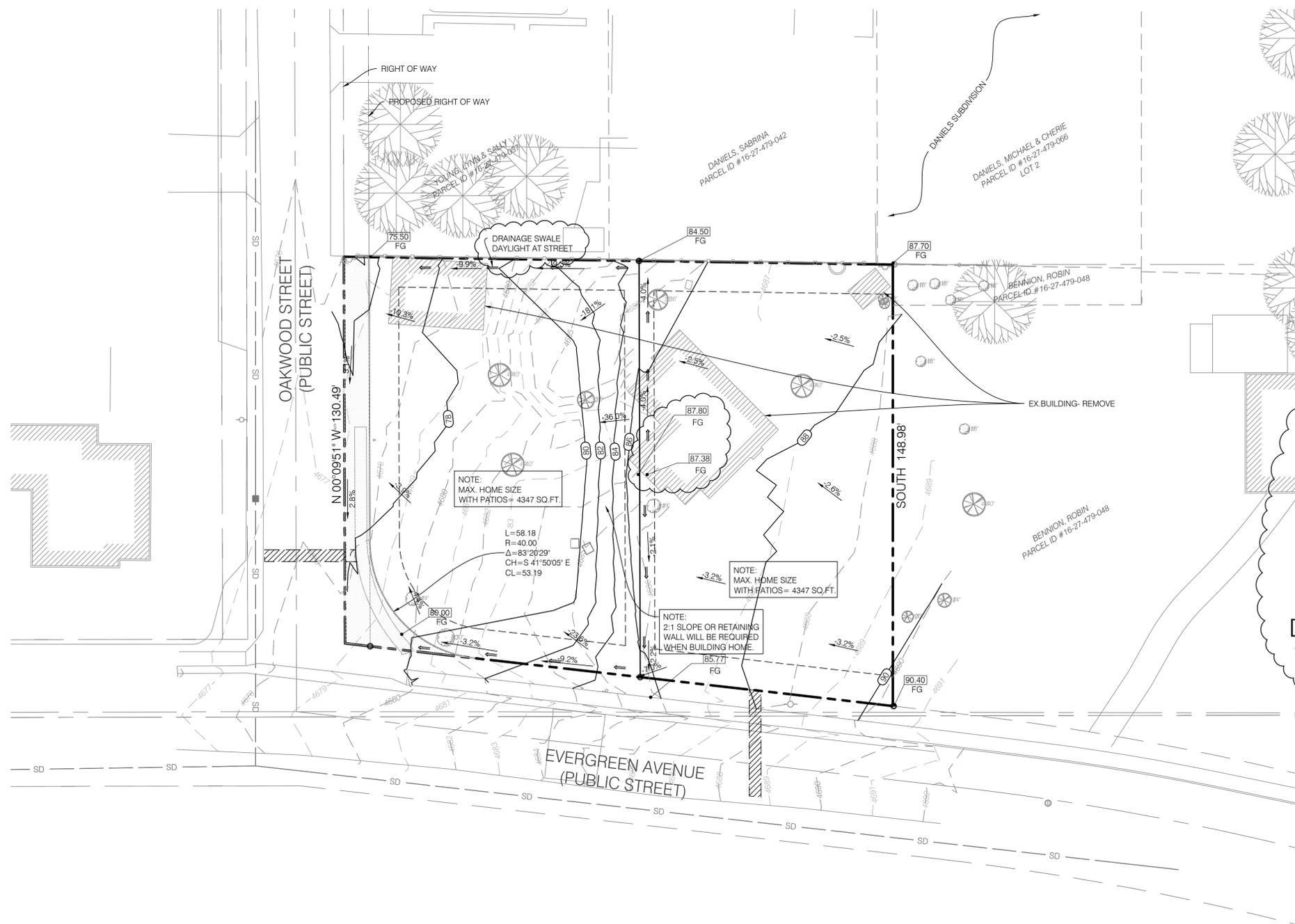
PROJECT NO. 1503035

SITE PLAN

CSP.01
 3 OF 13



GRADING AND DRAINAGE KEY NOTES REFERENCE		
NO.	DESCRIPTION	DETAIL
①	GRADE SITE TO ELEVATIONS AND CONTOURS SHOWN ON PLAN	



NO.	DATE	DESCRIPTION
1	05/18/15	1503035Site



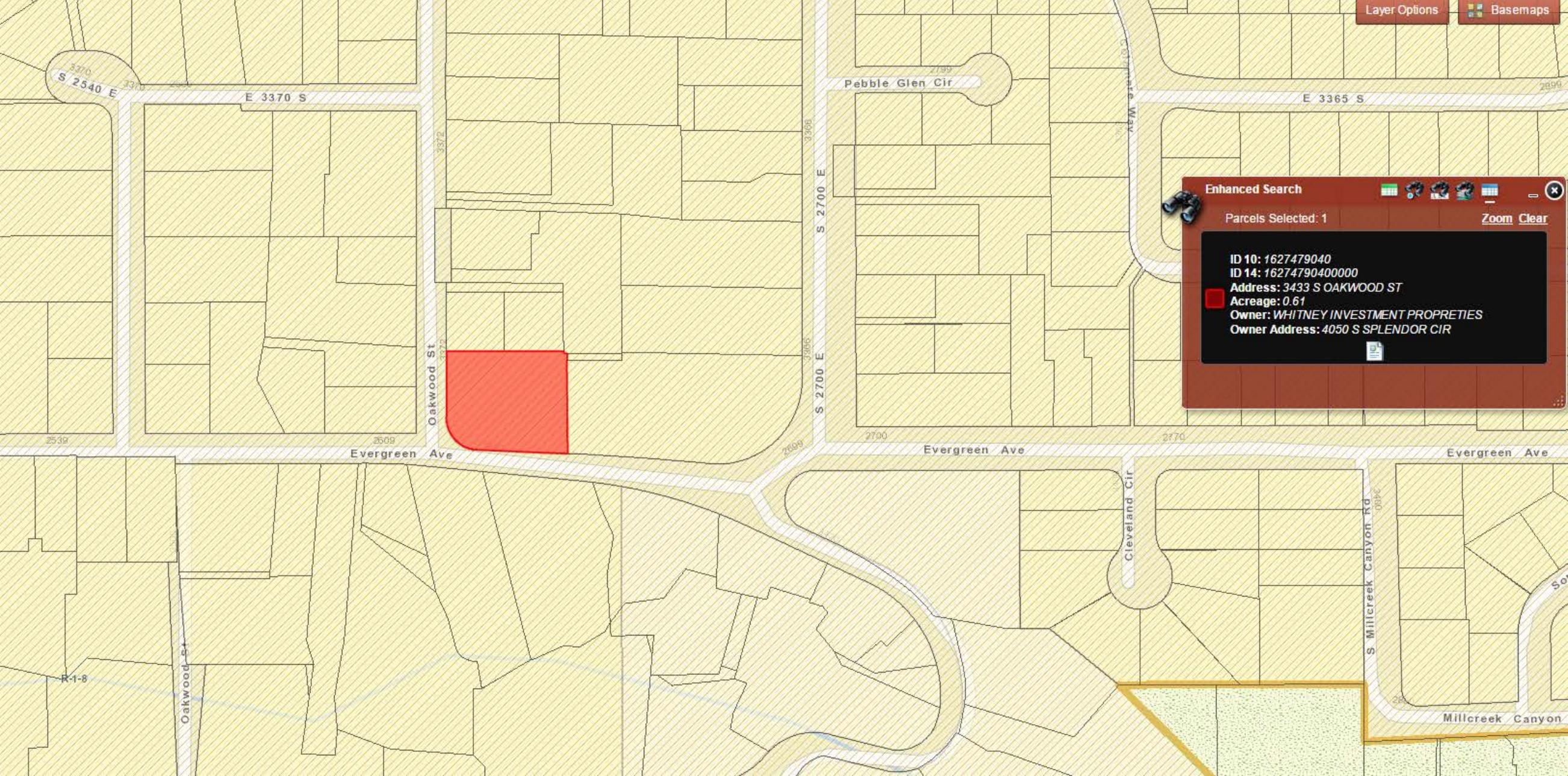
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 9130 SOUTH STATE STREET SUITE # 100
 SANDY, UTAH 84070 (801) 542-7192
 www.benchmarkcivil.com

ESTATES ON EVERGREEN
 3433 S OAKWOOD STREET
 SALT LAKE CITY, UT

PROJECT NO. 1503035
GRADING PLAN
 CGD.01
 5 OF 13

CONTRACTOR TO VERIFY EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION OR FABRICATION AND CONTACT ENGINEER WITH ANY DISCREPANCIES.

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 BLUE STAKES OF UTAH
 UTILITY NOTIFICATION CENTER
 1-800-662-4111
 www.bluestakes.org



Enhanced Search

Parcels Selected: 1 Zoom Clear

ID 10: 1627479040
ID 14: 16274790400000
Address: 3433 S OAKWOOD ST
Acreage: 0.61
Owner: WHITNEY INVESTMENT PROPERTIES
Owner Address: 4050 S SPLENDOR CIR







1627476002

1627476016

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File # 29491

Rezone Summary and Recommendation

Public Body: Millcreek Township Planning Commission

Meeting Date: July 15, 2015

Parcel ID: 1631378011 & 1631378010

Current Zone: R-2-10

Proposed Zone: R-M

Property Address: 3965-3971 South 300 East

Request: Zone Change from R-2-10 to R-M for a new multi-family development project

Community Council: Millcreek Community Council

Township/Unincorporated: Millcreek Township

Planner: Spencer W. Brimley

Planning Staff Recommendation: Recommendation for approval of the zone change request

Community Council Recommendation:

Planning Commission Recommendation:

Applicant Name: Bob Jones

PROJECT DESCRIPTION

The applicant, Bob Jones is requesting approval of a zone change from R-2-10 (medium density residential) zone to the R-M (Residential Multi-Family) zone in order to allow for increased density to accommodate a multi-family project on the site located at approximately 3965-3971 South 300 East. The subject properties are developed and contain existing single family homes.

EXECUTIVE SUMMARY

The applicant is requesting a zone change on the two parcels in the Millcreek Township for the purpose of high density residential development. This application does have a proposal along with this request which staff has included in the staff report.

SITE & VICINITY DESCRIPTION (see attached map)

The property is surrounded by RM zoning on the east, south and across the street. The property directly north is zone R-2-10 and consists of single family residential development. As you go north on 300 E there is increasingly more intense zoning, including C-2 at the intersection of 3900 S and 300 E. This area consist is a mix of medium density and high density zoning. This proposal would not cause a substantive or negative impact on the surrounding character and uses in the area.

GENERAL PLAN CONSIDERATIONS

General Plan.

The subject property for application 29491, (R-2-10 to R-M) at 3965-3971 South 300 East, is located on the eastern edge, but outside of the West Millcreek URA. It is within a **yellow area** on the official map of the Millcreek Township General Plan. The following excerpt from the plan explains this designation:

*A **Yellow area** is one that has modest potential for the absorption of growth, and is likely to experience only moderate changes in overall character over time. The level of stability of **Yellow areas** is defined as follows:*

- 1) Moderate changes in land uses will occur, and may represent reasonable changes to the typical land uses for the area/corridor. Changes may occur in clusters, while the land uses of the overall area/corridor will remain largely consistent. Growth in these areas will begin to trend upward, allowing for a transition to more intensive land uses.*
- 2) Improvements are likely to occur which will moderately alter the appearance, economics, or sustainability of the area/corridor. Improvement will be coordinated, and will begin to create identifiable places.*
- 3) Mobility networks will become more formalized and connectivity will become more critical to the success of the area/corridor. Public transit may have a dedicated right-of-way. Consideration to connectivity and walkability will become increasingly important in these areas/corridors.*

Best Practices

Adopted as part of the general plan in chapter 2 are several best practices such as **Housing, Corridors, and Land Use & Mobility**. These practices talk about clustering intense land uses in activity centers and in close proximity to transit, providing a variety of housing choices for a varied demographic base, and creating pedestrian friendly environments.

Housing - The Housing Best Practice promotes housing development that is safe, makes efficient use of the of infrastructure, promotes a feeling of community, allows of diversity and affordability and enhances quality of life. The type and location of housing available in a community significantly impacts opportunities for jobs and economic development, as well as the amount and cost of infrastructure and municipal services required.

Corridors - The Corridors Best Practice supports some increased residential density along corridors. This is where opportunities for improved transit, buffering, and in-fill development are anticipated to occur. Developments that follow the County Standards and the Best Practices within the General Plan will likely result in more efficient and sustainable development and improved economic growth and sustainability of a community.

Land Use & Mobility - The Land Use & Mobility Best Practice encourages increased density near economic centers and along corridors where transit is available. This helps to provide a land use buffer from more intense uses and traffic areas for the least intense single family uses.

ZONE CONSIDERATIONS

Requirement	Existing Zone	Proposed Zone
Zone	R-2-10 – Medium Density Residential	RM - High Density Residential
Height	RCOZ Applied - 30 feet (Ridge)	6 stories or 75 feet (Midpoint)
Front Yard Setback	30 feet	In the R-M zone, the minimum depth of the front yard for main buildings, and for private garages which have a minimum side yard of eight feet, shall be twenty-five feet or the average of the existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet. Other private garages and all accessory buildings, other than private garages, shall be located at least six feet in the rear of the main building.
Side Yard Setback	<p>RCOZ Applied - Side Yard. The combined side yard setbacks for any main structure shall be at least twenty-five percent of the lot width with no side setback less than eight feet. For purposes of this provision, "lot width" is the diameter of the largest circle that can be inscribed entirely within the lot, not including streams, flood plains, wetlands, areas of thirty percent slope or greater or other natural hazard areas.</p> <p>No extensions, bay windows or similar building elements may encroach into the required setbacks under Option A, except for (a) attached air conditioning units, electrical boxes, utility meters and the like and (b) roof overhangs or eaves that extend no more than two feet into the area of the minimum side setback</p>	In the R-M zone, the minimum side yard for any dwelling shall be eight feet, and the total width of the two required side yards shall be not less than eighteen feet. Other main buildings shall have a minimum side yard of twenty feet, and the total width of the two yards shall be not less than forty feet. The minimum side yard for a private garage shall be eight feet, except that private garages and other accessory buildings located in the rear and at least six feet away from the main building shall have a minimum side yard of not less than one foot, provided that no private garage or other accessory building shall be located closer than ten feet to a dwelling on an adjacent lot. On corner lots, the side yard which faces on a street, for both main and accessory buildings, shall be not less than twenty feet, or the average of existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet, or be required to be more than twenty feet. Dwelling structures over thirty-five feet in height shall have one foot of additional side yard on each side of the building for each two feet such structure exceeds thirty-five feet in height.
Rear Yard Setback	<p>With garage: 15 feet</p> <p>Without garage: 30 feet</p>	In R-M zones, the minimum depth of the rear yard for any building shall be thirty feet, and for accessory buildings one foot; provided that, on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard
Lot Width	65 feet at a distance 30 feet from the front lot line	The minimum width of any lot in the R-M zone shall be fifty feet, at a distance twenty-five feet back from the front lot line.
Lot Area	5,000 square feet for a lot containing 1 unit of a two-family dwelling 10,000 square feet for any other main building	The minimum lot area in the R-M zone shall be five thousand square feet for each one-family dwelling, with seven hundred fifty additional square feet for each additional dwelling unit in a dwelling structure having more than one dwelling unit. For group dwellings, the minimum lot area shall be not less

		than five thousand square feet for the first separate dwelling structure, with three thousand square feet for each additional separate dwelling structure, and with seven hundred fifty square feet additional for each additional dwelling unit in excess of one dwelling unit in each separate dwelling structure, not less than five thousand square feet for any other main building.										
Parking	2 Stalls per unit	Use dependent/Residential would still be 2 stall per unit, plus guest parking.										
Lot Coverage	RCOZ Applied – 35%	No building or group of buildings in an R-M zone, with their accessory buildings, shall cover more than sixty percent of the area of the lot.										
Density	Single Family Dwelling – 5 units/ acre Two Family Dwelling – 8 Units/ acre	<table> <tr> <td>Single-family dwellings</td> <td>7.0 units per acre</td> </tr> <tr> <td>Two-family dwellings</td> <td>12.0 units per acre</td> </tr> <tr> <td>Three-family dwellings</td> <td>15.0 units per acre</td> </tr> <tr> <td>Four-family dwellings</td> <td>18.0 units per acre</td> </tr> <tr> <td>Multi-family dwellings</td> <td>25.0 units per acre*</td> </tr> </table>	Single-family dwellings	7.0 units per acre	Two-family dwellings	12.0 units per acre	Three-family dwellings	15.0 units per acre	Four-family dwellings	18.0 units per acre	Multi-family dwellings	25.0 units per acre*
Single-family dwellings	7.0 units per acre											
Two-family dwellings	12.0 units per acre											
Three-family dwellings	15.0 units per acre											
Four-family dwellings	18.0 units per acre											
Multi-family dwellings	25.0 units per acre*											

Compatibility with existing buildings in terms of size, scale and height.	Use Dependent
Compliance with Landscaping Requirements Verified.	Reviewed in CU review
Compliance with the General Plan.	Yes

ISSUES OF CONCERN/PROPOSED MITIGATION

Currently there are single family homes to the north, with multifamily to the south, east and west. The current zoning would allow for heights not to exceed 30 feet, measured to the ridge of the structure. The RM zone allows for heights up to 6 stories or 75 feet RM would also allow for 25 units acre, which is not out of character with properties in the surrounding area. If the proposal for future development can be set to the south of the property and limit the height any impacts to properties to the north can be mitigated and substantially reduced.

NEIGHBORHOOD RESPONSE

At the time this report was written staff has not received any input or response from the neighborhood. This item is noticed prior to the Planning Commission meeting and in most cases comments are not received until just prior to the public hearing.

COMMUNITY COUNCIL RESPONSE

This item was presented the Millcreek Community Council at their meeting on July 7, 2015. At the time this report was written no formal response was received from the Council.

PLANNING COMMISSIONS’ RESPONSE

Staff is seeking a recommendation from the Planning Commission in this meeting and will be presenting that recommendation to the Council at a future hearing.

PLANNING STAFF ANALYSIS

In considering a proposed zone change, the question before the governing body relates to whether or not the change is consistent with the General Plan and appropriate for a given location. If a new zoning designation were to be approved, a different plan or use could be proposed for the site among the range of uses allowed by the new zoning designation. The site is located within 500 feet of a major east west corridor in the Salt Lake Valley as well as two bus stops located at the corner of 3900 S and 300 E.

If approved the proposal for the property would be subject to a conditional use review as a separate process. Specific site and use related issues and mitigation measures are more appropriately addressed during the Site Plan and/or Conditional Use review process that is required to change uses on this site. During that review, ordinance compliance is verified and specific conditions addressing known impacts can be considered and implemented. In this case, and as stated previously, the future use of this site for multi-family would be required to follow the Conditional Use process for approval at which time the Planning Commission could consider mitigation measures to deal with anticipated impacts.

19.90.060 Conditions to zoning map amendment

A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

1. Uses;
2. Dwelling unit density;
3. Building square footage;
4. Height of structures.

PLANNING STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed Zone Change

Reasons for Recommendation

- 1) The proposed zone change is consistent with the Millcreek Township General Plan as outlined in this report.
- 2) Planning commission has the ability to mitigate any potential impacts of the future development for this site as outlined in Title 19 of the Salt Lake County Zoning Ordinance.
- 3) Development of the site will have to comply with all development standards and regulations.

