

REQUEST FOR CITY COUNCIL ACTION

SUBJECT: Amend 2009 City Code section 13-5 Article C Planned Development Zones.

SUMMARY: Amend the 2009 West Jordan City Code Title 13 Chapter 5 Article C Planned Development Zones; City-wide applicability; City of West Jordan (applicant) [Larry Gardner #17463]

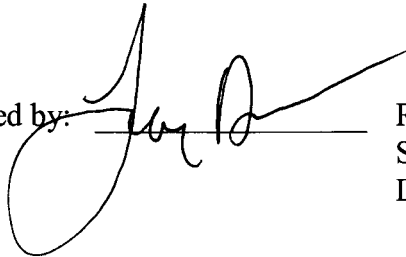
FISCAL IMPACT AND/OR ASSET IMPACT: None

STAFF RECOMMENDATION: Based on the analysis and findings contained in the Staff Report, Staff recommends that the City Council amend the 2009 West Jordan City Code Title 13 Chapter 5 Article C Planned Development Zone.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission forwards a positive recommendation to amend the 2009 West Jordan City Code Title 13 Chapter 5 Article C Planned Development Zone.

MOTION RECOMMENDED: "I motion to approve ordinance No. 19-13."

Prepared and presented by:
Larry Gardner, AICP
City Planner



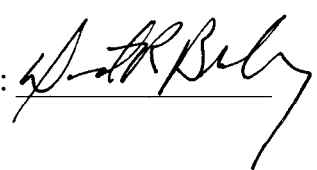
Recommended by:
Scott Langford, AICP
Development Director



Approving as to form:
Duncan Murray
Assistant City Attorney



Authorized for
Council Consideration:
David Brickey
City Manager



II. GENERAL INFORMATION & ANALYSIS

Changes that have been made to the proposed ordinance since the February City Council meeting include:

- Modification of the approval process.
- Flexibility has been added to the required additional amenities portion of the ordinance.

II. FINDINGS OF FACT

Section 13-7-D-7B, requires that prior to approval the City Council must make the following findings:

Criteria 1: *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

Discussion: The General Plan supports keeping ordinances current and understandable. On Page 19 it states:

“GOAL 2. CONTINUALLY AND CONSISTENTLY UPDATE THE FUTURE LAND USE MAP, ZONING MAP, AND ZONING ORDINANCE FOR EASE OF REFERENCE AND ADMINISTRATION.

Policy 3. The Zoning Ordinance shall be updated to incorporate necessary changes that

are consistent with State Code, and reflect the best and most current land use practices of the time. Zoning Ordinance modifications and updates shall be made easy for the general public and City administration to understand.

1. Consistently review the Zoning Ordinance and edit where necessary in order to eliminate redundancy and replace technical jargon with plain English.”

Finding: The proposed amendment conforms to the General Plan and is consistent with the adopted goals, objectives and policies described therein.

Criteria 2: *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;*

Discussion: The proposed amendment will add new requirements to the Planned Development zones that will improve future developments.

Finding: The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;

Criteria 3: *The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and*

Discussion: The proposed amendment will have a city-wide impact in all zones. Staff has not found, at this point, any conflicts with any other sections of the 2009 City Code.

Finding: The proposed amendment will not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4: *The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.*

Discussion: The draft ordinance as written will have city-wide implication and will not relieve a particular hardship or grant special privileges to any one person or entity.

Finding: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 19-13
[PLANNED DEVELOPMENT ZONES]

AN ORDINANCE AMENDING TITLE 13, "ZONING REGULATIONS."

WHEREAS, the City of West Jordan adopted a City Code in 2009, for the purpose of carrying into effect and discharging all powers and duties conferred by law upon the City and its officers, employees and inhabitants, and to provide for the safety, preserve the health, promote the prosperity, improve the morals, peace, good order, comfort and convenience of the City and its inhabitants, and to protect property in the City; and

WHEREAS, the West Jordan City Council finds and determines that the purpose of the 2009 City Code, and the public health and welfare, will best be reached by the adoption of the following amendments to Title 13, Chapter 5 of the 2009 City Code.

NOW THEREFORE, IT IS ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

Section 1. Title 13, Chapter 5, Article C, Sections 1, 2, 3, 5, 6, 7, and 8 of the 2009 City Code shall hereafter read as follows:

13-5C-1: PURPOSE AND INTENT:

- A. Planned Residential Development Zone: The purpose of the planned residential development (PRD) zone is to encourage imaginative, creative and efficient utilization of land by establishing development