E 3900 S

E 3900 S

E 3900 S

C-2

C-1

C-2
28931

R-Mileo Ln
22470

Woodlake

Brandt Ct

Park Hill Way

S 300 E

S 400 E

S 200 E

E Aspen Meadows Ct

E 4020 S

Woodlake Dr

Hill Ave

Serenity Oak Ln

R-M/zc
18361

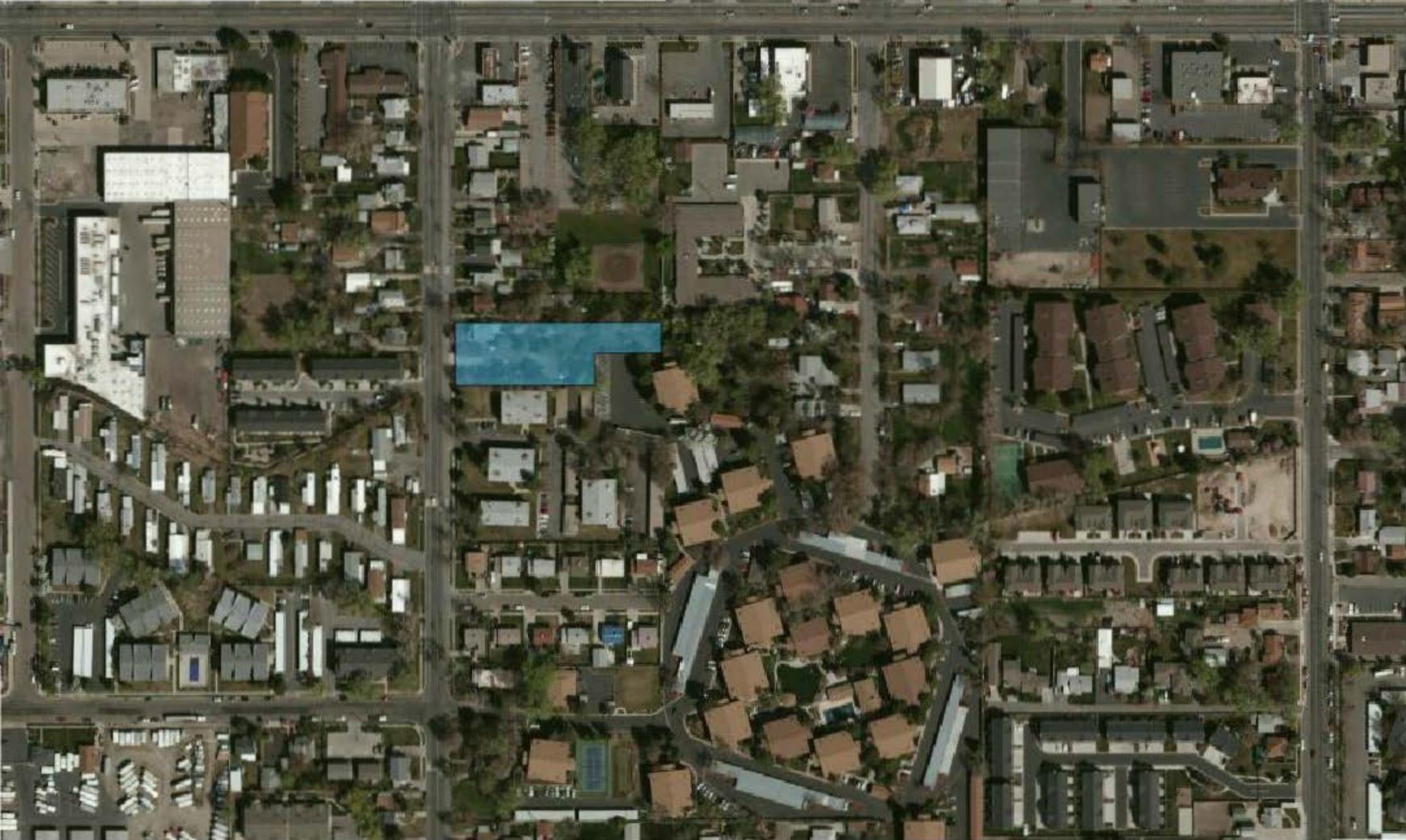
E 4090 S

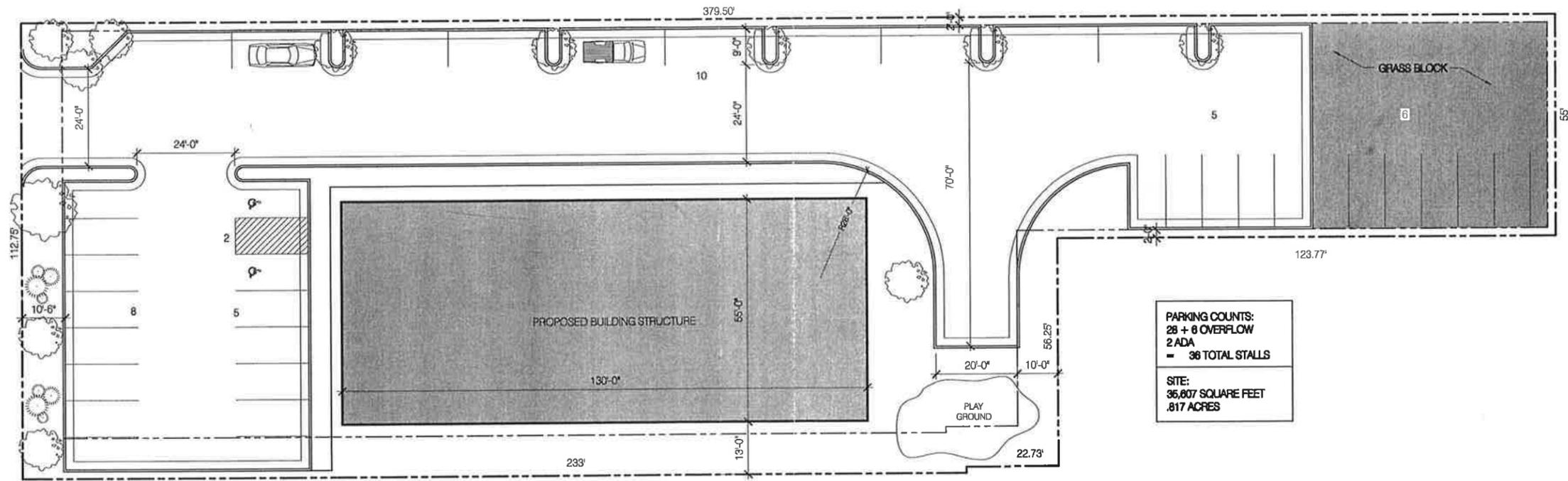
E 4100 S

Woodlake Ln

S 500 E

S 600 E





PARKING COUNTS:
 28 + 8 OVERFLOW
 2 ADA
 = 36 TOTAL STALLS

SITE:
 36,607 SQUARE FEET
 .817 ACRES

A1 SITE PLAN
 1/16" = 1'-0"

3900 SOUTH 300 EAST

SCALE	
DATE	
PROJECT NAME	
CAD DWG FILE	
DRAWN BY	
CHECKED BY	
SCALE	
SITE	

19.32.020 - Permitted uses.

Permitted uses in the R-2 zones are as follows:

Zone	Permitted Uses
R-2-6.5, R-2-8, R-2-10	— Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;
	—Agriculture;
	—Home business, subject to <u>Chapter 19.85</u> ;
	—Home day care/preschool, subject to <u>Section 19.04.293</u> ;
	—Household pets;
	—Residential facility for elderly persons;
	—Residential facility for persons with a disability;
	—Single-family dwelling;
	—Two-family dwelling.

(Ord. No. 1753, § III, 8-6-2013; Ord. 1535, § 4 (part), 2004; Ord. 1452, § 7, 1999; Ord. 1291, § 2 (part), 1995)

19.32.030 - Conditional uses.

Conditional uses in the R-2 zones are as follows:

Zone	Conditional Uses
R-2-6.5, R-2-8, R-2-10	—Accessory uses and buildings customarily incidental to a conditional use. Any accessory building or buildings where the total square footage exceeds eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;

	—Cemetery;
	—Day care/preschool center, subject to <u>Section 19.76.260</u> ;
	—Dwelling group.
	A. The development shall comply with the maximum allowable density for the zone in which it is located.
	B. The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, if the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall be at least fifteen feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be at least the front yard required in the zoning district, except on corner lots the side yard which faces on a public street shall be at least twenty feet.
	C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall be at least twenty feet wide for one or two rear dwelling units and at least thirty feet wide for three or more dwelling units.
	D. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall meet county standards.
	E. Every dwelling structure in the dwelling group shall be within sixty feet of an access roadway or drive.
	F. The development plan shall provide landscaping as specified in <u>Chapter 19.77</u> of this title. Solid visual fences shall be provided along all interior property lines unless the planning commission approves otherwise.
	—Golf course;
	—Home day care/preschool, subject to <u>Section 19.04.293</u> ;

	—Nursery and greenhouse, provided that there is no retail sales;
	—Pigeons, subject to health department regulations;
	—Planned unit development;
	—Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;
	—Private nonprofit recreational grounds and facilities;
	—Public and quasi-public uses;
	—Short-term rental provided:
	—A. The dwelling unit is located in a single-family or two-family dwelling, but not located in a planned unit development or dwelling group; and
	—B. The site has frontage on a street with an existing or proposed right-of-way of at least sixty-six feet, as identified on the map entitled "Road Widening and Improvement Map" on file with the development services division and such map is made by this reference, as such, a part of this title as if fully described and detailed herein;
	—Sportsman's kennel with a minimum lot area of one acre;
	—Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion of the construction work. If such buildings are not removed within ninety days upon completion of construction work and thirty days after notice, the building will be removed by the county at the expense of the owner.
R-2-10	—Bed and breakfast homestay.

(Ord. No. 1753, § IV, 8-6-2013; Ord. 1609, § 7, 2007; Ord. 1539, § 5, 2004; Ord. 1535, § 5 (part), 2004; Ord. 1473 (part), 2001; Ord. 1361, § 6, 1996; Ord. 1338, § 2 (part), 1996; Ord. 1336, § 2, 1996; Ord. 1291, § 2 (part), 1995)

Chapter 19.44 - R-M RESIDENTIAL ZONE

Sections:

19.44.020 - Permitted uses.

Permitted uses in the R-M zone include:

- Agriculture;
- Home business, subject to Chapter 19.85;
- Home day care/preschool, subject to Section 19.04.293;
- Household pets;
- Residential development, with a maximum number of two units per structure per lot;
- Residential facility for elderly persons.

(Ord. 1535 § 4 (part), 2004; Ord. 1200 § 5 (part), 1992; Ord. 1179 § 5 (part), 1992; § 1 (part) of Ord. passed 2/1/84; prior code § 22-22-2)

19.44.030 - Conditional uses.

Conditional uses in the R-M zone include:

- Airport;
 - Apartments;
 - Apartments for elderly persons;
 - Banks;
 - Bed and breakfast homestay (provided it is located on a lot which has a minimum area of ten thousand square feet);
 - Bed and breakfast inn, which may include conference meeting rooms;
 - Boardinghouse;
 - Cemetery, mortuary, etc.;
 - Day care/preschool center;
 - Dwelling group.
- A. The development shall comply with the maximum allowable density for the R-M zone.
 - B.

The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, provided that the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall not be less than fifteen feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be not less than the front yard required in the zoning district, except for corner lots the side yard which faces on a public street shall be not less than twenty feet.

- C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall not be less than twenty feet wide for one or two rear dwelling units, and not less than thirty feet wide for three or more dwelling units.
- D. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall be designed to comply with county standards.
- E. Every dwelling in the dwelling group shall be within sixty feet of an access roadway or drive.
- F. The development plan shall provide landscaping as specified in Chapter 19.77 of this title. Solid visual barrier fences shall be provided along all property lines unless the planning commission approves otherwise by deleting or modifying the fence requirement.
- G. The development shall be approved by the development services director and the county fire chief before final approval is given by the planning commission.

— Electrolysis of hair;

— Golf course;

— Gymnastics, dance, dramatic, cosmetic, modeling and art studios for instructional purposes only;

— Home day care/preschool, subject to Section 19.04.293;

— Hospital;

— Hotel;

— Lodginghouse;

— Massage (every massage technician shall be licensed by the state);

— Medical, optical and dental laboratories, but not to include the manufacture of pharmaceutical or other products for general sale or distribution, and also not to include the use of animals;

— Mobile home park;

— Nursery and greenhouse, excluding retail sales;

— Nursing home;

— Office, business and/or professional;

- Parking lot;
- Pigeons, subject to health department regulations;
- **Planned unit development;**
 - Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;
 - Private nonprofit recreational grounds and facilities;
 - Public and quasi-public uses;
 - Rail transit mixed-use, provided it meets the following requirements:
 - A. The planning commission shall determine the density based on the specific development proposal, site location and surrounding land uses.
 - B. The property is located within one-quarter mile of a rail station.
 - C. Buildings and impervious areas shall not cover more than eighty percent of the site.
 - D. Office uses shall be allowed on the first and second floor of buildings fronting on a public street.
 - E. Parking is not allowed between the building and the public street.
 - F. The front yard setback shall be fifteen feet and the side and rear yards shall be twenty feet minimum. Corner lots are deemed to have two front yards.
 - G. The front yard setback is the build-to-line. At least fifty percent of the front elevation of the building must be built within ten feet of the build-to-line or as approved by the planning commission.
 - H. The planning commission shall determine the amount of parking required based on projected transit usage and other guidelines found in Section 19.80.090, "Planning Commission Exceptions."
 - I. All development in the rail transit mixed-use area shall conform to the Rail Transit Mixed-Use Development Guidelines adopted by the planning commission. The planning commission has the authority to modify or waive guidelines as necessary during development review.
- Reception center and/or wedding chapel;
- Reiki business provided it meets the following requirements:
 - A. Hours of operation shall be between 7:00 a.m. and 10:00 p.m.
 - B. Each practitioner that is not an employee of the business licensee shall have a Salt Lake County business license.
 - C. Neither clients nor practitioners shall appear on the premises in a state of nudity or semi-nudity, as defined in the Sexually Oriented Business Chapter of Title 5 of this Code; and
 - D. The premises shall not be used for any conduct that violates Section 58-47b-501 of the Utah Massage Therapy Practice Act (2013) or sexual conduct that violates Title 76 of the Utah Criminal Code.

— Residential development with any number of dwelling units per structure per lot, pursuant to Section 19.44.040;

— Shared parking;

— Short-term rental provided:

- A. A full-time manager lives on the property. The full-time manager may be the owner of the property; and
- B. Except for the manager's dwelling unit, all of the dwelling units on the property, lot, planned unit development, or dwelling group shall be rental units, short-term or long-term.

— Sportsman's kennel (minimum lot area one acre);

— Tanning studio;

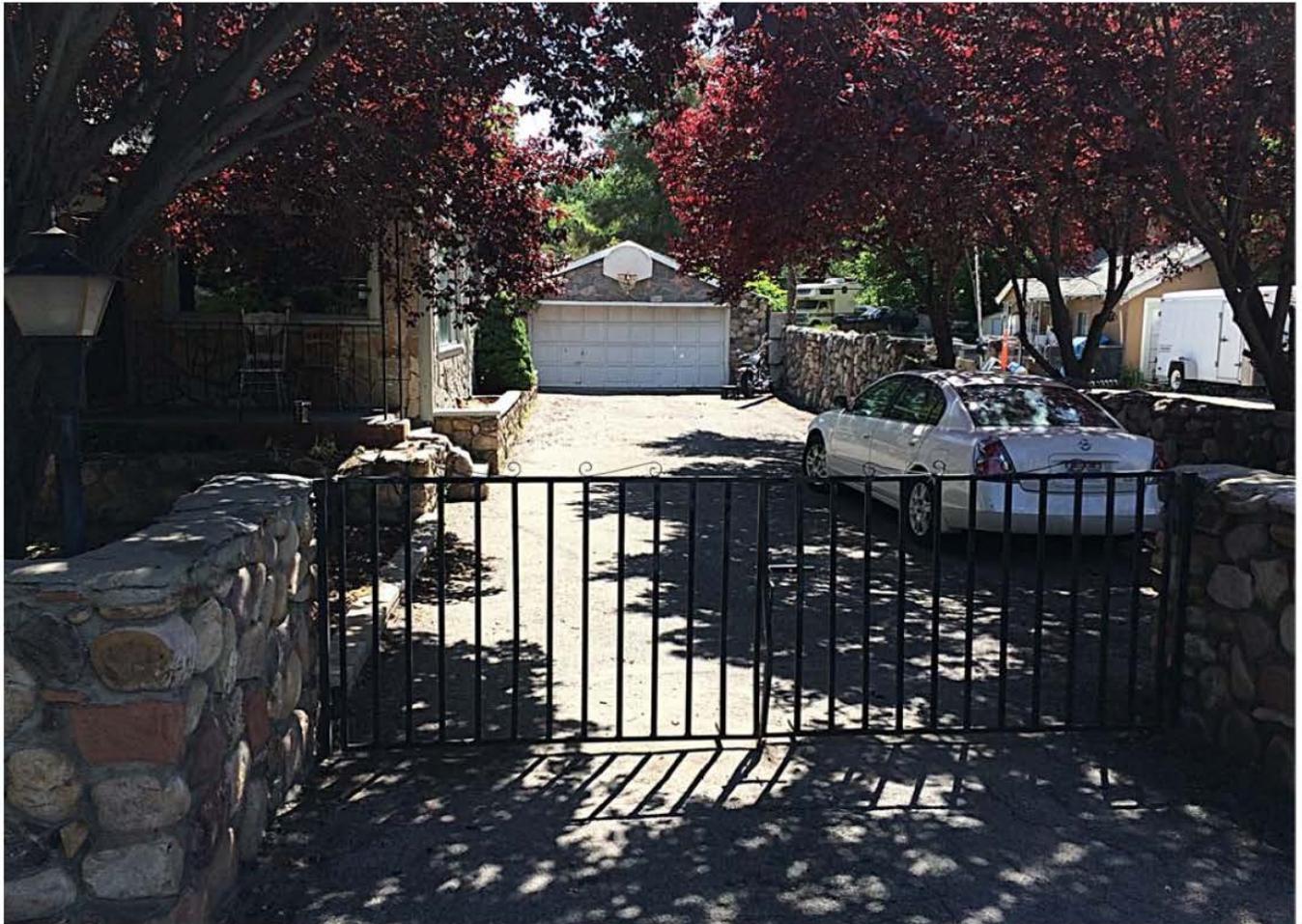
— Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion or abandonment of the construction work. If such buildings are not removed within ninety days upon completion of construction and thirty days after notice, the buildings will be removed by the county at the expense of the owner;

— Veterinary; provided, that:

- A. The operation is completely enclosed within an air-conditioned soundproofed building. The noise from the animals shall not be audible at the property line,
- B. There is no sale of merchandise on the premises, and
- C. There is no overnight boarding of animals.

(Ord. No. 1779 § III, 1-6-2015; Ord. No. 1753, § VI, 8-6-2013; Ord. 1609, § 10, 2007; Ord. 1574, § 2 (part), 2005; Ord. 1539, § 12, 2004; Ord. 1535, § 5 (part), 2004; Ord. 1473 (part), 2001; Ord. 1416, § 2 (part), 1998; Ord. 1367, § 7, 1996; Ord. 1331, § 4, 1996; Ord. 1293, § 2, 1995; Ord. 1228, § 2 (part), 1993; Ord. 1216, § 2, 1992; Ord. 1198, §§ 9 (part), 11, 1992; Ord. 1179, § 6 (part), 1992; Ord. 1118, § 6 (part), 1990; Ord. 1115, § 5 (part), 1990; Ord. 1088, § 6 (part), 1989; (part) of Ord. passed 12-15-1982; prior code § 22-22-3)













**MEETING MINUTE SUMMARY
MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING**

Wednesday, May 13, 2015 4:00 p.m.

Approximate meeting length: 2 hours and 41 minutes
Number of public in attendance: 4
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Stephens

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
John Janson – Chair			x
Pamela B. Juliano	x		
Andrew Gruber	x		
Jonathan Jemming (Alternate)			x
Shawn LaMar	x		
Julia Tillou (Alternate)			x
Tom Stephens – Vice Chair	x		
Geralyn Parker-Perkins	x		
Ann Ober			x

Township Services Planning Staff / DA	Public Mtg	Business Mtg
Todd Draper	x	
Wendy Gurr	x	x
Max Johnson	x	x
Chris Preston (DA)	x	x
Wilf Sommerkorn		x

PUBLIC HEARINGS

Hearings began at – 4:02 p.m.

29125 – (Continued from the 03/11/2015 and 04/15/2015 meeting) The Salt Lake County Economic Development Office of Township Services is requesting approval of a zone change from the R-1-8 (Single Family Residential) zone to the C-1 (Neighborhood and Community Commercial) and C-2 (Neighborhood Commercial) zone. **Location:** 3942 – 4076 South Wasatch Boulevard. **Community Council:** Mount Olympus. **Planner:** Spencer W. Brimley

County Township Services Planning Supervisor Max Johnson said this item is being withdrawn by Staff. UDOT has a new agreement with a new developer and potential application in the next few months.

Commissioner Stephens said he was reading Cottonwood/Holladay news and there was an article of a grant to plan for an ultimate quarry area. For this particular land, he wants to know why they are not receiving the same thing. There’s no basis to mask the plan for this property. The next time it comes before the Planning Commission, it may not be in the best interest of the area residence. Commissioner Gruber said the effort they have created technical assistance and some funding to communities around the area and are looking to be thoughtful in approaching development of the area. For purposes of the program Commissioner Stephens is referring to, there are limited resources. What process are they going through, property owners, neighbors, and the community at large. He can’t comment on what happened on what is happening on this particular parcel he isn’t aware the work has been done. UDOT may want

to be thoughtful in redevelopment of the property. He would be interested into knowing what extent the community has been involved and has been put into this and how it is brought together.

This item was not opened to the public.

29385 – Salt Lake County's Planning and Development Office within Township Services, is in the process of finalizing the Millcreek Meadowbrook Small Area Plan and is seeking a recommendation from the planning commission. This plan, located in the West Millcreek RDA, is a collaborative effort with South Salt Lake City, Murray City, and the Utah Transit Authority. It provides general recommendations regarding future growth of the western portion of Millcreek Township. **Planner:** Max Johnson

County Township Services Planning Supervisor Max Johnson presented the Small Area Plan.

Commissioner LaMar advised he read the Millcreek Meadowbrook Small Area Plan and asked if there were revisions. County Township Services Planning Supervisor Max Johnson said revisions are not available, but he has received his and Commissioner Janson's feedback. Mr. LaMar asked Mr. Johnson what he envisions for the life of the document and who the audience is. Mr. Johnson said property owners, community residents, respected residents, respected developers, economic development, and township services. Storm water system needs support, underway with initiatives and application applied for on Main Street. Hope to get adopted and invigorate more and have a punch list of several items to start working on. Need foundation to move forward. Mr. LaMar asked if election affects this document at all. Mr. Johnson said we are full speed ahead. Mr. LaMar said there are a lot of facts and stats if it could be put into appendix. Mr. LaMar said he felt like some things were passive aggressive rather than directive and encourages and like to see this as the outcome. Mr. Johnson agrees with the feedback and what they're after is trying to be more specific. The goal is this becomes a conversation piece. Commissioner Gruber said he is unclear of what they are approving, is it to make a recommendation to the County Council to adopt the Meadowbrook plan and is the small plan part of the general plan to support west Millcreek. Mr. Gruber said included are maps of land use, current land use and anticipated land use, if this is adopted does the land use contemplated become the land use that applies for this area. Mr. Johnson said this document would not change land uses, but would help support changing the land uses. This is supplementary and helps support RDA and efforts of economic development. The concepts superseded what's there, but the direction more green development and economic development supersedes. There is an effort beginning that anything like this would be folded into the Millcreek general plan. Commissioner Stephens said required by state law for every community is to have a general plan. Mr. LaMar asked when they anticipate the final. Mr. Johnson said if recommended tonight they will start the process to COW and County Council, positively maybe July and it would be brought back to them before it goes to the County Council. Mr. Stephens said on the executive summary and these documents always have soft language, it's still nice to have stronger language. Mr. Johnson said the hard stuff is in the ordinances, it does light a fire to move things forward. Mr. Stephens said it talks about creating form based codes, he doesn't know what that is. Mr. Johnson said the form is based on the buildings not the codes and collaborative effort in this area can be used in the future. Mr. Gruber said it allows for a mix of uses, in an area of transit supportive, if they're able to access restaurants and park as well as their residents and allows the neighborhood to flourish. Mr. Gruber thinks this is great that it has taken a collaborative effort and doing a conjunction with neighboring cities and ambitious, up to 23,000 new residences by 2030 would go into this area. There are really minimal amenities and is a food desert and that jeopardizes the feasibility of the area absorbing that much new growth. Mr. Johnson agrees there are a lot of opportunities in this area, working together to grow upon will do a lot of advancement. They had their consultant do a lot of numbers and if they can make changes, then we will make a difference. Mr. LaMar said there needs to be a balance and right now there is a lot of building going on.

PUBLIC PORTION OF MEETING OPENED

No one from the public was present to speak.

PUBLIC PORTION OF MEETING CLOSED

County Township Services Planning Supervisor Max Johnson said if they would like to send their bullet points, he will move it forward.

Motion: to recommend application #29385 to the County Council for adoption.

Motion by: Commissioner Gruber

2nd by: Commissioner LaMar

Vote: unanimous in favor (of commissioners present)

29328 – John Kruger is requesting a rezone from R-1-10 (Residential Single Family, 10,000 sq. ft. Lot size) and R-2-10 (Residential Two-Family, 10,000 sq. ft. Lot size) to R-2-8 (Residential Two-Family, 8,000 sq. ft. Lot size). **Location:** 3671 South 2300 East. **Community Council:** East Mill Creek. **Planner:** Todd A. Draper

County Township Services Staff Planner Todd Draper provided an analysis of the Staff Report.

Commissioners and County Township Services Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: John Kruger

Address: 3671 South 2300 East

Comments: He said the front house was built as a duplex in 1939. Their plan is to build 2 single family homes in the rear. The lot in the back is humungous if it can be split, the middle lot is .21 and back is .38 acres. It will not present parking problems. A lot of room, but don't have to access to the side.

Commissioner Stephens asked if he anticipates keeping the current residence. Mr. Kruger said he will live in the back and keep the front house for retirement. Commissioner LaMar asked about the center being the smallest. Mr. Kruger said if he goes to the smaller lot he will take a small amount from the front lot.

Commissioner Stephens said they received a letter from the East Mill Creek Community Council providing a positive recommendation and no negative impacts.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Juliano arrived at 4:51 pm.

Commissioners had a brief discussion amongst themselves, regarding the agreement and the purpose of the property.

Motion: to recommend application #29328 to the County Council for approval as the best use of the land and parcel into different zones.

Motion by: Commissioner LaMar

2nd by: Commissioner Perkins

Vote: unanimous in favor (of commissioners present)

29188 – Greg Flint is requesting approval to amend lot seven of the Mount Crest Heights Subdivision by dividing it into two lots. In conjunction with this application is a request for an exception to roadway standards. **Location:** 3868 South 2700 East. **Zone:** R-1-8. **Planner:** Spencer Hymas

County Township Services Staff Planner Todd Draper provided an analysis of the Staff Report.

Commissioners and County Township Services Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Property Owner

Name: Boyd Brown

Address: 3868 South 2700 East

Comments: He said this became more intricate than planned with the curb and gutter. He is surprised and thought he would have to do improvements to the new lot, not the existing. He believed it is premature to put in a system that isn't going to work.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Stephens asked if the Planning Commissioner will have two motions. County Township Services Staff Planner Todd Draper confirmed three motions that will include, one decision and two recommendations. Commissioner Stephens asked Mr. Draper if the delay agreement is connected to the deed. Mr. Draper said it is delayed to install. County Counsel Chris Preston clarified the delay agreement is a separate contractual agreement with the property owner and is time limited to 10 years. So, if the request to install curb and gutter within 10 years by the County is never made, the obligation would end. Commissioner LaMar asked what cost would the owner incur and does each property owner incur a cost. Mr. Preston explained the rights of the neighbors and the applicant.

Motion: to recommend amending application #29188 lot seven into two lots, per staff recommendations.

Motion by: Commissioner LaMar

2nd by: Commissioner Gruber

Vote: unanimous in favor (of commissioners present)

Motion: to preliminarily approve plat on application #29188 subject to a favorable amendment to the subdivision.

Motion by: Commissioner LaMar

2nd by: Commissioner Juliano

Vote: unanimous in favor (of commissioners present)

Commissioner LaMar confirmed he is in favor, but he feels uncomfortable with the agreement.

Motion: to deny application #29188 for an exception request to roadway standards, but recommend approval to the Mayor for delay agreement on curb gutter and sidewalk.

Motion by: Commissioner Juliano

2nd by: Commissioner Gruber

Vote: unanimous in favor (of commissioners present)

BUSINESS MEETING

Meeting began at – 5:22 p.m.

- 1) Training on Administrative versus Legislative decisions - Wilf Sommerkorn

Wilf Sommerkorn provided a PowerPoint presentation on training Administrative versus Legislative.

- 2) Approval of Minutes from the April 15, 2015 meeting

Motion: to approve Minutes from the April 15, 2015 meeting as presented.

Motion by: Commissioner Juliano

2nd by: Commissioner Perkins

Vote: unanimous in favor (of commissioners present)

- 3) Ordinance Issues from today's meeting

There were not any Ordinance Issues to discuss.

- 4) Other Business Items (as needed)

There was not any Other Business Items to discuss.

MEETING ADJOURNED

Time Adjourned – 6:43 p.m.

DRAFT

TABLE 19.30-1: MEDIUM and HIGH DENSITY RESIDENTIAL ZONING DISTRICTS PERMITTED AND CONDITIONAL USES

P = Permitted Use C= Conditional Use

USES	ZONING DISTRICT			SPECIFIC USE STANDARDS
	R-2-6.5, R-2-8 & R-2-10 ZONES	R-4-8.5	R-M	
Agriculture, as defined in chapter 19.04	P	P	P	
Airport		C	C	
Banks			C	
Bed and breakfast, homestay		C	C	See section 19.40.040
Bed and breakfast Inn		C	C	See section 19.40.050
Boardinghouse		C	C	
Cemetery	C	C	C	
Day care/preschool center	C	C	C	See section 19.40.060
Dental clinic		C	C	
Dwelling group	C	C	C	See section 19.40.080
Dwelling, single-family	P	P	P	
Dwelling, two-family	P	P	P	
Dwellings, three-family		C	C	
Dwellings, four-family		C	C	
Dwellings, multiple-family			C	
Electrolysis of hair			C	
Fraternity house		C		
Golf course	C	C	C	
Instruction studios for art, dance, etc.			C	
Home business	P	P	P	See section 19.40.090
Home day care/preschool; 1-6 children	P	P	P	See section 19.40.100
Home Day Care/Preschool; 7-12 children	C	C	C	See section 19.40.100
Hospital			C	
Hotel			C	
Lodging house			C	
Massage clinics			C	
Medical and dental labs			C	
Manufactured home park		C	C	
Mortuary		C	C	
Nurseries and greenhouses, non-retail	C	C	C	
Nursing home		C	C	
Pigeon-keeping	C	C	C	
Planned unit development	C	C	C	See chapter 19.18
Private educational institutions	C	C	C	
Private non-profit recreational facilities	C	C	C	
Public and quasi-public uses	C	C	C	
Rail transit mixed-use			C	See section 19.40.150
Reception center/wedding chapel			C	
Recreation, commercial				
Residential health care facility	C	C	C	See section 19.40.180
Residence for elderly	P		P	See section 19.40.160
Residential facility for persons with a disability	P	P	P	See section 19.40.170
Senior care center (nursing home)		C	C	
Shared parking			C	
Short-term dwelling rental	C	C	C	See section 19.40.200

DRAFT

TABLE 19.30-1: MEDIUM and HIGH DENSITY RESIDENTIAL ZONING DISTRICTS PERMITTED AND CONDITIONAL USES				
<i>P = Permitted Use C= Conditional Use</i>				
USES	ZONING DISTRICT			SPECIFIC USE STANDARDS
	R-2-6.5, R-2-8 & R-2-10 ZONES	R-4-8.5	R-M	
Sorority house		C		
Tanning studio			C	
Temporary construction buildings	C	C	C	
Veterinary clinic			C	

19.30.030 BULK AND YARD REGULATIONS: PRINCIPAL BUILDINGS

Table 19.30-2: Medium and High Density Residential Zones Building and Bulk Yards establishes bulk and yard regulations for principal buildings in the two-family residential zones.

TABLE 19.30-2: MEDIUM AND HIGH DENSITY RESIDENTIAL ZONES BULK AND YARD REGULATIONS: PRINCIPAL BUILDINGS					
BULK REGULATION	ZONING DISTRICT				
	R-2-6.5	R-2-8	R-2-10	R-4-8.5	R-M
MINIMUM LOT AREA					
SINGLE-FAMILY DWELLINGS	6,000 sf	8,000 sf	10,000 sf	6,000 sf	5,000 sf
TWO-FAMILY DWELLINGS	6,500 sf	8,000 sf	10,000 sf	6,500 sf	5,750 sf
TWO-FAMILY FEE SIMPLE DWELLING (PER DWELLING)	4,000 sf	4,000 sf	5,000 sf	3,250 sf	5,750 sf
THREE-FAMILY DWELLINGS	-	-	-	7,500 sf	6,500 sf
FOUR-FAMILY DWELLINGS	-	-	-	8,500 sf	7,250 sf
MULTI-FAMILY; FIVE OR MORE DWELLINGS	-	-	-	-	8,000 sf
OTHER PERMITTED PRINCIPAL USES	8,000 sf	8,000 sf	10,000 sf	8,000 sf	5,000 sf
MINIMUM LOT WIDTH	60 ft	65 ft	65 ft	60 ft	50 ft
DENSITY IN DWELLING UNITS PER ACRE					
SINGLE-FAMILY DWELLINGS	7.0	6.0	5.0	7.0	7.0
TWO-FAMILY DWELLINGS	12.0	10.0	8.0	12.0	12.0
THREE-FAMILY DWELLINGS	-	-	-	15.0	15.0
FOUR-FAMILY DWELLINGS	-	-	-	18.0	18.0
MULTI-FAMILY DWELLINGS	-	-	-	-	25.0 ⁽²⁾
RAIL TRANSIT MIXED-USE	-	-	-	-	NO LIMIT
MAXIMUM BUILDING HEIGHT⁴	35 ft	35 ft	35 ft	35 ft	35 ft
MINIMUM YARD REQUIREMENTS:					

**TABLE 19.30-2: MEDIUM AND HIGH DENSITY RESIDENTIAL ZONES
BULK AND YARD REGULATIONS: PRINCIPAL BUILDINGS**

RESIDENTIAL USE					
FRONT YARD	25 ft	30 ft	30 ft	25 ft ⁽¹⁾	25 ft ⁽¹⁾
SIDE YARD, INTERIOR ⁵	8 ft	8 ft	8 ft	8 ft min.; 18 ft combined	8 ft min.; 18 ft combined
SIDE YARD, CORNER	20 ft	20 ft	20 ft	20 ft	20 ft
REAR YARD, WITHOUT GARAGE ³	30 ft	30 ft	30 ft	30 ft	30 ft
REAR YARD, WITH GARAGE	15 ft	15 ft	15 ft	15 ft	15 ft
MAXIMUM LOT COVERAGE	-	-	-	-	60%
MAXIMUM REAR YARD COVERAGE	25%	25%	25%	-	-
MINIMUM YARDS; NON-RESIDENTIAL USES					
FRONT YARD	25 ft	25 ft	25 ft	25 ft	25 ft ⁽¹⁾
SIDE YARD, INTERIOR	20 ft	20 ft	20 ft	20 ft	20 ft
SIDE YARD, CORNER	20 ft	20 ft	20 ft	20 ft	20 ft
REAR YARD	30 ft	30 ft	30 ft	30 ft	30 ft

TABLE 19.30-2: FOOTNOTES

- ¹ The minimum depth of the front yard for main buildings, and for private garages which have a minimum side yard of eight feet, shall be (1) twenty-five feet, or (2) the average of the existing buildings where fifty percent or more of the frontage is developed; but in no case shall the depth be less than fifteen feet or required to be more than twenty-five feet.
- ² Multi-family residential development which incorporates innovations of design, amenities, and features, may be approved by the Planning Commission for higher densities than shown above where supported by the community general plan and found by the Planning Commission to be compatible with land uses in the vicinity. However, in no case shall densities be higher than 32.0 units per acre.
- ³ The rear yard shall be not less than 15 feet for single-family dwellings or duplexes with an attached garage or a garage that meets all of the yard requirements for principal buildings.
- ⁴ Height shall not exceed thirty feet on property where the slope of the original ground surface exceeds fifteen percent or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
- ⁵ Except where a zero lot line is created through the division of a two-family dwelling.

19.30.040 YARD AND BULK REGULATIONS: ACCESSORY BUILDINGS

The bulk and yard regulations for accessory buildings are as set forth in [Table 19.30-3: Medium and High Density Residential Zones: Yard and Bulk Regulations; Accessory Buildings](#)

**TABLE 19.30-3: MEDIUM AND HIGH DENSITY RESIDENTIAL ZONES:
YARD AND BULK REGULATIONS: ACCESSORY BUILDINGS**

BULK REGULATION	ZONING DISTRICT				
	R-2-6.5	R-2-8	R-2-10	R-4-8.5	R-M

MINIMUM FRONT YARD⁽¹⁾	25 ft	30 ft	30 ft	25 ft	25 ft
MINIMUM SIDE YARD; INTERIOR⁽²⁾	8 ft	8 ft	8 ft	8 ft	8 ft
MINIMUM SIDE YARD; CORNER	20 ft	20 ft	20 ft	20 ft ⁽³⁾	20 ft ⁽³⁾
MINIMUM REAR YARD⁽²⁾	30 ft	30 ft	30 ft	30 ft	30 ft
SETBACK FROM PRINCIPAL BUILDING	6 ft	6 ft	6 ft	6 ft	6 ft
BUILDING HEIGHT⁽⁴⁾	14-20 ft	14-20 ft	14-20 ft	14-20 ft	14-20 ft
COVERAGE OF REAR YARDS	25%	25%	25%	25%	25%

TABLE 19.30-3: FOOTNOTES

- ¹ Accessory buildings located in the front yard must follow the setback requirements for principal buildings.
- ² The minimum yard for an accessory building located in the rear yard shall be 1 foot from interior side and rear lot lines, except that such accessory building may not be closer than 10 feet to a dwelling located on an adjacent lot. Where a rear yard abuts a side yard of an adjacent lot, the minimum rear yard shall be 10 feet.
- ³ On corner lots, the side yard which faces on a street for both main and accessory buildings shall be not less than twenty feet or the average of existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet, or be required to be more than twenty feet.
- ⁴ Any accessory building more than fourteen feet in height shall be set back one additional foot from the property line for each foot of height over fourteen feet, up to the maximum height of twenty feet.

19.30.050 SUBDIVISION OF ATTACHED DWELLING UNITS

A lot containing attached side-by-side dwelling units (having been previously approved as permitted or conditional uses) may be subdivided, creating new lot lines along the shared common walls and extending these lines to the front and rear lot lines. Such divisions shall be subject to the following requirements:

- A. A plat of subdivision shall be prepared consistent with the requirements of the Salt Lake County Subdivision Ordinance.
- B. The plat of subdivision shall specifically note that the purpose of the subdivision is to accommodate the division of attached dwelling units.
- C. R-2 zones. The minimum area of the lot containing each unit shall be four thousand square feet in the R-2-6.5 and R-2-8 zones, and five thousand square feet in the R-2-10 zone. The minimum width of each lot shall be 30 feet.
- D. R-4-8.5 and R-M zones. The minimum area of the lot containing each unit shall be three thousand square feet and the minimum width shall be 20 feet in the R-4-8.5 and R-M zones, provided that the aggregate area of the lots in the subdivision is equal to or greater than the minimum area required for the number of units set forth in Table 19.30-2 above.
- E. The minimum front, side, and rear yards not immediately adjacent (attached) to another dwelling in the same development shall be as set forth in Table 19.30-2 above.

19.30.060 GENERAL STANDARDS OF APPLICABILITY

The use and development of property within the Medium and High Density Residential Zones may also be subject to additional regulations, including, but not limited to, the following chapters of this Ordinance:

- A. **Temporary Uses**
See Chapter 19.42.

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B. Off-Street Parking and Loading

See Chapter 19.48.

C. Landscaping and Screening

See Chapter 19.50.

D. Signs

See Chapter 19.52.

CHAPTER 19.32 COMMERCIAL ZONES

- 19.32.010 PURPOSE STATEMENTS
 - 19.32.020 PERMITTED AND CONDITIONAL USES
 - 19.32.030 BULK AND YARD REGULATIONS
 - 19.32.040 SPECIAL REGULATIONS FOR COMMERCIAL ZONES
 - 19.32.050 GENERAL STANDARDS OF APPLICABILITY
-

19.32.010 PURPOSE STATEMENTS

A. Purpose of C-1 Commercial Zone

The purpose of the C-1 Commercial Zone is to provide areas for neighborhood commercial development.

B. Purpose of C-2 Commercial Zone

The purpose of the C-2 Commercial Zone is to provide areas for larger-scale community commercial development.

C. Purpose of C-3 Commercial Zone

The purpose of the C-3 Commercial Zone is to provide areas for other commercial uses, warehousing and wholesale business.

D. Purpose of C-V Commercial Zone

The purpose of the C-V Commercial Zone is to provide appropriate locations for commercial centers addressing the needs of tourists, travelers, and residents, with facilities such as short-term housing facilities, restaurants, service stations, and other commercial facilities.

19.32.020 PERMITTED AND CONDITIONAL USES

- A. Commercial uses and developments in the C-2 and C-3 zones over one acre in size shall follow the conditional use procedure in section 19.16.040.

Commercial uses and developments in the C-1 zone over one-half acre in size shall follow the conditional use procedure in section 19.16.040.

- B. Table 19.32-1: Commercial Zoning Districts Permitted and Conditional Uses lists permitted and conditional uses for the commercial zoning districts.

"P" indicates that a use is considered permitted within that zoning district.

"C" indicates that a use is considered a conditional use in that zoning district and a conditional use permit shall be obtained as required in section 19.16.040.

No letter (i.e., a blank space), or the absence of the use from the table, indicates that use is not permitted within that zoning district.

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**TABLE 19.32-1: COMMERCIAL ZONES
PERMITTED AND CONDITIONAL USES**

P = Permitted Use C = Conditional Use

USES	C-1	C-2	C-3	C-V	SPECIFIC USE STANDARDS
Ambulance service	C	C	C		
Antique shop without outside display	P	P	P	C	
Accessory apartment to service station	P	P	P	C	
Agriculture	P	P	P		
Amusement/video arcade		C	C		See section 19.40.030
Art gallery	P	P	P	C	
Art needlework shop	P	P	P		
Athletic and health clubs and fitness centers	C	P	P		
Automobile gas station	C	P	P	C	
Automobile service center	C	P	P		
Automobile repair shop		C	P		
Awning repair Shop		P	P		
Baking & food preparation, accessory	C	P	P		
Bank, financial institution	P	P	P	C	
Banquet hall	C	C	C		
Bottling of beverages			C		
Bed and breakfast inn	C	C	C	C	See section 19.40.050
Bowling alley & billiards		P	P		
Building material sales			C		
Bus terminal		P	P		
Campground		C	C	C	
Carpenter shop, cabinet shop			C		
Catering establishment	P	P	P		
Cemetery		C	C		
Class A beer outlet	P	P	P	C	
Class B beer outlet		P	P	C	
Class C beer outlet			C		
Class C fireworks store	C	C	P	C	
Dance hall or instruction studio		P	P		
Day care/preschool center	C	C	C		See section 19.40.060
Dog and cat groomery	C	C	P		Excludes overnight boarding
Dog and cat kennel			P		See section 19.40.070
Dog training in enclosed building		P	P		
Drugstore	C	P	P		
Flea market, in enclosed building		C	C		
Food preparation/baking, principal use		C	C		
Fuel sales office		P	P		
Greenhouse	P	P	P		
Golf course			C		
Gunsmith		P	P		
Gun shooting range		C	C		
Gymnasium	C	P	P		
Hotel or motel		C	C	C	
Home day Care/preschool	C	C			See section 19.40.100 and 19.40.110
Hospital	C	C	C		
Ice manufacture, retail/wholesale sales			P		
Ice vending	P	P	P	C	
Instruction studio		P	P		
Laundromat	P	P	P		
Laundry, commercial		C	C		

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**TABLE 19.32-1: COMMERCIAL ZONES
PERMITTED AND CONDITIONAL USES**

P = Permitted Use C = Conditional Use

Limited food service establishments	P	P	P	C	
Lumber sales		C	C		
Massage therapy	P	P	P		
Machine tools sales			P		
Medical and dental clinics	P	P	P		
Mini-storage,		C	C		
Manufactured home park		C	C		
Mobile store	C	C	C	C	
Monument sales			P		
Monument works			C		
Motorboat sales		C	P		
Multi-Family dwellings, above ground floor	C	P	P		
Nightclub or social club			C		
Office, business or professional	P	P	P		
Office uses; only on first or second floor			C		
Parking lot, commercial	C	C	C		
Pawnshop			P		
Planned development	C	C	C		See chapter 19.18
Portable toilet rental			C		
Prefabricated building construction			C		
Printing shop			P		
Private educational institutions	C	C	C		
Public and quasi-public use	C	C	C	C	
Rail transit mixed-use development		C	C		See section 19.40.150
Railway express			P		
Recreational use, commercial		C	C	C	
Recycling center	C	C	C		
Retail goods establishment	P	P	P		
Retail service establishment	P	P	P		
Restaurant	P	P	P	C	
Restaurant, drive-in			P	C	
Restaurant, liquor license		C	C	C	
RV sales		C	C		
Senior housing		C	C		
Sexually oriented business			C		See section 19.40.190
Shared parking	C	C	C	C	
State store		C	C	C	
Swimming pool	C	P	P		
Tanning studio	C	P	P		
Taxi stand			P		
Temporary construction buildings	C	C	C		
Theater, indoor	P	P	P		
Theater, outdoor		C	C		
Used car sales			C		
Veterinarian, in enclosed building		C	C		
Warehouse, storage, wholesale business		C	P		

19.32.030 BULK AND YARD REGULATIONS

Table 19.32-2: Commercial Zones: Bulk and Yard Regulations establishes bulk and yard regulations for the commercial zoning districts.

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**TABLE 19.32-2: COMMERCIAL ZONES
BULK & YARD REGULATIONS**

BULK REGULATIONS	C-1	C-2	C-3	C-V
MINIMUM LOT AREA	None required	None Required ¹	None Required ¹	10,000 Square Feet
MINIMUM LOT WIDTH	None Required	None Required ²	None Required ²	None Required
MAXIMUM BUILDING HEIGHT	35 Feet or 2 -1/2 Stories	75 Feet or Six Stories ⁸	75 Feet or Six Stories ⁸	35 Feet or Three Stories
MAXIMUM LOT COVERAGE	60 Percent	60 Percent	60 Percent	40 Percent
YARD REQUIREMENTS⁵	C-1	C-2	C-3	C-V
MINIMUM FRONT YARD	20 Feet	Residential Uses : 25 Feet ³ Other Uses; 20 Feet	Residential Uses : 25 Feet ³ Other Uses; None Required	20 Feet
MINIMUM REAR YARD	None required	Residential Uses: 25 Feet Other Uses; None Required	Residential Uses: 25 Feet Other Uses; None Required	10 Feet
MINIMUM INTERIOR SIDE YARD	None required	Residential Uses: 8 Feet; 18 feet combined ⁴ Other Uses; None Required	Residential Uses: 8 Feet; 18 feet combined ⁴ Other Uses; None Required	10 Feet
MINIMUM INTERIOR SIDE AND REAR YARD WHEN ABUTTING RESIDENTIAL USE	10 Feet	10 Feet	10 Feet	25 Feet
MINIMUM CORNER SIDE YARD	20 Feet	20 Feet	20 Feet	20 Feet
ACCESSORY STRUCTURES: REAR AND INTERIOR SIDE YARD	1 Foot	1 Foot	1 Foot	10 Feet
ACCESSORY STRUCTURES: REAR AND INTERIOR SIDE YARD WHEN ABUTTING RESIDENTIAL USE	10 Feet	10 Feet	10 Feet	25 Feet
DENSITY REQUIREMENTS⁶	C-1	C-2	C-3	C-V
SINGLE-FAMILY		7.0 units per acre	7.0 units per acre	
TWO-FAMILY	-	12.0 units per acre	12.0 units per acre	-
THREE-FAMILY	-	15.0 units per acre	15.0 units per acre	-
FOUR-FAMILY	-	18.0 units per acre	18.0 units per acre	-
MULTIPLE-FAMILY	-	25.0 units per acre ⁷	25.0 units per acre ⁷	-
RAIL TRANSIT MIXED-USE	-	No maximum density	No maximum density	-

TABLE 19.32-2: FOOTNOTES

- ¹ For buildings containing residential dwellings, the minimum lot area shall be not less than five thousand square feet for the first separate dwelling structure, and three thousand square feet for each additional separate dwelling structure. For dwelling structures containing more than one dwelling unit, an additional seven hundred fifty square feet of lot area shall be required per additional dwelling unit.
- ² For buildings containing residential dwellings, the minimum width of any lot shall be fifty feet at a distance twenty-five feet back from the front lot line.
- ³ Where fifty percent or more of the frontage is developed, the front yard shall not be less than the average of the existing buildings, but in no case less than fifteen feet.
- ⁴ For buildings containing residential uses, the yard shall be increased one foot of additional side yard on each side of the building for every two feet such structure exceeds thirty-five feet in height.
- ⁵ For "automobile service station" uses, gasoline pumps shall be set back not less than twenty-four feet from any street property line, and not less than thirty feet from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be so located that automobiles stopped for service will not extend over the property line. In addition, canopies constructed to provide a weather shield over gasoline pump islands shall be set back not less than six feet from any street line and not less than ten feet from any residential zone boundary.
- ⁶ In the C-2 and C-3 zones, the allowable density for planned unit developments, multiple dwellings and dwelling groups shall be determined by the Planning Commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding the above, the Planning Commission shall not approve a planned unit development with density higher than that listed in the table.
- ⁷ The Planning Commission may approve densities up to 32.0 units per acre for multi-family residential development that incorporates innovations of design, amenities and features which are found to be (1) compatible with land uses in the vicinity and (2) supported by the community general plan.
- ⁸ No dwelling structure shall contain less than one story.

19.32.040 SPECIAL REGULATIONS FOR COMMERCIAL ZONES

A. General Conditions in the C-1 Zone

Stores, shops or businesses in C-1 zones shall be retail establishments only, and shall be permitted only under all of the following conditions:

1. Business shall be conducted wholly within an enclosed building, except for the parking and servicing of automobiles, and service to people in automobiles.
2. All products, whether primary or incidental, shall be sold at retail on the premises.
3. No entertainment, except music, shall be permitted in cafes, confectioneries or refreshment stands.
4. All uses shall be free from excessive and unreasonable odor, dust, smoke, noise, vibration, or similar problems.

B. Business Uses and Conditions in the C-2 and C-3 Zone

Uses in the C-2 and C-3 zones shall be permitted only under all of the following conditions:

1. All assembly shall be done wholly within completely enclosed buildings.
2. All uses shall be free from excessive and unreasonable odor, dust, smoke, noise, vibration, or similar problems.

19.32.050 SPECIAL REGULATIONS FOR THE C-V ZONE

All property in the C-V Zone shall be subject to the following:

A. Applicability of FCOZ Standards and Requirements

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Developments in the C-V zone which are located within the FCOZ Zone shall be subject to the provisions of chapter 19.72.

B. Parking Requirements

1. In addition to the parking modifications authorized by sections 19.48.090 and 19.48.100 of this Ordinance, modifications may be made to the parking requirements of sections 19.48.030, 19.48.040 and 19.48.060 by:
 - a. The Planning Commission for conditional uses in this zone, and
 - b. The Director for permitted uses in this zone.
2. In approving any modifications, the Planning Commission or Director, as applicable, may rely upon recommendations from any of the following:
 - a. The Development Services Division staff;
 - b. Other reviewing agencies;
 - c. A site specific traffic study conducted by a qualified engineering firm.

19.32.060 GENERAL STANDARDS OF APPLICABILITY

The use and development of property within the Commercial Zones may also be subject to additional regulations, including, but not limited to, the following chapters of this Ordinance:

A. Temporary Uses

See Chapter 19.42.

B. Off-Street Parking and Loading

See Chapter 19.48.

C. Landscaping and Screening

See Chapter 19.50.

D. Signs

See Chapter 19.52.

CHAPTER 19.18 PLANNED UNIT DEVELOPMENTS

- 19.18.010 PURPOSE**
 - 19.18.020 MINIMUM AREA**
 - 19.18.030 DESIGN OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS**
 - 19.18.040 DEVELOPMENT REQUIREMENTS**
 - 19.18.050 DEVELOPMENT STANDARDS**
 - 19.18.060 CONSTRUCTION LIMITATIONS**
 - 19.18.070 NON-RESIDENTIAL USES**
 - 19.18.080 MAINTENANCE OF COMMON FACILITIES**
 - 19.18.090 REVIEW PROCESS**
 - 19.18.100 PRELIMINARY REVIEW**
 - 19.18.110 PLANNING COMMISSION REVIEW**
 - 19.18.120 VALIDITY OF PRELIMINARY REVIEW**
 - 19.18.130 FINAL REVIEW**
 - 19.18.140 AMENDMENTS TO THE FINAL DEVELOPMENT PLAN**
 - 19.18.150 FAILURE TO BEGIN DEVELOPMENT**
 - 19.18.160 PHASED PLANNED DEVELOPMENTS**
-

19.18.010 PURPOSE

The purpose of a planned unit development is:

1. To encourage a quality living environment through greater flexibility of design than is possible solely through the typical application of zoning regulations.
2. To encourage a more efficient use of the land and the preservation of greater proportions of open space for recreation and visual use than is otherwise provided for in the zoning regulations.
3. To encourage good and compatible neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans to provide imagination and variety in the physical pattern of the development.
4. To encourage planned unit developments that promote compatibility with existing residential uses while maintaining a harmonious environment with the existing community.
5. To create multiple use areas designed to be beneficial to the neighborhood.
6. To ensure substantial compliance with the intent of this title related to the public health, safety and general welfare, while securing the advantages of large-scale site planning and efficient use of the land for residential, commercial or industrial development or combinations thereof.
7. To support the needs of existing development as per §19.18.230.

It is the intent of this chapter that site and building plans for a planned unit development shall be prepared by a designer(s) having professional competence in urban planning as proposed in the application, and that control exercised be the minimum necessary to achieve the purpose of this chapter.

19.18.020 MINIMUM AREA

Unless the Ordinance provides otherwise, planned unit developments in any FM, FR, R-1, FA, or A zone shall have a minimum area of three acres; planned unit developments in any other zone shall have an area equal to the aggregate of the minimum lot areas otherwise required in the zone for the number of structures in the development. PUDs within properties abutting a corridor, as defined in the general plan, shall have a minimum area of two (2) acres.

19.18.030 DESIGN OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS

Every planned unit development shall be designed to achieve the following design objectives:

1. Provide for a comprehensive and harmonious arrangement of buildings, open spaces, circulation ways, parking, and development amenities.
2. Be related to existing and proposed land use and circulation plans of the community and not constitute a disrupting element in the neighborhood.
3. Possess an internal street system and pedestrian connections designed for the efficient and safe movement of vehicles without disrupting pedestrian circulation, activities, functions of the common areas and open space.
4. Locate open space and recreation areas and facilities adjacent to dwelling units or be easily accessible therefrom.
5. Create open space and recreational areas as the focal point for the overall design of the development.
6. Promote efficient use of land by arranging buildings and other land use elements economically.
7. Utilize natural features in the land development process including wetland areas, landscaped parks, and other green space areas where available.

19.18.040 DEVELOPMENT REQUIREMENTS

To be approved, a planned unit development project must show a high commitment to excellence, ensuring better quality of life for future tenants and be compatible with adjacent residential areas. The following are required for all planned unit development projects:

1. **Ownership.** The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.
2. **Open Space.** Unless otherwise approved by the Planning Commission, open space shall be provided and shall not cover less than ___ percent of the gross site area if it includes private open space, and ___ percent if it only includes common open space and no private open space. The required open space shall be land areas that are not occupied by buildings, structures, parking area, streets, or alleys and shall be accessible by the residents. Said open space shall be devoted to landscaping, preservation of natural features, patios, and recreational areas. All open space within a planned unit development shall be common open space, unless the Planning Commission approves private open space areas (that provided for each dwelling unit for personal use). If supported by Planning Commission approval, private open

space shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Common open space may be distributed throughout the planned unit development and need not be in a single large area. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space. These areas may include, but are not limited to sensitive areas, such as areas with 30 percent or greater slope, fault zones, flood plains, high water tables, and wetlands. These areas may only be included as open space when they have been designed as an integral element of the project.

- 3. **Interior Streets.** The design of public and private streets within a planned unit development shall follow County standards for width of right-of-way and construction. Existing County standards of design and construction may be modified if recommended by the Transportation Engineer and approved by the Planning Commission if it is determined that the plan submitted is appropriate, e.g., a sidewalk on one side, waiver of park strip area, etc.. The pavement width shall be a minimum of 25 feet with at least a 41 foot right-of-way. Private streets shall be subject to the same inspections and construction standards as required for public streets. The County shall be granted a utility easement of the entire interior street system in a planned unit development project. All private streets shall be conveyed to a private association. The original developer/builder will also be required to establish a County approved road maintenance fund for all private streets. This provision will be required in the CC&R's for all projects with a private street system.
- 4. **Garbage.** The planned unit development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects of the collection, storage, and removal on any resident within the planned unit development or abutting neighborhoods. The Planning Commission may require arrangement of dumpsters within the total design plan as they determine appropriate so that adjacent properties will not be adversely affected.
- 5. **Parking.** The following minimum parking shall be provided for all multi-family planned unit developments:

a. Table of Parking Ratios

One bedroom unit	1.5 parking spaces per unit
Two bedroom unit	2.0 parking spaces per unit
Three or more bedroom units	2.5 parking spaces per unit
Guest parking spaces	0.25 parking spaces per unit
Storage parking spaces for recreational vehicle storage	As determined necessary by Planning Staff

- b. The parking requirements identified in this section control over other parking requirements in §19.80 of this Title.
- c. All parking areas, covered or open, shall have a landscaped buffer adjacent to any public right-of-way.
- d. There shall be no less than 1.5 covered parking spaces (1.0 carports, 0.5 garages) per unit. The Planning Commission may consider the following criteria in determining whether or not the number of garages/carports should be increased or reduced:

(1) The topography of the proposed site.

- (2) To enhance and protect local property values of adjacent developments and neighborhoods.
 - (3) To improve the overall appearance of the development for the density of units – e.g., attached garages and underground garages.
 - (4) Review the location of all garages and may require that they be attached or underground for the multi-family units. All covered parking shall be placed in locations adjacent and convenient to the buildings that they are intended to serve.
 - (5) To assist the project in reaching affordable rent levels for low and moderate income individuals as determined by the U.S. Department of Housing and Urban Development.
 - (6) Tandem spaces shall be allowed with a minimum size requirement of 18 feet long by 9 feet wide per parking space, up to a maximum of two (2) contiguous spaces.
- 6. Building Materials.** Building materials, roofing materials, and building design shall be reviewed and approved by the Planning Commission. High quality exterior materials shall be used, including brick, stone, synthetic stucco, prefinished panel, composite materials, or other materials of similar quality, durability, and low maintenance.
- 7. Landscaping on Public Right-of-Way.** Where a planned unit development is adjacent to a public right-of-way, a permanent open space at least 10 feet in width shall be required along the property line(s). This area shall be kept free of buildings and structures (except fences as approved by the Planning Commission) and permanently maintained in street trees and other landscaping, screened or protected by natural features, or as approved by the Planning Commission.
- 8. Exterior Fencing.** Exterior fencing shall be provided as approved by the Planning Commission. Acceptable fencing materials include architecturally designed brick or block fences, wrought iron fences, post and rail fences, vinyl fences, pre-cast concrete, or structural wood fences with square metal posts with tongue-in-groove redwood siding and redwood for all other wood members. Additional landscape buffers may also be required with the width and landscaping specifications as determined by the Planning Commission.
- 9. Street Lights.** Appropriate street lighting is required. If the streets are to be dedicated to the public, the lights shall comply with the County's street light plan. If the streets are private, the lights may be altered but must be approved by the Planning Commission. The applicant shall submit a plan which indicates the type and location of street lights in relation to the proposed site landscaping.
- 10. Signage.** The size, location, design and nature of signs, if any, and the intensity and direction of any associated lighting shall be detailed in the application, and be consistent with the characteristics of the community and the County Sign Ordinance (§19.82).

DEVELOPMENT STANDARDS

1. **Required Elements.** Residential developments shall be guided by a total design plan in which the following development standards may be varied to allow flexibility and creativity in site design, building design, and location. The Planning Commission may require such arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan so that adjacent properties will not be adversely affected. The Planning Commission may require specific setbacks. The following criteria shall be used by the Planning Commission principally to assure the design objectives in this section of this chapter are met.
 - a. **Feasible Development.** A planned unit development shall be of sufficient size, composition, and arrangement to enable its feasibility as a complete development.
 - b. **Density.** The density allowed for a planned unit development shall be no greater than the zone in which it is located.
 - c. **Height and Intensity.** Height and intensity of buildings and uses shall be arranged around the boundaries of the planned unit development to be compatible with existing adjacent developments or zones. Buildings located on the perimeter of the development shall be limited to a maximum height of two stories and 26 feet. This height may be increased to the maximum allowed in this Title by one foot increments, with each additional one foot in height requiring two additional feet to the perimeter setback.
 - d. **Site Calculations.** Specific calculations addressing the percentage of open space, impervious versus pervious coverage, and site improvements must be submitted with all project applications.
 - e. **Lot Requirements.** Buildings (including covered decks or patios) located on lots on the perimeter of the development shall have a 15 foot setback from the perimeter lot line (the "perimeter setback"). Otherwise, no specific yard, setback, or lot size requirement shall be imposed in the planned unit development. However, the purpose and objectives of this chapter must be complied with in the final development plan. The Planning Commission may require certain setbacks within all or a portion of the planned unit development.
 - f. **Traffic Circulation.** Points of primary vehicular access to the planned unit development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Minor streets within the planned unit development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided.
 - g. **Driveways and Alleys.** When consistent with this Title, a private driveway or alley may be provided for access to a maximum of four lots as long as sufficient guest parking is provided. A private driveway or alley must comply with all established standards in this Title.
 - h. **Privacy.** Each planned unit development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walls, barriers, landscaping, and sound reducing construction techniques shall be

used as appropriate for the aesthetic enhancement of the property, the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.

- i. **Noise Attenuation.** When, in the opinion of the Division Director, a proposed planned unit development may be situated in a noisy environment which will adversely affect the peace, tranquility, and privacy of its inhabitants or surrounding inhabitants, an acoustical analysis may be required. Said analysis shall be conducted by a qualified acoustical engineer and include a description of the noise environment and the construction or other methods necessary to attenuate the noise to the required level according to the noise standards of the Salt Lake County Health Department's Noise Ordinance.
 - j. **Pedestrian and Bicycle Paths.** Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths which may be physically separated from vehicular traffic to serve residential, non-residential, and recreational facilities in or adjacent to the development.
2. **Desirable Amenities.** The following are desirable amenities or design options which may be required by the Planning Commission depending on the size, scale, impacts, and nature of each individual planned unit development project including conditional uses in residential districts.
- a. Increase in common or private open space above the minimum requirement, particularly when the project contains significant non-buildable open space.
 - b. Creation of significant recreational or site amenities, including but not limited to, a playground, community center, swimming pool, tennis court, sport court, basketball or volleyball court, play fields, nature areas, picnic and barbeque facility, open lawn area for non-organized sports, walking and biking paths and trails (excluding sidewalks), and other facilities as deemed appropriate by the Planning Commission.
 - c. Additional project landscaping and other open space amenities as may be deemed appropriate under a Conditional Use Permit.

19.18.060 CONSTRUCTION LIMITATIONS

1. Upon approval of a planned unit development, construction shall proceed only in accordance with the plans and specifications approved by the Planning Commission and in conformity with any conditions attached by the commission to its approval.
2. Amendments to approved plans and specifications for a planned unit development shall be approved by the Planning Commission and shown on the approved plans.
3. The County shall not issue any permit for any proposed building, structure, activity or use within the project unless such building, structure, activity or use is in accordance with the approved development plan and any conditions imposed in conjunction with its approval.
4. The Director shall issue a certificate of occupancy for any building or structure upon its completion, in accordance with the approved development plan.

19.18.070 NON-RESIDENTIAL USES

1. Non-commercial, non-residential uses of a religious, educational, or recreational nature shall be designed primarily for the use of the residents of the proposed planned unit development. The applicant shall submit, as part of the preliminary development plan such evidence to substantiate the request for such use as the Division Director may require.
2. Commercial uses proposed within the planned unit development shall be designed primarily for the use of the residents of the project. The developer shall provide a fiscal impact study that shall demonstrate that the amount of land proposed is needed for such a commercial use, that it can realistically be supported by the residents of the project, and the impacts which will be imposed on the County's municipal services and tax base by such use. The fiscal impact study shall be evaluated by the planning staff and their findings communicated to the Planning Commission along with the preliminary site and development plan.
3. Commercial development within a planned unit development shall be located so as to be accessible in a manner that does not create traffic congestion or hazards to any street within or outside the planned unit development. Location, off-street parking, and loading requirements shall be identified and recommended by the Planning Staff to the Planning Commission as appropriate to the particular planned unit development. Consideration shall be given to anticipated pedestrian, bicycle, and vehicular traffic adjacent to developments that may provide multiple use of off-street parking facilities and the types of commercial uses provided. Drive-thru services shall be excluded.
4. Parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics, and lighting for both residential and non-residential development shall be designed as integrated portions of the total planned unit development and shall project the residential character.

19.18.080 MAINTENANCE OF COMMON FACILITIES

1. A planned unit development shall be approved subject to the submission and approval of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space and other facilities provided in the final development plan. No such instrument shall be acceptable until approved by the County District Attorney as to legal form and effect, and the Planning Commission as to suitability for the proposed use of the common open space and subject facilities.
2. The common open space and other facilities provided may be conveyed to a public agency or private association. The common open space, recreational facilities, and private streets (including a road maintenance fund established by the original developer/builder) conveyed to a private association shall include, as part of the aforementioned instruments, a declaration of covenants and restrictions that will govern the association and shall require maintenance of any common facilities. The provisions shall include, but not be limited to the following:
 - a. The private association must be established prior to the sale of any unit(s).

- b. Membership must be mandatory for the original buyer and any successive buyers of a unit(s) in a planned unit development whether or not the unit is owner occupied or rented.
 - c. The private association must be responsible for liability insurance, local taxes (if any), the maintenance of common open space and other facilities, rules and regulations outlining the powers, enforcement authority, and limitations of the association.
 - d. Each member of the association shall be assessed a prorated share of the costs incurred by the association, and the association shall have the power to collect those costs.
3. The Planning Commission may also require dedication of scenic easements to assure open space shall be maintained. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final development plan, the County may, at its option, cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.

19.18.090 REVIEW PROCESS

- 1. **Development Review.** To help expedite review of a development proposal, prior to submitting a complete application for planned unit development, persons interested in undertaking development will meet with a member(s) of the Planning Staff for a planner / applicant meeting, to become acquainted with the substantive and procedural requirements of this Code.
- 2. **Standard Operating Procedure (SOP).** Staff creates, revises, and adheres to a Development Review Standard Operating Procedure, to assist in the management and processing of applications. Applicants are encouraged to obtain a copy of the current SOP from Planning and Development Services staff, and to seek guidance with respect to the review and understanding of the Development Review SOP from staff.
- 3. **Application.** An application for a planned unit development must be submitted to Planning and Development Services. As each application for a planned unit development is different and unique, application documents will vary with respect to content and need for specific reports and/or studies. Consultation with staff and examination of the Development Review SOP will guide the applicant through the review process and identify all submittal documents that will be required to formalize a complete application.
 - a. Landscaping plan. A landscape plan, prepared under the direction of a licensed landscape architect or other qualified professional, shall be required for all open space required or provided in a planned unit development. Said landscaping plan shall indicate the spacing, sizes, and specific types of landscaping material. All open space provided shall be irrigated. The only exception shall be where the Planning Commission determines an area because of its natural beauty or uniqueness would be most beneficial to the project and the community if left in its natural or existing condition. Existing mature trees shall be preserved where appropriate. The location of trees must be considered when planning

common open space, location of buildings, underground services, walls, paved areas, playgrounds, and parking areas. Landscaping shall be as specified in Chapter 19.50 of this Title and shall govern over any inconsistencies in this section.

- b. Architectural building elevations. The location and floor area size of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, density per types, non-residential structures including commercial facilities, preliminary elevations and architectural renderings of typical structures, and improvements shall be prepared by a licensed architect or other qualified professional.
- c. The existing and proposed pedestrian and bicycle circulation system including its interrelationship with the vehicular circulation system indicating proposed treatment of points of conflict shall be included in the application.
- d. The proposed treatment of the perimeter of the development including materials and techniques used such as berming, landscaping, screens, fences, and walls shall be described as proposed.
 - (1) A statement of planning objectives to be achieved by the planned unit development through the particular approach prepared by the applicant. The statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
 - (2) Quantitative data for the following: total number and type of dwelling units, parcel size, proposed lot coverage of buildings and structures, approximate gross and net residential densities, total amount of open space (including a separate figure for usable open space), total amount of non-residential construction including a separate figure for commercial, public, quasi-public, or private facilities if applicable, fiscal impact studies where necessary, environmental assessments where necessary, and other studies as required by the Division Director.

19.18.100 PRELIMINARY REVIEW

When a complete application has been accepted by staff, reviews completed by staff and related agencies, subsequent comments identified by staff and substantially addressed by the applicant, the application is scheduled for a public meeting before the appropriate planning commission for their review and deliberation. This process may entail additional submittals or plan revisions to address specifics of the application. Additional adjustments, revisions, or re-submittals may be required during this process to identify all concerns related to conformance with the intent of this Title. Failure to submit complete information will result in written notification to the applicant that the review cannot proceed further until all required, necessary, and requested information is submitted.

19.18.110 PLANNING COMMISSION REVIEW

When preliminary review of the site plan and subdivision plat has been determined to be complete and in compliance with all requirements, the plan, together with all supporting information, will be forwarded to the Planning Commission for review, if required. If the property

is to be subdivided, all subdivision requirements shall be complied with including notice and hearing requirements.

The Planning Commission shall review the plan, including all supporting information, to determine if all appropriate impacts have been addressed and to receive public input, when required, concerning impacts and mitigation. The Planning Commission may require additional studies/analyses to enable it to determine what impacts should be addressed and may establish additional requirements to address those anticipated impacts.

19.18.120 VALIDITY OF PRELIMINARY REVIEW

1. Once the Planning Commission determines that preliminary review is complete, the preliminary plat is valid for 12 months. The Planning Commission may grant a one (1) year extension of the preliminary plat, provided the plat still complies with all applicable ordinances.
2. If a final plat which covers only a portion of the approved preliminary plat is recorded within the one (1) year time limit or extension thereof, the validity of the unrecorded portion of the preliminary plat may be extended by the Planning Commission for one (1) year from the date of recording that final plat.
3. If the developer desires to change the grade or location of streets within the subdivision, or desires to increase the number of lots in the subdivision, or substantially alters the original subdivision design, the developer must apply for an amendment of the originally approved preliminary plat.
4. The Division Director may, in his discretion, approve changes to the preliminary plat to decrease the number of lots in the subdivision, to make minor lot boundary changes, or to make other minor changes without requiring that it be reviewed by the Planning Commission.

19.18.130 FINAL REVIEW

After review by the departments, agencies, and Planning Commission, the applicant shall submit a final site plan and subdivision plat together with all supporting documents which comply with all requirements, corrections, additions, etc. required by the departments, agencies, and Planning Commission to the Planning and Development Services Division (hereinafter known as the "development plan").

1. The Planning and Development Services Division, along with the other reviewing departments and agencies, shall review the site plan and subdivision plat and supporting information to determine compliance with all requirements, corrections, additions, etc.
2. After such determination, the item may be scheduled for review by the Planning Commission upon referral by the Division Director or upon the request of the Planning Commission. The final development plan shall be reviewed to determine substantial compliance of the final development plan with the preliminary development plan requirements. Said review shall also determine the final development plan's quality and compliance with the purpose and design objectives of a planned unit development. The final development plan shall include all of the information required in the preliminary development plan in its finalized detailed form. In addition, any new items not submitted with the preliminary development plan, any

final plats, any required dedication documents, and/or guarantee of improvements shall be submitted at this time.

19.18.140 AMENDMENTS TO THE FINAL DEVELOPMENT PLAN

The Division Director may authorize minor changes in the location, siting, or character of buildings and structures if required by engineering or other circumstances not identified at the time the final development plan was approved. No change authorized under this section may cause any of the following:

1. A change in the use and/or character of the development.
2. An increase in the overall density and/or intensity of use.
3. An increase in overall coverage of structures.
4. A reduction or change in character of approved open space.
5. A reduction of required off-street parking.
6. A detrimental alteration to the pedestrian, vehicular, bicycle, circulation, and utility networks.
7. A reduction in required street pavement widths.
8. Changes in storm drains, irrigation, and other infrastructural implements.

Any major changes in use or rearrangement of lots, blocks, building tracts or groupings, or any changes in the provision of open space and significant changes as noted above, must be made by the Planning Commission after receipt of such a recommendation by the planning staff. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the final development plan was approved. Generally speaking, any major changes must be recorded as amendments in accordance with the procedure established for adopting the final development plan.

19.18.150 FAILURE TO BEGIN DEVELOPMENT

If no substantial construction has occurred in the planned unit development pursuant to the final development plan within 12 months from final approval, the approved plan shall become null and void and a new development plan shall be required for any development on the subject property. The Planning Commission, upon showing good cause by the developer, may extend the time for beginning construction a maximum period of 12 months for one time only.

19.18.160 PHASED PLANNED DEVELOPMENTS

If the sequence of construction of various portions of the final development plan is to occur in stages, then the open space and/or recreational facilities shall be developed in proportion to the number of dwelling units intended to be developed during any given stage of construction. A phasing plan, including size and order of phases, shall be approved by staff to ensure that individual phases of the planned unit development do not exceed the overall maximum density of the zone, and that the open space and/or recreational facilities are installed proportionately with the approved phasing plan. Such phasing plan shall have the written approval of all

property owners. In addition, the approved phasing plan shall be submitted to the Salt Lake County Recorder for recordation as a covenant to run with the land.

DRAFT

CHAPTER 19.18 PLANNED UNIT DEVELOPMENTS

- 19.18.010 PURPOSE
- 19.18.020 MINIMUM AREA
- 19.18.030 DESIGN OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS
- 19.18.040 DEVELOPMENT REQUIREMENTS
- 19.18.050 DEVELOPMENT STANDARDS
- 19.18.060 CONSTRUCTION LIMITATIONS
- 19.18.070 NON-RESIDENTIAL USES
- 19.18.080 MAINTENANCE OF COMMON FACILITIES
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- 19.18.120 VALIDITY OF PRELIMINARY REVIEW
- 19.18.130 FINAL REVIEW
- 19.18.140 AMENDMENTS TO THE FINAL DEVELOPMENT PLAN
- 19.18.150 FAILURE TO BEGIN DEVELOPMENT
- 19.18.160 PHASED PLANNED DEVELOPMENTS

19.18.010 PURPOSE

The purpose of a planned unit development is:

1. To ~~encourage~~ provide a quality living environment through greater flexibility of design than is possible solely through the typical application of zoning regulations.
2. To ~~encourage~~ provide a more efficient use of the land and the preservation of greater proportions of open space for recreation and visual use than is otherwise provided for in the zoning regulations.
3. To ~~encourage~~ provide good and compatible neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans to provide imagination and variety in the physical pattern of the development.
4. To ~~encourage~~ provide for planned unit developments that promote compatibility with existing residential uses while maintaining a harmonious environment with the existing community.
5. ~~To provide for create multiple use areas designed to be beneficial to the neighborhood.~~
6. To ensure substantial compliance with the intent of this title related to the public health, safety and general welfare, while securing the advantages of large-scale site planning and efficient use of the land for residential, commercial or industrial development or combinations thereof.
7. ~~To support the needs of existing development as per §19.18.230.~~

It is the intent of this chapter that site and building plans for a planned unit development shall be prepared by a designer(s) having professional competence in urban planning as proposed in the application, and that control exercised be the minimum necessary to achieve the purpose of this chapter.

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19.18.020 **APPLICABILITY AND AREA REQUIREMENTS**MINIMUM AREA

Planned unit developments are intended to resolve a need for different housing types and configurations within 200' of corridors, major and minor arterials streets, and in areas where difficult terrain features necessitate design solutions not accommodated by the usual ordinance standards. Although listed as a Conditional use in the various zones, unless the application meets the above criteria, it will not be considered a Planned Unit Development meeting the provisions of this ordinance and shall be rejected by planning staff.

Unless the Ordinance provides otherwise, planned unit developments in any FM, FR, R-1, ~~R-2~~, FA, or A zone shall have a minimum area of three acres; ~~planned unit developments in any other zone shall have an area equal to the aggregate of the minimum lot areas otherwise required in the zone for the number of structures in the development.~~ ~~PUDs within properties~~ Planned unit developments abutting or contiguous with, a corridor, major or minor arterials, as defined in the General Pplan, shall have a minimum area of two (2) acres. Planned unit developments in all other zones shall have a minimum area of one (1) acre.

Note: another option is to not have any zones off-limits for PUDs. Instead, let the updated ordinance deal with all the important issues – minimum area, height, setback, open space, etc. and not prohibit any PUDs in any zones.

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19.18.030 **DESIGN OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS**

Every planned unit development shall be designed to achieve the following design objectives:

1. Provide for a comprehensive and harmonious arrangement of buildings, open spaces, circulation ways, parking, and development amenities.
2. Be related to existing and proposed land use and circulation plans of the community and not constitute a disrupting element in the neighborhood.
3. Possess an internal street system and pedestrian connections designed for the efficient and safe movement of vehicles without disrupting pedestrian circulation, activities, functions of the common areas and open space.
4. Locate open space and recreation areas and facilities adjacent to dwelling units or be easily accessible therefrom.
5. Create open space and recreational areas as the focal point for the overall design of the development.
6. Promote efficient use of land by arranging buildings and other land use elements economically.
7. Utilize natural features in the land development process including wetland areas, landscaped parks, and other green space areas where available.

7-8. Provide excellence in design, building quality, and materials

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19.18.040 **DEVELOPMENT REQUIREMENTS**

To be approved, a planned unit development project must show a high commitment to excellence, ensuring better quality of life for future tenants and be compatible with adjacent residential areas. The following are required for all planned unit development projects:

1. **Ownership.** The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.
2. **Open Space.** Unless otherwise approved by the Planning Commission, open space shall be provided and shall not cover less than 50 percent of the gross site area if it includes private open space, and 40 percent if it only includes common open space and no private open space. The required open space shall be land areas that are not occupied by buildings, structures, parking area, streets, sidewalks, or alleys and shall be accessible by the residents. Said open space shall be devoted to landscaping, preservation of natural features, patios, and recreational areas. All open space within a planned unit development shall be common open space, unless the Planning Commission approves private open space areas (that are provided for each dwelling unit for personal use). If supported by Planning Commission approval, private open space shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Common open space may be distributed throughout the planned unit development and need not be in a single large area. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space. These areas may include, but are not limited to sensitive areas, such as areas with 30 percent or greater slope, fault zones, flood plains, high water tables, and wetlands. These areas may only be included as open space when they have been designed as an integral element of the project.
3. **Interior Streets.** The design of public and private streets within a planned unit development shall follow County standards for width of right-of-way and construction. Existing County standards of design and construction may be modified if recommended by the Transportation Engineer and approved by the Planning Commission if it is determined that the plan submitted is appropriate, e.g., a sidewalk on one side, waiver of park strip area, etc.. The pavement width shall be a minimum of 25 feet with at least a 41 foot right-of-way. Private streets shall be subject to the same inspections and construction standards as required for public streets. The County shall be granted a utility easement of the entire interior street system in a planned unit development project. All private streets shall be conveyed to a private association. The original developer/builder will also be required to establish a County approved road maintenance fund for all private streets. This provision will be required in the CC&R's for all projects with a private street system.
4. **Garbage.** The planned unit development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects of the collection, storage, and removal on any resident within the planned unit development or abutting neighborhoods. No dumpster shall be located closer than 20' to any perimeter property line. Dumpster enclosures are required that reflect the materials design quality of the project. The Planning Commission may modifyrequire the arrangement of dumpsters within the total design plan as they determine appropriate so that adjacent properties will not be adversely affected. include recommendations made at the planning commission meeting.
5. **Parking.** The following minimum parking shall be provided for all multi-family planned unit developments:
 - a. Table of Parking Ratios

Comment [JJ2]: We ought to make a suggestion here. If we are trying to come close to what a single family sub usually has, this should be in the 40 to 50% range

One bedroom unit	1.5 parking spaces per unit
Two bedroom unit	2.0 parking spaces per unit
Three or more bedroom units	2.5 parking spaces per unit
Guest parking spaces	0.25 parking spaces per unit
Storage parking spaces for recreational vehicle storage	As determined necessary by Planning Staff

Parking ratios may be modified by a traffic study, proximity to transit, accommodation of bicycles, UTA passes as part of the purchase or lease, or other suitable criteria.

Comment [JJ3]: I'd suggest not allowed. Those that have the RVs just have to park them elsewhere. Start with that idea and see where it goes.

b. The parking requirements identified in this section control over other parking requirements in §19.80 of this Title.

c. All parking areas, covered or open, shall have a landscaped buffer adjacent to any public right-of-way. Such buffers shall include a short wall 32" to 36" in height or a hedge with a minimum of 10' of landscaping in the buffer area adjacent to the public right of way.

d. There shall be no less than 1.5 covered parking spaces (1.0 carports, 0.5 garages) per unit. The Planning Commission may consider the following criteria in determining whether or not the number of garages/carports should be increased or reduced:

- (1) The topography of the proposed site.
- (2) To enhance and protect local property values of adjacent developments and neighborhoods.
- (3) To improve the overall appearance of the development for the density of units – e.g., attached garages and underground garages.
- (4) Review the location of all garages and may require that they be attached or underground for the multi-family units. All covered parking shall be placed in locations adjacent and convenient to the buildings that they are intended to serve.
- (5) To assist the project in reaching affordable rent levels for low and moderate income individuals as determined by the U.S. Department of Housing and Urban Development.
- (6) Tandem spaces shall be allowed with a minimum size requirement of 18 feet long by 9 feet wide per parking space, up to a maximum of two (2) contiguous spaces.

6. Building Materials. Building materials, roofing materials, and building design shall be reviewed and approved by the Planning Commission. High quality exterior materials shall be used, including brick, stucco, stone, synthetic stucco, prefinished panel, composite materials, or other materials of similar quality, durability, and low maintenance. Other materials may be considered as an accent or architectural feature. 25 year guarantee, architectural shingles and/or other longer lasting roof materials are required.

7. Landscaping on Public Right-of-Way. Where a planned unit development is adjacent to a public right-of-way, a permanent open space at least 10 feet in width shall be required along the property line(s). This area shall be kept free of buildings and structures (except fences as approved by the Planning Commission) and

permanently maintained in street trees and other landscaping, screened or protected by natural features, or as approved by the Planning Commission. If such areas are the result of back facing lot designs with poor access to the street, such areas shall be xeriscaped or hardscaped and a 6' wall or sound reducing fence is required.

8. Exterior Fencing. Exterior fencing shall be provided as approved by the Planning Commission. Acceptable fencing materials include architecturally designed brick or block fences, wrought iron fences, post and rail fences, ~~vinyl fences~~, pre-cast concrete, or structural wood fences with square metal posts with tongue-in-groove redwood siding and redwood for all other wood members. Additional landscape buffers may also be required with the width and landscaping specifications as determined by the Planning Commission. Providing exterior fencing and gate is at the discretion of the developer/ applicant/ owner.

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9. Street Lights. Appropriate street lighting is required. If the streets are to be dedicated to the public, the lights shall comply with the County's street light plan. If the streets are private, the lights may be altered but must be approved by the Planning Commission. All lighting fixtures shall be directed downward with cut offs to prevent dark sky illumination. The applicant shall submit a plan which indicates the type and location of street lights in relation to the proposed site landscaping.

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10. Signage. The size, location, design and nature of signs, if any, and the intensity and direction of any associated lighting shall be detailed in the application, and be consistent with the characteristics of the community and the County Sign Ordinance (§19.82). Only low profile signs with a maximum size of 50 square feet and 5' in height are allowed. No temporary signs are allowed other than for sale or rent signs with a maximum of 6 square feet in area per side. Only three such sign are allowed per frontage.

Maximum Height

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1. Height is measured from the original grade level to the highest ridgeline of the structure.
2. Planned unit developments located in R-1, R-2, A-1 and A-2 zones – when the gross area of the development is less than three (3) acres [or one or two acres] the maximum height for all structures shall not exceed 28'. When the gross area exceeds three acres [or one or two acres], the maximum height is 28 feet on the periphery and 35 feet for all structures not on the periphery.
3. Planned unit developments located in the RM zone – when the development is contiguous with any residential zone or agricultural zone, the maximum height is 28" for all structures located on the periphery and 35 feet if not on the periphery. If not contiguous with any residential zone, the maximum height is 35 feet.
4. Planned unit developments located in C-1 and C-2 zones – the maximum height shall not exceed 35 feet.
5. Planned unit developments located in all other zones shall conform to the otherwise applicable ordinances.
6. Notwithstanding the above, the planning commission may at its discretion reduce or increase the otherwise stated maximum heights.

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11.

Density

Density of dwelling units per acre shall not exceed the same as allowed in the zone in which the planned unit development is located.

Note: The RM density is too high. Having said that, if all the other elements are in place – height, setbacks, minimum area, etc, then density will take care of itself in the RM zone.

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19.18.050 DEVELOPMENT STANDARDS

1. **Required Elements.** Residential developments shall be guided by a total design plan in which the following development standards are suggested but may be varied to allow flexibility and creativity in site design, building design, and location. The Planning Commission may require such arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan so that adjacent properties will not be adversely affected. The Planning Commission may require specific setbacks. The following criteria shall be used by the Planning Commission principally to assure the design objectives in this section of this chapter are met.

a. ~~Feasible Development.~~ A planned unit development shall be of sufficient size, composition, and arrangement to enable its feasibility as a complete development.

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Comment [JJ4]: No idea what that means - we have acreage requirements - aren't they sufficient?

b. ~~Density.~~ The density allowed for a planned unit development shall be no greater than the zone in which it is located.

Comment [JJ5]: I'm ok for a density increase of 20%, if we agree on the locational factors

c. ~~Height and Intensity.~~ Height and intensity of buildings and uses shall be arranged around the boundaries of the planned unit development to be compatible with existing adjacent developments or zones. Depending on existing adjacent development, buildings located on the perimeter of the development may be limited in height shall be limited to a maximum height of two stories and 26 feet. The perimeter height set in the site design process, is height may be increased to the maximum allowed in this Title by one foot increments, with each additional one foot in height requiring two additional feet to the perimeter setback.

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d. **Site Calculations.** Specific calculations addressing the percentage of open space, impervious versus pervious coverage, and site improvements must be submitted with all project applications.

e. **Lot Requirements.** Buildings (including covered decks or patios) located on lots on the perimeter of the development shall have a 15 foot setback from the perimeter lot line (the "perimeter setback"). Otherwise, no specific yard, setback, or lot size requirement shall be imposed in the planned unit development. However, the purpose and objectives of this

chapter must be complied with in the final development plan. The Planning Commission may require certain setbacks within all or a portion of the planned unit development.

- f. **Traffic Circulation.** Points of primary vehicular access to the planned unit development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Minor streets within the planned unit development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided.
- g. **Driveways and Alleys.** When consistent with this Title, a private driveway or alley may be provided for access to a maximum of four lots as long as sufficient guest parking is provided. A private driveway or alley must comply with all established standards in this Title.
- h. **Privacy.** Each planned unit development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walks, barriers, landscaping, and sound reducing construction techniques shall be used as appropriate for the aesthetic enhancement of the property, the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.

~~i. **Noise Attenuation.** When, in the opinion of the Division Director, a proposed planned unit development may be developed in such a way that it results insituated in a noisy environment which maywill adversely affect the peace, tranquility, and privacy of its inhabitants or surrounding inhabitants, an acoustical analysis may be required. Said analysis shall be conducted by a qualified acoustical engineer and include a description of the noise environment and the construction or other methods necessary to attenuate the noise to the required level according to the noise standards of the Salt Lake County Health Department's Noise Ordinance.~~

j. **Pedestrian and Bicycle Paths.** Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths which may be physically separated from vehicular traffic to serve residential, non-residential, and recreational facilities in or adjacent to the development.

k. **Utilities.** All utilities shall be located underground

l. **Private outdoor spaces.** Each residential unit shall be required to have an outdoor patio/rear yard space with a minimum of 100 square feet or a balcony with a 50 square foot minimum.

2. Desirable Amenities. The following are desirable amenities or design options which may be required by the Planning Commission depending on the size, scale, impacts, and nature of each individual planned unit development project including conditional uses in residential districts.

- a. Increase in common or private open space above the minimum requirement, particularly when the project contains significant non-buildable open space.

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Comment [JJ6]: Not sure this is necessary

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street within or outside the planned unit development. Location, off-street parking, and loading requirements shall be identified and recommended by the Planning Staff to the Planning Commission as appropriate to the particular planned unit development. Consideration shall be given to anticipated pedestrian, bicycle, and vehicular traffic adjacent to developments that may provide multiple use of off-street parking facilities and the types of commercial uses provided. Drive-thru services shall be excluded.

4. Parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics, and lighting for both residential and non-residential development shall be designed as integrated portions of the total planned unit development and shall project the residential character.

Comment [JJ10]: Let's put #4 back in the parking area and add that retention of the water runoff should to the greatest extent possible occur onsite through landscaped islands, rain gardens, slotted curbs, etc.

19.18.080 MAINTENANCE OF COMMON FACILITIES

1. A planned unit development shall be approved subject to the submission and approval of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space and other facilities provided in the final development plan. No such instrument shall be acceptable until approved by the County District Attorney as to legal form and effect, and the Planning Commission as to suitability for the proposed use of the common open space and subject facilities.
2. The common open space and other facilities provided may be conveyed to a public agency or private association. The common open space, recreational facilities, and private streets (including a road maintenance fund established by the original developer/builder) conveyed to a private association shall include, as part of the aforementioned instruments, a declaration of covenants and restrictions that will govern the association and shall require maintenance of any common facilities. The provisions shall include, but not be limited to the following:
 - a. The private association must be established prior to the sale of any unit(s).
 - b. Membership must be mandatory for the original buyer and any successive buyers of a unit(s) in a planned unit development whether or not the unit is owner occupied or rented.
 - c. The private association must be responsible for liability insurance, local taxes (if any), the maintenance of common open space and other facilities, rules and regulations outlining the powers, enforcement authority, and limitations of the association.
 - d. Each member of the association shall be assessed a prorated share of the costs incurred by the association, and the association shall have the power to collect those costs.
3. The Planning Commission may also require dedication of scenic easements to assure open space shall be maintained. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final development plan, the County may, at its option, cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.

19.18.090 REVIEW PROCESS

1. **Development Review.** To help expedite review of a development proposal, prior to submitting a complete application for planned unit development, persons interested in undertaking development ~~shall~~ meet with a member(s) of the Planning Staff for a planner / applicant meeting, to become acquainted with the substantive and procedural requirements of this Code and to assess the applicability of the application as per section 19.18.20.-
2. **Standard Operating Procedure (SOP).** Staff creates, revises, and adheres to a Development Review Standard Operating Procedure, to assist in the management and processing of applications. Applicants are encouraged to obtain a copy of the current SOP from Planning and Development Services staff, and to seek guidance with respect to the review and understanding of the Development Review SOP from staff.
3. **Application.** An application for a planned unit development must be submitted to Planning and Development Services. As each application for a planned unit development is different and unique, application documents will vary with respect to content and need for specific reports and/or studies. Consultation with staff and examination of the Development Review SOP will guide the applicant through the review process and identify all submittal documents that will be required to formalize a complete application.
 - a. Landscaping plan. A landscape plan, prepared under the direction of a licensed landscape architect or other qualified professional, shall be required for all open space required or provided in a planned unit development. Said landscaping plan shall indicate the spacing, sizes, and specific types of landscaping material. All open space provided shall be irrigated. The only exception shall be where the Planning Commission determines an area because of its natural beauty or uniqueness would be most beneficial to the project and the community if left in its natural or existing condition. Existing mature trees shall be preserved where appropriate. The location of trees must be considered when planning common open space, location of buildings, underground services, walls, paved areas, playgrounds, and parking areas. Landscaping shall be as specified in Chapter 19.50 of this Title and shall govern over any inconsistencies in this section.
 - b. Architectural building elevations. The location and floor area size of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, density per types, non-residential structures including commercial facilities, preliminary elevations and architectural renderings of typical structures, and improvements shall be prepared by a licensed architect or other qualified professional.
 - c. The existing and proposed pedestrian and bicycle circulation system including its interrelationship with the vehicular circulation system indicating proposed treatment of points of conflict shall be included in the application.
 - d. The proposed treatment of the perimeter of the development including materials and techniques used such as berming, landscaping, screens, fences, and walls shall be described as proposed.

Comment [JJ11]: It would be useful for the PC to be educated on that sometime

- (1) A statement of planning objectives to be achieved by the planned unit development through the particular approach prepared by the applicant. The statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
- (2) Quantitative data for the following: total number and type of dwelling units, parcel size, proposed lot coverage of buildings and structures, approximate gross and net residential densities, total amount of open space (including a separate figure for usable open space), total amount of non-residential construction including a separate figure for commercial, public, quasi-public, or private facilities if applicable, fiscal impact studies where necessary, environmental assessments where necessary, and other studies as required by the Division Director.

19.18.100 PRELIMINARY REVIEW

When a complete application has been accepted by staff by written affirmation, reviews completed by staff and related agencies, subsequent comments identified by staff and substantially addressed by the applicant, the application is scheduled for a public meeting before the appropriate planning commission for their review and deliberation. This process may entail additional submittals or plan revisions to address specifics of the application. Additional adjustments, revisions, or re-submittals may be required during this process to identify all concerns related to conformance with the intent of this Title. Failure to submit complete information will result in written notification to the applicant that the review cannot proceed further until all required, necessary, and requested information is submitted.

Comment [JJ12]: This can be just a public meeting, if we list it differently on the agenda - but I think it really is a hearing where you invite comments from the neighbors

19.18.110 PLANNING COMMISSION REVIEW

When preliminary review of the site plan and subdivision plat has been determined to be complete and in compliance with all requirements, the plan, together with all supporting information, will be forwarded to the Planning Commission for review, if required. If the property is to be subdivided, all subdivision requirements shall be complied with including notice and hearing requirements.

Comment [JJ13]: Are we thinking of delegating the CUPs to a Land Use Authority?

The Planning Commission shall review the plan, including all supporting information, to determine if all appropriate impacts have been addressed and to receive public input, when required, concerning impacts and mitigation. The Planning Commission may require additional studies/analyses to enable it to determine what impacts should be addressed and may establish additional requirements to address those anticipated impacts.

Comment [JJ14]: That makes it a hearing for me

19.18.120 VALIDITY OF PRELIMINARY REVIEW

1. Once the Planning Commission determines that preliminary review is complete, the preliminary plat or site plan is valid for 12 months. The Planning Commission may grant a one (1) year extension of the preliminary plat or site plan, provided the plat still complies with all applicable ordinances.
2. If a final plat which covers only a portion of the approved preliminary plat is recorded within the one (1) year time limit or extension thereof, the validity of the unrecorded portion of the preliminary plat may be extended by the Planning Commission for one (1) year from the date of recording that final plat.

3. If the developer desires to change the grade or location of streets within the subdivision, or desires to increase the number of lots in the subdivision, or substantially alters the original subdivision design, the developer must apply for an amendment of the originally approved preliminary plat.
4. The Division Director may, in his discretion, approve changes to the preliminary plat or site plan to decrease the number of lots in the subdivision, to make minor lot boundary changes, or to make other minor changes without requiring that it be reviewed by the Planning Commission.

Comment [JJ15]: This should probably reference the other section. Decreasing the number of lots is not a major change?

19.18.130 FINAL REVIEW

After review by the departments, agencies, and Planning Commission, the applicant shall submit a final site plan and subdivision plat together with all supporting documents which comply with all requirements, corrections, additions, etc. required by the departments, agencies, and Planning Commission to the Planning and Development Services Division (hereinafter known as the "development plan").

1. The Planning and Development Services Division, along with the other reviewing departments and agencies, shall review the site plan and subdivision plat and supporting information to determine compliance with all requirements, corrections, additions, etc.
2. After such determination, the item may be scheduled for review by the Planning Commission upon referral by the Division Director or upon the request of the Planning Commission. The final development plan shall be reviewed to determine substantial compliance of the final development plan with the preliminary development plan requirements. Said review shall also determine the final development plan's quality and compliance with the purpose and design objectives of a planned unit development. The final development plan shall include all of the information required in the preliminary development plan in its finalized detailed form. In addition, any new items not submitted with the preliminary development plan, any final plats, any required dedication documents, and/or guarantee of improvements shall be submitted at this time.

19.18.140 AMENDMENTS TO THE FINAL DEVELOPMENT PLAN

The Division Director may authorize minor changes in the location, siting, or character of buildings and structures if required by engineering or other circumstances not identified at the time the final development plan was approved. No change authorized under this section may cause any of the following:

1. A change in the use and/or character of the development.
2. An increase in the overall density and/or intensity of use.
3. An increase in overall coverage of structures.
4. A reduction or change in character of approved open space.
5. A reduction of required off-street parking.

6. A detrimental alteration to the pedestrian, vehicular, bicycle, circulation, and utility networks.
7. A reduction in required street pavement widths.
8. Changes in storm drains, irrigation, and other infrastructural implements.

Any major changes in use or rearrangement of lots, blocks, building tracts or groupings, or any changes in the provision of open space and significant changes as noted above, must be made by the Planning Commission after receipt of such a recommendation by the planning staff. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the final development plan was approved. Generally speaking, any major changes must be recorded as amendments in accordance with the procedure established for adopting the final development plan.

19.18.150 FAILURE TO BEGIN DEVELOPMENT

If no substantial construction beyond simple grading has occurred in the planned unit development pursuant to the final development plan within 12 months from final approval, the approved plan shall become null and void and a new development plan shall be required for any development on the subject property. The Planning Commission, upon showing good cause by the developer, may extend the time for beginning construction a maximum period of 12 months for one time only.

19.18.160 PHASED PLANNED DEVELOPMENTS

If the sequence of construction of various portions of the final development plan is to occur in stages, then the open space and/or recreational facilities shall be developed in proportion to the number of dwelling units intended to be developed during any given stage of construction. A phasing plan, including size and order of phases, shall be approved by staff to ensure that individual phases of the planned unit development do not exceed the overall maximum density of the zone, and that the open space and/or recreational facilities are installed proportionately with the approved phasing plan. Such phasing plan shall have the written approval of all property owners. In addition, the approved phasing plan shall be submitted to the Salt Lake County Recorder for recordation as a covenant to run with the land.

PUD ordinance discussion, June 2015 from Tom Stephens

Geographical Limitation

As with Minimum Area (see below), an option to consider (in lieu of geographical limitations) is to concentrate on all the other elements – roads, height, setbacks, open space, parking, patio size, etc – and let the permissible location of the PUD remain unstated.

PUD as a conditional use

Right now, I am okay with the PUD remaining as a CU, as the “Standards for Approval” in the CU section of the ordinance make it clear that proposed PUD has to comply with all of the updated PUD ordinance. If the PUD application does not comply with the PUD ordinance it can be denied by the planning commission with zero risk of a successful legal challenge.

Maximum Height

The planning commission is always struggling with maximum height. John Janson has mentioned having graduated height language based upon setbacks – the greater the setback, the higher the height up to certain maximums – such as 35 feet in an R-1 and R-2 zones and perhaps 40 or 50 feet in an RM.

Here is my suggested language as respects maximum height:

1. Height is measured from the original grade level to the highest ridgeline of the structure.
2. Planned unit developments located in R-1, R-2, A-1 and A-2 zones – when the gross area of the development is less than three (3) acres [or one or two acres] the maximum height for all structures shall not exceed 28'. When the gross area exceeds three acres [or one or two acres], the maximum height is 28 feet on the periphery and 35 feet for all structures not on the periphery.
3. Planned unit developments located in the RM zone – when the development is contiguous with any residential zone or agricultural zone, the maximum height is 28” for all structures located on the periphery and 35 feet if not on the periphery. If not contiguous with any residential zone, the maximum height is 35 feet.
4. Planned unit developments located in C-1 and C-2 zones – the maximum height shall not exceed 35 feet.
5. Planned unit developments located in all other zones shall conform to the otherwise applicable ordinances.
6. Notwithstanding the above, the planning commission may at its discretion reduce or increase the otherwise stated maximum heights.

Minimum Area

The minimum area in an RM zone needs to be stated, as the current ordinance has no minimum area for RM and a lot of PUD units can get crammed into an RM zone.

With the exception of a one acre minimum applying to all zones, rather than focus on a stated minimum area for most zones, would not the better strategy be to concentrate on all the other elements – roads, height, setbacks, open space, parking, patio size, etc – and let the acreage remain unstated?

Sidewalks

Suggest that at least one sidewalk (of whatever dimension is appropriate) be required for the interior streets. Most of the PUDs I have observed in Millcreek have no interior sidewalks. Perhaps allow very small PUDs avoid a sidewalk requirement.

Open Space

What should the open space percentage be?

The current PUD ordinance does not state an open space percentage. Stated in the subdivision ordinance?

Density

Current PUD language reads: “Density of dwelling units per acre shall be the same as allowed in the zone in which the planned unit development is located”, which works okay, with the exception of the densities found in the RM ordinance.

As respects the RM zone, the current densities appear to be too high when a PUD is in the middle of, or adjacent to, a residential zone. Needs discussion.

Setbacks

Certain minimum setbacks are important to have.

Amenities

Too much emphasis is placed on amenities, as they are used as a tool to reduce setbacks, etc, to the detriment of the project and neighborhood.

Fencing

Suggest that perimeter fencing be at the option of the developer. Fencing isolates the development from the surrounding neighborhood. I understand that a perimeter fence will probably be desired by the developer, but if not, let's not require it.

Misc. Comments:

1. 19.18.010 Purpose – substitute “provide” for “encourage”.
2. Fencing – suggest striking “vinyl” from acceptable fencing, as it is not compatible with an upscale or quality development.
3. Gate – I am not a fan of gates, as they isolate the development from the surrounding neighborhood. Perhaps some language encouraging the applicant to not install a gate.

CHAPTER 19.18 PLANNED UNIT DEVELOPMENTS

- 19.18.010 PURPOSE**
 - 19.18.020 MINIMUM AREA**
 - 19.18.030 DESIGN OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS**
 - 19.18.040 DEVELOPMENT REQUIREMENTS**
 - 19.18.050 DEVELOPMENT STANDARDS**
 - 19.18.060 CONSTRUCTION LIMITATIONS**
 - 19.18.070 NON-RESIDENTIAL USES**
 - 19.18.080 MAINTENANCE OF COMMON FACILITIES**
 - 19.18.090 REVIEW PROCESS**
 - 19.18.100 PRELIMINARY REVIEW**
 - 19.18.110 PLANNING COMMISSION REVIEW**
 - 19.18.120 VALIDITY OF PRELIMINARY REVIEW**
 - 19.18.130 FINAL REVIEW**
 - 19.18.140 AMENDMENTS TO THE FINAL DEVELOPMENT PLAN**
 - 19.18.150 FAILURE TO BEGIN DEVELOPMENT**
 - 19.18.160 PHASED PLANNED DEVELOPMENTS**
-

19.18.010 PURPOSE

The purpose of a planned unit development is:

1. To encourage a quality living environment through greater flexibility of design than is possible solely through the typical application of zoning regulations.
2. To encourage a more efficient use of the land and the preservation of greater proportions of open space for recreation and visual use than is otherwise provided for in the zoning regulations.
3. To encourage good and compatible neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans to provide imagination and variety in the physical pattern of the development.
4. To encourage planned unit developments that promote compatibility with existing residential uses while maintaining a harmonious environment with the existing community.
5. To create multiple use areas designed to be beneficial to the neighborhood.
6. To ensure substantial compliance with the intent of this title related to the public health, safety and general welfare, while securing the advantages of large-scale site planning and efficient use of the land for residential, commercial or industrial development or combinations thereof.
7. To support the needs of existing development as per §19.18.230.

It is the intent of this chapter that site and building plans for a planned unit development shall be prepared by a designer(s) having professional competence in urban planning as proposed in the application, and that control exercised be the minimum necessary to achieve the purpose of this chapter.

19.18.020 MINIMUM AREA

Unless the Ordinance provides otherwise, planned unit developments in any FM, FR, R-1, FA, or A zone shall have a minimum area of three acres; planned unit developments in any other zone shall have an area equal to the aggregate of the minimum lot areas otherwise required in the zone for the number of structures in the development. PUDs within properties abutting a corridor, as defined in the general plan, shall have a minimum area of two (2) acres.

19.18.030 DESIGN OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS

Every planned unit development shall be designed to achieve the following design objectives:

1. Provide for a comprehensive and harmonious arrangement of buildings, open spaces, circulation ways, parking, and development amenities.
2. Be related to existing and proposed land use and circulation plans of the community and not constitute a disrupting element in the neighborhood.
3. Possess an internal street system and pedestrian connections designed for the efficient and safe movement of vehicles without disrupting pedestrian circulation, activities, functions of the common areas and open space.
4. Locate open space and recreation areas and facilities adjacent to dwelling units or be easily accessible therefrom.
5. Create open space and recreational areas as the focal point for the overall design of the development.
6. Promote efficient use of land by arranging buildings and other land use elements economically.
7. Utilize natural features in the land development process including wetland areas, landscaped parks, and other green space areas where available.

19.18.040 DEVELOPMENT REQUIREMENTS

To be approved, a planned unit development project must show a high commitment to excellence, ensuring better quality of life for future tenants and be compatible with adjacent residential areas. The following are required for all planned unit development projects:

1. **Ownership.** The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.
2. **Open Space.** Unless otherwise approved by the Planning Commission, open space shall be provided and shall not cover less than ___ percent of the gross site area if it includes private open space, and ___ percent if it only includes common open space and no private open space. The required open space shall be land areas that are not occupied by buildings, structures, parking area, streets, or alleys and shall be accessible by the residents. Said open space shall be devoted to landscaping, preservation of natural features, patios, and recreational areas. All open space within a planned unit development shall be common open space, unless the Planning Commission approves private open space areas (that provided for each dwelling unit for personal use). If supported by Planning Commission approval, private open

Comment [MJ1]: PC Sean: Greenspace is very important. If a development needs lawn, ok. Otherwise, can we explore other alternatives (e.g. xeriscape, Low Impact Dev. Etc.)?

space shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Common open space may be distributed throughout the planned unit development and need not be in a single large area. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space. These areas may include, but are not limited to sensitive areas, such as areas with 30 percent or greater slope, fault zones, flood plains, high water tables, and wetlands. These areas may only be included as open space when they have been designed as an integral element of the project.

3. **Interior Streets.** The design of public and private streets within a planned unit development shall follow County standards for width of right-of-way and construction. Existing County standards of design and construction may be modified if recommended by the Transportation Engineer and approved by the Planning Commission if it is determined that the plan submitted is appropriate, e.g., a sidewalk on one side, waiver of park strip area, etc.. The pavement width shall be a minimum of 25 feet with at least a 41 foot right-of-way. Private streets shall be subject to the same inspections and construction standards as required for public streets. The County shall be granted a utility easement of the entire interior street system in a planned unit development project. All private streets shall be conveyed to a private association. The original developer/builder will also be required to establish a County approved road maintenance fund for all private streets. This provision will be required in the CC&R's for all projects with a private street system.
4. **Garbage.** The planned unit development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects of the collection, storage, and removal on any resident within the planned unit development or abutting neighborhoods. The Planning Commission may require arrangement of dumpsters within the total design plan as they determine appropriate so that adjacent properties will not be adversely affected.
5. **Parking.** The following minimum parking shall be provided for all multi-family planned unit developments:

a. Table of Parking Ratios

One bedroom unit	1.5 parking spaces per unit
Two bedroom unit	2.0 parking spaces per unit
Three or more bedroom units	2.5 parking spaces per unit
Guest parking spaces	0.25 parking spaces per unit
Storage parking spaces for recreational vehicle storage	As determined necessary by Planning Staff

- b. The parking requirements identified in this section control over other parking requirements in §19.80 of this Title.
- c. All parking areas, covered or open, shall have a landscaped buffer adjacent to any public right-of-way.
- d. There shall be no less than 1.5 covered parking spaces (1.0 carports, 0.5 garages) per unit. The Planning Commission may consider the following criteria in determining whether or not the number of garages/carports should be increased or reduced:
 - (1) The topography of the proposed site.

Comment [MJ2]: PC Sean: Add a recycling component to PUD requirements.

Comment [MJ3]: PC Sean: "At a minimum, a 10 foot buffer from property boundaries will be required." Also, We should include something regarding the design minimums for a refuse collection station. (e.g. 3-sided, roof, design of such a structure that complements the development.)

- (2) To enhance and protect local property values of adjacent developments and neighborhoods.
 - (3) To improve the overall appearance of the development for the density of units – e.g., attached garages and underground garages.
 - (4) Review the location of all garages and may require that they be attached or underground for the multi-family units. All covered parking shall be placed in locations adjacent and convenient to the buildings that they are intended to serve.
 - (5) To assist the project in reaching affordable rent levels for low and moderate income individuals as determined by the U.S. Department of Housing and Urban Development.
 - (6) Tandem spaces shall be allowed with a minimum size requirement of 18 feet long by 9 feet wide per parking space, up to a maximum of two (2) contiguous spaces.
6. **Building Materials.** Building materials, roofing materials, and building design shall be reviewed and approved by the Planning Commission. High quality exterior materials shall be used, including brick, stone, synthetic stucco, prefinished panel, composite materials, or other materials of similar quality, durability, and low maintenance.
7. **Landscaping on Public Right-of-Way.** Where a planned unit development is adjacent to a public right-of-way, a permanent open space at least 10 feet in width shall be required along the property line(s). This area shall be kept free of buildings and structures (except fences as approved by the Planning Commission) and permanently maintained in street trees and other landscaping, screened or protected by natural features, or as approved by the Planning Commission.
8. **Exterior Fencing.** Exterior fencing shall be provided as approved by the Planning Commission. Acceptable fencing materials include architecturally designed brick or block fences, wrought iron fences, post and rail fences, vinyl fences, pre-cast concrete, or structural wood fences with square metal posts with tongue-in-groove redwood siding and redwood for all other wood members. Additional landscape buffers may also be required with the width and landscaping specifications as determined by the Planning Commission.
9. **Street Lights.** Appropriate street lighting is required. If the streets are to be dedicated to the public, the lights shall comply with the County's street light plan. If the streets are private, the lights may be altered but must be approved by the Planning Commission. The applicant shall submit a plan which indicates the type and location of street lights in relation to the proposed site landscaping.
10. **Signage.** The size, location, design and nature of signs, if any, and the intensity and direction of any associated lighting shall be detailed in the application, and be consistent with the characteristics of the community and the County Sign Ordinance (§19.82).

Comment [MJ4]: PC Sean: Add new bullet: Bicycle Parking. Add content that requires bicycle parking on PUD's. Not simply token space or two, but a thoughtful inclusion of covered, bicycle parking into the design.

19.18.050 DEVELOPMENT STANDARDS

1. **Required Elements.** Residential developments shall be guided by a total design plan in which the following development standards may be varied to allow flexibility and creativity in site design, building design, and location. The Planning Commission may require such arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan so that adjacent properties will not be adversely affected. The Planning Commission may require specific setbacks. The following criteria shall be used by the Planning Commission principally to assure the design objectives in this section of this chapter are met.
 - a. **Feasible Development.** A planned unit development shall be of sufficient size, composition, and arrangement to enable its feasibility as a complete development.
 - b. **Density.** The density allowed for a planned unit development shall be no greater than the zone in which it is located.
 - c. **Height and Intensity.** Height and intensity of buildings and uses shall be arranged around the boundaries of the planned unit development to be compatible with existing adjacent developments or zones. Buildings located on the perimeter of the development shall be limited to a maximum height of two stories and 26 feet. This height may be increased to the maximum allowed in this Title by one foot increments, with each additional one foot in height requiring two additional feet to the perimeter setback.
 - d. **Site Calculations.** Specific calculations addressing the percentage of open space, impervious versus pervious coverage, and site improvements must be submitted with all project applications.
 - e. **Lot Requirements.** Buildings (including covered decks or patios) located on lots on the perimeter of the development shall have a 15 foot setback from the perimeter lot line (the "perimeter setback"). Otherwise, no specific yard, setback, or lot size requirement shall be imposed in the planned unit development. However, the purpose and objectives of this chapter must be complied with in the final development plan. The Planning Commission may require certain setbacks within all or a portion of the planned unit development.
 - f. **Traffic Circulation.** Points of primary vehicular access to the planned unit development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Minor streets within the planned unit development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided.
 - g. **Driveways and Alleys.** When consistent with this Title, a private driveway or alley may be provided for access to a maximum of four lots as long as sufficient guest parking is provided. A private driveway or alley must comply with all established standards in this Title.
 - h. **Privacy.** Each planned unit development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walks, barriers, landscaping, and sound reducing construction techniques shall be

used as appropriate for the aesthetic enhancement of the property, the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.

- i. **Noise Attenuation.** When, in the opinion of the Division Director, a proposed planned unit development may be situated in a noisy environment which will adversely affect the peace, tranquility, and privacy of its inhabitants or surrounding inhabitants, an acoustical analysis may be required. Said analysis shall be conducted by a qualified acoustical engineer and include a description of the noise environment and the construction or other methods necessary to attenuate the noise to the required level according to the noise standards of the Salt Lake County Health Department's Noise Ordinance.
 - j. **Pedestrian and Bicycle Paths.** Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths which may be physically separated from vehicular traffic to serve residential, non-residential, and recreational facilities in or adjacent to the development.
2. **Desirable Amenities.** The following are desirable amenities or design options which may be required by the Planning Commission depending on the size, scale, impacts, and nature of each individual planned unit development project including conditional uses in residential districts.
- a. Increase in common or private open space above the minimum requirement, particularly when the project contains significant non-buildable open space.
 - b. Creation of significant recreational or site amenities, including but not limited to, a playground, community center, swimming pool, tennis court, sport court, basketball or volleyball court, play fields, nature areas, picnic and barbeque facility, open lawn area for non-organized sports, walking and biking paths and trails (excluding sidewalks), and other facilities as deemed appropriate by the Planning Commission.
 - c. Additional project landscaping and other open space amenities as may be deemed appropriate under a Conditional Use Permit.

19.18.060 CONSTRUCTION LIMITATIONS

1. Upon approval of a planned unit development, construction shall proceed only in accordance with the plans and specifications approved by the Planning Commission and in conformity with any conditions attached by the commission to its approval.
2. Amendments to approved plans and specifications for a planned unit development shall be approved by the Planning Commission and shown on the approved plans.
3. The County shall not issue any permit for any proposed building, structure, activity or use within the project unless such building, structure, activity or use is in accordance with the approved development plan and any conditions imposed in conjunction with its approval.
4. The Director shall issue a certificate of occupancy for any building or structure upon its completion, in accordance with the approved development plan.

19.18.070 NON-RESIDENTIAL USES

1. Non-commercial, non-residential uses of a religious, educational, or recreational nature shall be designed primarily for the use of the residents of the proposed planned unit development. The applicant shall submit, as part of the preliminary development plan such evidence to substantiate the request for such use as the Division Director may require.
2. Commercial uses proposed within the planned unit development shall be designed primarily for the use of the residents of the project. The developer shall provide a fiscal impact study that shall demonstrate that the amount of land proposed is needed for such a commercial use, that it can realistically be supported by the residents of the project, and the impacts which will be imposed on the County's municipal services and tax base by such use. The fiscal impact study shall be evaluated by the planning staff and their findings communicated to the Planning Commission along with the preliminary site and development plan.
3. Commercial development within a planned unit development shall be located so as to be accessible in a manner that does not create traffic congestion or hazards to any street within or outside the planned unit development. Location, off-street parking, and loading requirements shall be identified and recommended by the Planning Staff to the Planning Commission as appropriate to the particular planned unit development. Consideration shall be given to anticipated pedestrian, bicycle, and vehicular traffic adjacent to developments that may provide multiple use of off-street parking facilities and the types of commercial uses provided. Drive-thru services shall be excluded.
4. Parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics, and lighting for both residential and non-residential development shall be designed as integrated portions of the total planned unit development and shall project the residential character.

19.18.080 MAINTENANCE OF COMMON FACILITIES

1. A planned unit development shall be approved subject to the submission and approval of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space and other facilities provided in the final development plan. No such instrument shall be acceptable until approved by the County District Attorney as to legal form and effect, and the Planning Commission as to suitability for the proposed use of the common open space and subject facilities.
2. The common open space and other facilities provided may be conveyed to a public agency or private association. The common open space, recreational facilities, and private streets (including a road maintenance fund established by the original developer/builder) conveyed to a private association shall include, as part of the aforementioned instruments, a declaration of covenants and restrictions that will govern the association and shall require maintenance of any common facilities. The provisions shall include, but not be limited to the following:
 - a. The private association must be established prior to the sale of any unit(s).

- b. Membership must be mandatory for the original buyer and any successive buyers of a unit(s) in a planned unit development whether or not the unit is owner occupied or rented.
 - c. The private association must be responsible for liability insurance, local taxes (if any), the maintenance of common open space and other facilities, rules and regulations outlining the powers, enforcement authority, and limitations of the association.
 - d. Each member of the association shall be assessed a prorated share of the costs incurred by the association, and the association shall have the power to collect those costs.
3. The Planning Commission may also require dedication of scenic easements to assure open space shall be maintained. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final development plan, the County may, at its option, cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.

19.18.090 REVIEW PROCESS

- 1. **Development Review.** To help expedite review of a development proposal, prior to submitting a complete application for planned unit development, persons interested in undertaking development will meet with a member(s) of the Planning Staff for a planner / applicant meeting, to become acquainted with the substantive and procedural requirements of this Code.
- 2. **Standard Operating Procedure (SOP).** Staff creates, revises, and adheres to a Development Review Standard Operating Procedure, to assist in the management and processing of applications. Applicants are encouraged to obtain a copy of the current SOP from Planning and Development Services staff, and to seek guidance with respect to the review and understanding of the Development Review SOP from staff.
- 3. **Application.** An application for a planned unit development must be submitted to Planning and Development Services. As each application for a planned unit development is different and unique, application documents will vary with respect to content and need for specific reports and/or studies. Consultation with staff and examination of the Development Review SOP will guide the applicant through the review process and identify all submittal documents that will be required to formalize a complete application.
 - a. **Landscaping plan.** A landscape plan, prepared under the direction of a licensed landscape architect or other qualified professional, shall be required for all open space required or provided in a planned unit development. Said landscaping plan shall indicate the spacing, sizes, and specific types of landscaping material. All open space provided shall be irrigated. The only exception shall be where the Planning Commission determines an area because of its natural beauty or uniqueness would be most beneficial to the project and the community if left in its natural or existing condition. Existing mature trees shall be preserved where appropriate. The location of trees must be considered when planning

common open space, location of buildings, underground services, walls, paved areas, playgrounds, and parking areas. Landscaping shall be as specified in Chapter 19.50 of this Title and shall govern over any inconsistencies in this section.

- b. Architectural building elevations. The location and floor area size of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, density per types, non-residential structures including commercial facilities, preliminary elevations and architectural renderings of typical structures, and improvements shall be prepared by a licensed architect or other qualified professional.
- c. The existing and proposed pedestrian and bicycle circulation system including its interrelationship with the vehicular circulation system indicating proposed treatment of points of conflict shall be included in the application.
- d. The proposed treatment of the perimeter of the development including materials and techniques used such as berming, landscaping, screens, fences, and walls shall be described as proposed.
 - (1) A statement of planning objectives to be achieved by the planned unit development through the particular approach prepared by the applicant. The statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
 - (2) Quantitative data for the following: total number and type of dwelling units, parcel size, proposed lot coverage of buildings and structures, approximate gross and net residential densities, total amount of open space (including a separate figure for usable open space), total amount of non-residential construction including a separate figure for commercial, public, quasi-public, or private facilities if applicable, fiscal impact studies where necessary, environmental assessments where necessary, and other studies as required by the Division Director.

19.18.100 PRELIMINARY REVIEW

When a complete application has been accepted by staff, reviews completed by staff and related agencies, subsequent comments identified by staff and substantially addressed by the applicant, the application is scheduled for a public meeting before the appropriate planning commission for their review and deliberation. This process may entail additional submittals or plan revisions to address specifics of the application. Additional adjustments, revisions, or re-submittals may be required during this process to identify all concerns related to conformance with the intent of this Title. Failure to submit complete information will result in written notification to the applicant that the review cannot proceed further until all required, necessary, and requested information is submitted.

19.18.110 PLANNING COMMISSION REVIEW

When preliminary review of the site plan and subdivision plat has been determined to be complete and in compliance with all requirements, the plan, together with all supporting information, will be forwarded to the Planning Commission for review, if required. If the property

is to be subdivided, all subdivision requirements shall be complied with including notice and hearing requirements.

The Planning Commission shall review the plan, including all supporting information, to determine if all appropriate impacts have been addressed and to receive public input, when required, concerning impacts and mitigation. The Planning Commission may require additional studies/analyses to enable it to determine what impacts should be addressed and may establish additional requirements to address those anticipated impacts.

19.18.120 VALIDITY OF PRELIMINARY REVIEW

1. Once the Planning Commission determines that preliminary review is complete, the preliminary plat is valid for 12 months. The Planning Commission may grant a one (1) year extension of the preliminary plat, provided the plat still complies with all applicable ordinances.
2. If a final plat which covers only a portion of the approved preliminary plat is recorded within the one (1) year time limit or extension thereof, the validity of the unrecorded portion of the preliminary plat may be extended by the Planning Commission for one (1) year from the date of recording that final plat.
3. If the developer desires to change the grade or location of streets within the subdivision, or desires to increase the number of lots in the subdivision, or substantially alters the original subdivision design, the developer must apply for an amendment of the originally approved preliminary plat.
4. The Division Director may, in his discretion, approve changes to the preliminary plat to decrease the number of lots in the subdivision, to make minor lot boundary changes, or to make other minor changes without requiring that it be reviewed by the Planning Commission.

19.18.130 FINAL REVIEW

After review by the departments, agencies, and Planning Commission, the applicant shall submit a final site plan and subdivision plat together with all supporting documents which comply with all requirements, corrections, additions, etc. required by the departments, agencies, and Planning Commission to the Planning and Development Services Division (hereinafter known as the "development plan").

1. The Planning and Development Services Division, along with the other reviewing departments and agencies, shall review the site plan and subdivision plat and supporting information to determine compliance with all requirements, corrections, additions, etc.
2. After such determination, the item may be scheduled for review by the Planning Commission upon referral by the Division Director or upon the request of the Planning Commission. The final development plan shall be reviewed to determine substantial compliance of the final development plan with the preliminary development plan requirements. Said review shall also determine the final development plan's quality and compliance with the purpose and design objectives of a planned unit development. The final development plan shall include all of the information required in the preliminary development plan in its finalized detailed form. In addition, any new items not submitted with the preliminary development plan, any

final plats, any required dedication documents, and/or guarantee of improvements shall be submitted at this time.

19.18.140 AMENDMENTS TO THE FINAL DEVELOPMENT PLAN

The Division Director may authorize minor changes in the location, siting, or character of buildings and structures if required by engineering or other circumstances not identified at the time the final development plan was approved. No change authorized under this section may cause any of the following:

1. A change in the use and/or character of the development.
2. An increase in the overall density and/or intensity of use.
3. An increase in overall coverage of structures.
4. A reduction or change in character of approved open space.
5. A reduction of required off-street parking.
6. A detrimental alteration to the pedestrian, vehicular, bicycle, circulation, and utility networks.
7. A reduction in required street pavement widths.
8. Changes in storm drains, irrigation, and other infrastructural implements.

Any major changes in use or rearrangement of lots, blocks, building tracts or groupings, or any changes in the provision of open space and significant changes as noted above, must be made by the Planning Commission after receipt of such a recommendation by the planning staff. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the final development plan was approved. Generally speaking, any major changes must be recorded as amendments in accordance with the procedure established for adopting the final development plan.

19.18.150 FAILURE TO BEGIN DEVELOPMENT

If no substantial construction has occurred in the planned unit development pursuant to the final development plan within 12 months from final approval, the approved plan shall become null and void and a new development plan shall be required for any development on the subject property. The Planning Commission, upon showing good cause by the developer, may extend the time for beginning construction a maximum period of 12 months for one time only.

19.18.160 PHASED PLANNED DEVELOPMENTS

If the sequence of construction of various portions of the final development plan is to occur in stages, then the open space and/or recreational facilities shall be developed in proportion to the number of dwelling units intended to be developed during any given stage of construction. A phasing plan, including size and order of phases, shall be approved by staff to ensure that individual phases of the planned unit development do not exceed the overall maximum density of the zone, and that the open space and/or recreational facilities are installed proportionately with the approved phasing plan. Such phasing plan shall have the written approval of all

property owners. In addition, the approved phasing plan shall be submitted to the Salt Lake County Recorder for recordation as a covenant to run with the land.

DRAFT

CHAPTER 19.18 RESIDENTIAL PLANNED UNIT DEVELOPMENTS

- 19.18.010 PURPOSE
- 19.18.020 MINIMUM AREA
- 19.18.030 DESIGN OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS
- 19.18.040 DEVELOPMENT REQUIREMENTS
- 19.18.050 DEVELOPMENT STANDARDS
- 19.18.060 CONSTRUCTION LIMITATIONS
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- 19.18.080 MAINTENANCE OF COMMON FACILITIES
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- 19.18.100 PRELIMINARY REVIEW
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- 19.18.130 FINAL REVIEW
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- 19.18.150 FAILURE TO BEGIN DEVELOPMENT
- 19.18.160 PHASED PLANNED DEVELOPMENTS

19.18.010 PURPOSE

The purpose of a planned unit development is:

1. To encourage a quality living environment. ~~through greater flexibility of design than is possible solely through the typical application of zoning regulations.~~
2. To encourage a more efficient use of the land and the preservation of greater proportions of open space for recreation and visual use than is otherwise provided for in the zoning regulations.
3. To encourage good and compatible neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans to ~~allow for greater imagination flexibility and variety diversity~~ in the physical pattern of the development.
4. To encourage ~~planned unit developments that promote compatibility are compatible~~ ~~bility compatibility~~ with existing residential uses while maintaining a harmonious environment ~~within~~ with the existing community.
5. To create ~~mixed multiple~~ use areas designed to be beneficial to the neighborhood.
6. To ensure substantial compliance with the intent of this title related to the public health, safety and general welfare, while securing the ~~advantages of large-scale site planning and~~ efficient use of the land for residential, commercial or industrial development or combinations thereof.
7. To support the needs of existing development as per §19.18.230.

It is the intent of this chapter that ~~site and building plans for a~~ ~~the development plan for a~~ planned unit development shall be prepared by a designer(s) having professional competence in urban planning ~~as proposed in the application, and that control exercised be the minimum necessary to achieve the purpose of this chapter.~~

19.18.020 MINIMUM AREA

Unless the Ordinance provides otherwise, planned unit developments in any FM, FR, R-1, FA, or A zone shall have a minimum area of three acres. ~~Existing~~; planned unit developments exploring refinancing options in any other zone shall have an area equal to the aggregate of the minimum lot areas otherwise required in the zone for the number of structures in the development. PUDs within properties abutting a corridor, as identified defined in the general plan, shall have a minimum area of two (2) acres.

Comment [M1]: Staff has concern regarding the sustainability of HOA's (§19.18.020) to allow a PUD with less than three acres.

19.18.030 DESIGN OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS (PUD)

Every planned unit development (PUD) shall be designed to achieve the following design objectives:

1. Provide for a comprehensive and harmonious arrangement of buildings, open spaces, circulation ways, parking, and development amenities.
2. Be related to existing and proposed land use and circulation plans of the community and not constitute a disrupting element in the neighborhood.
3. Possess an internal street system and pedestrian connections designed for the efficient and safe movement of vehicles without disrupting pedestrian circulation, activities, functions of the common areas and open space.
4. Locate open space and recreation areas and facilities adjacent to dwelling units or be easily accessible therefrom.
5. Create open space and recreational areas as the focal point for the overall design of the development.
6. Promote efficient use of land by arranging buildings and other land use elements economically.
7. Utilize natural features in the land development process including wetland areas, landscaped parks, and other green space areas where available.

19.18.040 DEVELOPMENT REQUIREMENTS

~~To be approved, a planned unit development project must show a high commitment to excellence, ensuring better quality of life for future tenants and be compatible with adjacent residential areas.~~ The following are required for all planned unit development projects:

1. **Ownership.** The ~~development property~~ shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.
2. **Open Space.** ~~Unless otherwise approved by the Planning Commission, o~~Open space shall be provided ~~and shall not cover less than ___ in the amount of at least ___ percent of the gross site area. At least ___ percent of the gross site area shall be common open space; the remainder may be private open space. ___ if it includes private open space, and ___ percent if it only includes common open space and no private open space.~~ The required common open space shall be land areas that are not occupied by buildings, structures, parking area, streets, or alleys and shall be

accessible by all of the residents. Said open space shall be devoted to landscaping, preservation of natural features, patios, and recreational areas. ~~All open space within a planned unit development under this ordinance shall be common open space, unless the Planning Commission approves private open space areas (that are provided for each dwelling unit for personal use). If supported by Planning Commission approval,~~ Private open space shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Common open space may be distributed throughout the ~~planned unit~~ development and need not be in a single large area. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space. These areas may include, but are not limited to sensitive areas, such as areas with 30 percent or greater slope, fault zones, flood plains, high water tables, and wetlands. These areas may only be included as open space when they have been designed as an integral element of the project.

3. **Interior Streets.** The design of public and private streets within a ~~planned unit~~ development shall follow County standards for ~~width of right-of-way and construction, roadway development outlined in Chapter 14.12 of the Ordinance.~~ Existing County standards of ~~roadway development design and construction~~ may be modified ~~according to §14.12.150. if recommended by the Transportation Engineer and approved by the Planning Commission if it is determined that the plan submitted is appropriate, e.g., a sidewalk on one side, waiver of park strip area, etc.,.~~ ~~The pavement width shall be a minimum of 25 feet with at least a 41 foot right-of-way.~~ Private streets shall be subject to the same inspections and construction standards as required for public streets. The County shall be granted a utility easement of the entire interior street system in a ~~planned unit~~ development project. All private streets shall be conveyed to a private association. ~~The original developer/builder will also be required to establish a County approved road maintenance fund for all private streets. This provision will be required in the CC&R's for all projects with a private street system.~~
4. **Garbage.** The ~~planned unit~~ development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects of the collection, storage, and removal on any resident within the ~~planned unit~~ development or abutting neighborhoods. The Planning Commission may require arrangement of dumpsters within the total design plan as they determine appropriate so that adjacent properties will not be adversely affected.
5. **Parking.** The following minimum parking shall be provided for all multi-family ~~planned unit developments~~projects under this ordinance:

a. Table of Parking Ratios

One bedroom unit	1.5 parking spaces per unit
Two bedroom unit	2.0 parking spaces per unit
Three or more bedroom units	2.5 parking spaces per unit
Guest parking spaces	0.25 parking spaces per unit
Storage parking spaces for recreational vehicle storage	As determined necessary by Planning Staff

- b. -The parking requirements identified in this section ~~control over~~supersede other parking requirements in §19.80 of this Title.

c. All parking areas, covered or open, shall have a landscaped buffer ~~adjacent to any public right-of-way, in accordance with Chapter 19.77.~~

d. There shall be no less than 1.5 covered parking spaces (1.0 carports, 0.5 garages) per unit. The Planning Commission may consider the following criteria in determining whether or not the number of garages/carports should be increased or reduced:

- (1) The topography of the proposed site.
- (2) ~~To enhance and protect local property values of adjacent developments and neighborhoods.~~
- (3) To improve the overall appearance of the development for the density of units – e.g., attached garages and underground garages.
- (4) ~~Review the location of all garages and may require that they be attached or underground for the multi-family units.~~ All covered parking shall be placed in locations adjacent and convenient to the buildings that they are intended to serve. Attached or underground parking may be required.
- (5) To assist the project in reaching affordable rent levels for low and moderate income individuals as determined by the U.S. Department of Housing and Urban Development.
- (6) Tandem spaces shall be allowed with a minimum size requirement of 18 feet long by 9 feet wide per parking space, up to a maximum of two (2) contiguous spaces.

6. **Building Materials.** Building materials, roofing materials, and building design shall be reviewed and approved by the Planning Commission. ~~High quality exterior materials shall be used, including such as brick, stone, synthetic limited, stucco, prefinished panel, composite materials, or other materials of similar quality, durability, and low maintenance shall be used.~~

7. **Landscaping on Public Right-of-Way.** Where a planned unit development is adjacent to a public right-of-way, a permanent open space ~~at least 10 feet in width~~ shall be required along the property line(s). This area shall be kept free of buildings and structures (except fences as approved by the Planning Commission) and permanently maintained ~~in with~~ street trees and other landscaping, screened or protected by natural features, ~~as per §19.77, or as approved by the Planning Commission.~~

8. **Exterior Perimeter Fencing.** Exterior fencing shall be provided as ~~approved by the Planning Commission, illustrated on the approved development plan.~~ Acceptable fencing materials include architecturally designed brick or block fences, wrought iron fences, post and rail fences, ~~vinyl fences,~~ pre-cast concrete, or structural wood fences with square metal posts with tongue-in-groove ~~redwood siding and rot-resistant redwood for all other~~ wood members. ~~Additional landscape buffers may also be required with the width and landscaping specifications as determined by the Planning Commission.~~

9. **Street Lights.** ~~Appropriate~~ Street and pedestrian lighting is required. ~~If the streets are to be dedicated to the public, the lights shall comply with the County's street light~~

~~plan. If the streets are private, the lights may be altered but must be approved by the Planning Commission.~~ The applicant shall submit a plan which indicates the type and location of street lights in relation to the proposed site landscaping.

- 10. Signage.** The size, location, design and nature of signs, if any, and the intensity and direction of any associated lighting shall be detailed in the application, and be consistent with the characteristics of the community and the County Sign Ordinance (§19.82).

19.18.050 DEVELOPMENT STANDARDS

- 1. Required Elements.** Residential developments shall be guided by a total design plan in which the following development standards ~~may be varied to allow~~ flexibility and creativity in site design ~~and~~, building ~~design, and~~ location. The Planning Commission may require such arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan so that adjacent properties will not be adversely affected. The Planning Commission may require specific setbacks. The following criteria shall be used by the Planning Commission principally to assure the design objectives in this section of this chapter are met.

~~a. **Feasible Development.** A planned unit development shall be of sufficient size, composition, and arrangement to enable its feasibility as a complete development.~~

b. **Density.** The density allowed for a planned unit development shall be no greater than the zone in which it is located.

~~c. **Height and Intensity.** Height and intensity of buildings and uses shall be arranged around the boundaries of the planned unit development to be compatible with existing adjacent developments or zones. Buildings located on the perimeter of the development shall be limited to a maximum height of two stories and 26 feet. This height may be increased to the maximum allowed in this Title by one foot increments, with each additional one foot in height requiring two additional feet to the perimeter setback.~~

d. **Site Calculations.** Specific calculations ~~addressing which address~~ the percentage of open space, impervious versus pervious ~~coveragesurface~~, and site improvements must be submitted, ~~by the applicant~~ with all project applications.

~~e. **Lot Requirements.** Buildings (including covered decks or patios) located on lots on the perimeter of the development shall have a 15 foot setback from the perimeter lot line (the "perimeter setback"). Otherwise, no specific yard, setback, or lot size requirement shall be is imposed in the planned unit development by this chapter. However, the purpose and design objectives of this chapter must be complied with in the final development plan, and the Planning Commission may require certain specific setbacks within all or a portion of the planned unit development.~~

f. **Traffic Circulation.** Points of primary vehicular access to the planned unit development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular,

Comment [M2]: General comment - Keep height consistent with the RCOZ definition of the roof height and cite the appropriate ordinance section. Double-check the Sugarhouse ordinance from SLC and the FBC manual for possible examples of good wording regarding height limitations.

Comment [M3]: General comment - If standards in §19.18.050 are in conflict with other sections of this Title, this section will prevail.

Comment [M4]: Allow for density bonus for PUD's along corridor? If so, PC will have to relax other standards to make the density fit, such as setbacks, height, open space, amenities, etc.

pedestrian, and bicycle traffic. Minor streets within the planned unit development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided.

- g. ~~Driveways and Alleys~~**Right-of-Ways.** ~~When consistent with this Title, a private driveway or alley right-of-way may be provided-allowed for access to a maximum of four lots as long as sufficient guest parking is provided. A private driveway or alley right-of-way must comply with all established standards in this Title and Titles 14 and 15.~~
- h. **Privacy.** Each ~~planned-unit~~ development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, ~~insulation~~, walks, barriers, landscaping, and sound reducing construction techniques shall be used as appropriate ~~to for the aesthetic enhancement of the property~~, the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
- i. **Noise Attenuation.** When, in the opinion of the Division Director, a proposed ~~planned-unit~~ development may be situated in a noisy environment which will adversely affect the peace, tranquility, and privacy of its inhabitants or surrounding inhabitants, an acoustical analysis may be required. Said analysis shall be conducted by a qualified acoustical engineer and include a description of the noise environment and the construction or other methods necessary to attenuate the noise to the required level according to the noise standards of the Salt Lake County Health Department's Noise Ordinance.
- j. **Pedestrian and Bicycle Paths.** ~~Where appropriate, the internal internal circulation systems~~**system** shall provide pedestrian and bicycle paths which ~~shall connect and which~~ may be physically separated from vehicular traffic to serve residential, non-residential, and recreational facilities in or adjacent to the development.

2. **Desirable Amenities.** The following are desirable amenities or design options which may be required by the Planning Commission depending on the size, scale, impacts, and nature of each individual ~~planned-unit~~ development project including conditional uses in residential districts.

- a. Increase in common or private open space above the minimum requirement, particularly when the project contains significant non-buildable open space.
- b. Creation of significant recreational or site amenities, including but not limited to, a playground, community center, swimming pool, tennis court, sport court, basketball or volleyball court, play fields, nature areas, picnic and barbeque facility, open lawn area for non-organized sports, walking and biking paths and trails (excluding sidewalks), and other facilities as deemed appropriate by the Planning Commission.
- c. ~~Additional project landscaping and other open space amenities as may be deemed appropriate under a Conditional Use Permit.~~

Comment [M5]: Replace this paragraph with the PUD amenities standards, which the PC may tweak during the ordinance drafting process. This language is problematic because it does not contain standards, and therefore will invite arbitrary & capricious decisions.

19.18.060 CONSTRUCTION LIMITATIONS

1. 1. —Upon approval of a planned unit development, construction shall proceed only in accordance with the plans and specifications approved by the Planning Commission and in conformity with any conditions attached by the commission to ~~its~~ the approval.
- ~~2.~~
- ~~3.~~ 2. —Major Aa amendments to approved plans and specifications for a planned unit development shall be approved by the Planning Commission and shown on the approved plans pursuant to section 19.18.140.
- ~~4.~~
- ~~5.~~ 3. —The County shall not issue any permit for any proposed building, structure, activity or use within the project unless such building, structure, activity or use is in accordance with the approved development plan and any conditions imposed in conjunction with ~~its~~ the approval.
- ~~6.~~
- ~~7.~~ 4. —The Director shall issue a ~~certificate of occupancy~~ land use approval letter for any building or structure upon its completion, ~~in accordance with the approved development plan.~~

19.18.070 LIMITED NON-RESIDENTIAL USES

1. Non-commercial, non-residential uses of a religious, educational, or recreational nature shall be designed primarily for the use of the residents of the proposed planned unit development. The applicant shall submit, as part of the preliminary development plan such evidence to substantiate the request for such use as the Division Director may require.
2. Commercial uses proposed within the planned unit development shall be designed primarily for the use of the residents of the project. The developer shall provide a fiscal impact study that shall demonstrate that the amount of land proposed is needed for such a commercial use, that it can realistically be supported by the residents of the project, and the impacts which will be imposed on the County's municipal services and tax base by such use. The fiscal impact study shall be evaluated by the planning staff and their findings communicated to the Planning Commission along with the preliminary site and development plan.
3. Commercial development within a planned unit development shall be located so as to be accessible in a manner that does not create traffic congestion or hazards to any street within or outside the planned unit development. Location, off-street parking, and loading requirements shall be identified and recommended by the Planning Staff to the Planning Commission as appropriate to the particular planned unit development. Consideration shall be given to anticipated pedestrian, bicycle, and vehicular traffic adjacent to developments that may provide multiple use of off-street parking facilities and the types of commercial uses provided. Drive-thru services shall be excluded.
4. Parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics, and lighting for both residential and non-residential development shall be designed as integrated portions of the total planned unit development and shall project the residential character.

19.18.080 MAINTENANCE OF COMMON FACILITIES

1. A planned unit development shall be approved subject to the submission and approval recordation of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space and other facilities provided in the final development plan. ~~No such instrument shall be acceptable until approved by the County District Attorney as to legal form and effect, and the Planning Commission as to suitability for the proposed use of the common open space and subject facilities.~~
2. Maintenance of common open space and other facilities provided in the final development plan shall be accomplished by complying with the provisions of Title 57, Chapter 8, which provides for the payment of common expenses for the upkeep of the common areas and facilities. If an association that provides maintenance of common facilities is established, membership shall be mandatory for all owners of units in the planned unit development.
- ~~2.3. The common open space and other facilities provided may be conveyed to a public agency or private association. The common open space, recreational facilities, and private streets (including a road maintenance fund established by the original developer/builder) conveyed to a private association shall include, as part of the aforementioned instruments, a declaration of covenants and restrictions that will govern the association and shall require maintenance of any common facilities. The provisions shall include, but not be limited to the following:

 - a. ~~The private association must be established prior to the sale of any unit(s).~~
 - b. ~~Membership must be mandatory for the original buyer and any successive buyers of a unit(s) in a planned unit development whether or not the unit is owner-occupied or rented.~~
 - c. ~~The private association must be responsible for liability insurance, local taxes (if any), the maintenance of common open space and other facilities, rules and regulations outlining the powers, enforcement authority, and limitations of the association.~~
 - d. ~~Each member of the association shall be assessed a prorated share of the costs incurred by the association, and the association shall have the power to collect those costs.~~~~
- ~~3.4. The Planning Commission may also require dedication of scenic easements to assure open space shall be maintained. In the event the common open space and other facilities are not maintained in a manner consistent with the approved final development plan, the County may, at its option, cause such maintenance to be performed and assess the costs to the affected property owners or responsible association.~~

19.18.090 REVIEW PROCESS

1. **Development Review.** To help expedite review of a development proposal, prior to submitting a complete application for planned unit development, persons interested in undertaking development will meet with a member(s) of the Planning Staff for a planner / applicant meeting, to become acquainted with the substantive and procedural requirements of this Code.

Comment [M6]: There are two sections or chapters within Utah Code that we should substitute here instead of bullet #2. They refer to the Condo Owner's Act, Title 57, Ch. 8 & 8a, and this Title, §19.78.100. Also, possible wording addition here is to add: "CC&R's shall be consistent with these sections."

2. **Standard Operating Procedure (SOP).** Staff creates, revises, and adheres to a Development Review Standard Operating Procedure, to assist in the management and processing of applications. Applicants are encouraged to obtain a copy of the current SOP from Planning and Development Services staff, and to seek guidance with respect to the review and understanding of the Development Review SOP from staff.
3. **Application.** An application for a planned unit development must be submitted to Planning and Development Services. As each application for a planned unit development is different and unique, application documents will vary with respect to content and need for specific reports and/or studies. Consultation with staff and examination of the Development Review SOP will guide the applicant through the review process and identify all submittal documents that will be required to formalize a complete application.

~~a.~~ Landscaping plan. A landscape plan, prepared in accordance with chapter §19.77. ~~under the direction of a licensed landscape architect or other qualified professional, shall be required for all open space required or provided in a planned unit development. Said landscaping plan shall indicate the spacing, sizes, and specific types of landscaping material. All open space provided shall be irrigated. The only exception shall be where the Planning Commission determines an area because of its natural beauty or uniqueness would be most beneficial to the project and the community if left in its natural or existing condition. Existing mature trees shall be preserved where appropriate. The location of trees must be considered when planning common open space, location of buildings, underground services, walls, paved areas, playgrounds, and parking areas. Landscaping shall be as specified in Chapter 19.50 of this Title and shall govern over any inconsistencies in this section.~~

~~b.a.~~ Architectural building elevations and floor plans. The location and floor area size of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, density per types, non-residential structures including commercial facilities, preliminary elevations and architectural renderings of typical structures, and improvements shall be prepared by a licensed architect or other qualified professional.

~~e.b.~~ The existing and proposed pedestrian and bicycle circulation system including its interrelationship with the vehicular circulation system indicating proposed treatment of points of conflict shall be included in the application.

~~e.c.~~ The proposed treatment of the perimeter of the development including materials and techniques used such as berming, landscaping, screens, fences, and walls shall be described as proposed:

- (1) A statement of planning objectives to be achieved by the planned unit development through the particular approach prepared by the applicant. The statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
- (2) Quantitative data for the following: total number and type of dwelling units, parcel size, proposed lot coverage of buildings and structures,

approximate gross and net residential densities, total amount of open space (including a separate figure for usable open space), total amount of non-residential construction including a separate figure for commercial, public, quasi-public, or private facilities if applicable, fiscal impact studies where necessary, environmental assessments where necessary, and other studies as required by the Division Director.

19.18.100 PRELIMINARY REVIEW

When a complete application has been accepted by staff, reviews completed by staff and related agencies, subsequent comments identified by staff and substantially addressed by the applicant, the application is scheduled for a public meeting before the appropriate planning commission for their review and ~~deliberation decision. This process may entail additional submittals or plan revisions to address specifics of the application.~~ Additional adjustments, revisions, or re-submittals may be required during this process to identify all concerns related to conformance with the intent of this Title. Failure to submit complete information will result in written notification to the applicant that the review cannot proceed further until all required, necessary, and requested information is submitted.

19.18.110 PLANNING COMMISSION REVIEW

When preliminary review of the site plan and subdivision plat has been determined to be complete and in compliance with all requirements, the plan, together with all supporting information, will be forwarded to the Planning Commission for review, ~~if required.~~ If the property is to be subdivided, all ~~subdivision requirements shall be complied with including notice and hearing requirements.~~

~~In accordance with chapter 19.05.040 and Utah Code 17-27a-506 xxxxxx t~~The Planning Commission shall review the ~~proposed development~~ plan, ~~including all supporting information,~~ to determine if all appropriate impacts have been addressed and to receive public input, when required, concerning impacts and mitigation. The Planning Commission may require additional studies/analyses to enable it to determine ~~what how~~ impacts should be addressed and may establish ~~additional requirements-reasonable conditions of approval~~ to address those anticipated impacts.

Comment [M7]: If an overlay zone is used, this paragraph may not be necessary.

19.18.120 VALIDITY OF PRELIMINARY REVIEW

1. ~~Once~~ the Planning Commission determines that preliminary review is complete, the preliminary plat is valid for 12 months. The ~~Planning Commission Division Director~~ may grant a one (1) year extension of the preliminary plat, provided the plat still complies with all applicable ordinances.
2. ~~If~~ a final plat which covers only a portion of the approved preliminary plat is recorded within the one (1) year time limit or extension thereof, the validity of the unrecorded portion of the preliminary plat may be extended by the Planning Commission for one (1) year from the date of recording that final plat.
3. ~~If~~ the developer desires to change the grade or location of streets within the subdivision, or desires to increase the number of lots in the subdivision, or substantially alters the original subdivision design, the developer must apply for an amendment of the originally approved preliminary plat.

Comment [M8]: Think about keeping timeframes consistent (i.e. 6 mo's & 6 mo's, or 12 mo's & 12 mo's). Also, extensions of time should be granted by the director.

Comment [M9]: Again, it's important to be consistent with existing subdivision ordinance and possibly the conditional use chapter. Our suggestion is to use the subdivision time frames that currently exist in the subdivision ordinance.

Comment [M10]: From new language in the updated ordinance, text should read: "Should developers."

4. The Division Director may, in his discretion, approve changes to the preliminary plat to decrease the number of lots in the subdivision, to make minor lot boundary changes, or to make other minor changes without requiring that it be reviewed by the Planning Commission.

Comment [M11]: Make sure we're not reinventing what may already be in the subdivision ordinance.

19.18.130 FINAL TECHNICAL REVIEW

After review by the departments, agencies, and Planning Commission, the applicant shall submit a final site plan and preliminary subdivision plat together with all supporting documents which comply with all requirements, corrections, additions, etc. required by the departments, agencies, and Planning Commission to the Planning and Development Services Division (hereinafter known as the "development plan").

1. The Planning and Development Services Division, along with the other reviewing departments and agencies, shall review the ~~site proposed development plan and subdivision plat and supporting information to determine~~verify compliance with all requirements, corrections, additions, etc.
2. After such ~~determination~~review, the item may be scheduled for review by the Planning Commission upon referral by the Division Director or ~~upon~~at the request of the Planning Commission. The final development plan shall be reviewed to determine substantial compliance of the final development plan with the preliminary development plan requirements. Said review shall also determine the final development plan's quality and compliance with the purpose and design objectives of a planned unit development. The final development plan shall include all of the information required in the preliminary development plan in its finalized detailed form. In addition, any new items not submitted with the preliminary development plan, any final plats, any required dedication documents, and/or guarantee of improvements shall be submitted at this time.

19.18.140 AMENDMENTS TO THE FINAL DEVELOPMENT PLAN

The Division Director may authorize minor changes in the location, siting, or character of buildings and structures if required by engineering or other circumstances not identified at the time the final development plan was approved. No change authorized under this section may cause any of the following:

1. A change in the use and/or character of the development.
2. An increase in the overall density and/or intensity of use.
3. An increase in overall coverage of structures.
4. A reduction or change in character of approved open space.
5. A reduction of required off-street parking.
6. A detrimental alteration to the pedestrian, vehicular, bicycle, circulation, and utility networks.
7. A reduction in required street pavement widths.

~~8. Changes in storm drains, irrigation, and other infrastructural implements.~~

Any major changes in use or rearrangement of lots, blocks, building tracts or groupings, or any changes in the provision of open space and significant changes as noted above, must be made by the Planning Commission after receipt of ~~such~~ a recommendation by the planning staff. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the final development plan was approved. Generally speaking, any major changes must be recorded as amendments in accordance with the procedure established for adopting the final development plan.

19.18.150 FAILURE TO BEGIN DEVELOPMENT

If no substantial construction has occurred in the planned unit development pursuant to the final development plan within 12 months from final approval, the approved plan shall become null and void and a new development plan shall be required for any development on the subject property. The Planning Commission, upon showing good cause by the developer, may extend the time for beginning construction a maximum period of 12 months for one time only.

Comment [M12]: Make sure times frames are consistent; should use 12 months as the target time frame for consistency.

19.18.160 PHASED PLANNED DEVELOPMENTS

If the sequence of construction of various portions of the final development plan is to occur in stages, then the open space and/or recreational facilities shall be developed in proportion to the number of dwelling units intended to be developed during any given stage of construction. A phasing plan, including size and order of phases, shall be approved by staff to ensure that individual phases of the planned unit development do not exceed the overall maximum density of the zone, and that the open space and/or recreational facilities are installed proportionately with the approved phasing plan. Such phasing plan shall have the written approval of all property owners. In addition, the approved phasing plan shall be submitted to the Salt Lake County Recorder for recordation as a covenant to run with the land.

Recreation Facility Standards

Definitions:

Recreation Facility: A centrally located place designed and equipped for the conduct of sports, informal recreation and/or leisure-time activities. It provides areas for aerobic exercises, game courts, swimming, etc. The number and type of facilities should be chosen to anticipate tenant mix.

Active Recreation: Activities of a formal nature and often performed with others, requiring equipment and taking place at prescribed places and sites.

Passive Recreation: Activities that involve inactive or less energetic activities, such as walking, sitting and picnicking, etc. These activities have less potential impact on surrounding land uses.

Active and passive areas should be equally distributed throughout the site.

Minimum Requirements and Adjustments

Any development containing 10 or more bedrooms shall comply with the Recreation Facility and Open Space Standards. There are three parts to the recreation facility standards that must be met by every development. They are:

1. A playground of not less than 1,000 sq. ft. (See Recreation Facility List)
2. An additional number of recreation facilities are based on number of bedrooms. The total number is determined by using the Recreation Facility Table.
3. Each recreation facility shall meet the minimum size requirement shown below.

When a proposed recreation facility exceeds the required minimum square footage related any of the above standards by 1.5, 2, 2.5 times, etc. It may be counted as that number of facilities.

Recreation facilities may be reduced by one for every additional 4 percent of open space provided on the site that exceeds 55 percent. In no case, shall the total number of recreation facilities be reduced by more than 50 percent.

Recreation Facility List

Below is a list of possible recreation facilities. The figures shown represent the minimum size a facility must be to receive credit as a recreation facility.

Basketball Court - 1,600 sq. ft.

Volleyball Court- 3,500 sq. ft.

Sports Court - 1,600 sq. ft.

Tennis Court - 7,000 sq. ft / court

Swimming Pool - 800 sq. ft., does not include surrounding decks, etc.

Package of leisure activity areas - putting green, horseshoes, shuffle board, etc.

Picnic Area - 500 sq. ft., equipped with a pavilion/gazebo and tables, benches, grills and trash receptacles for people to gather, cook, eat, and relax.

Community Center - 1,200 sq. ft., includes at least one recreation facility such as table tennis, billiards, weight room, handball courts, or social area with television, etc.

Lawn area for non-organized sports - 12,000 sq. ft. and at least 60 feet wide. Landscaping must be done in a manner that preserves the openness of the area for such activities.

Path - 1,000 sq. ft., A cleared way for pedestrians (other than sidewalks) that may or may not be paved, and is used for bicycling, walking, skating, jogging, etc. (6 ft. wide with continuous length of 1500 linear feet.)

Playground - An active recreational area with a variety of facilities, including equipment for younger children. When adjacent to any parking area, road, or other hazardous place the playground must be fenced with a transparent material.

Other - Any facility not listed that is determined by the Planning Commission to be appropriate.

Recreation Facility Calculation Table

Total Number of Bedrooms	Total Number of Facilities
10-75	1
76-150	2
151-225	3
226-300	4
301-400	5
401-500	6
501-600	7
601-700	8
701-800	9
801-900	10
901-1000	11
1001-1150	12
1151-1300	13
1301-1450	14
1451-1625	15
1626-1800	16
1801-1975	17
1976-2150	18
2151-2325	19
2326-2500	20

Developments with more than 2,500 bedrooms must provide one additional recreation facility for every 200 bedrooms.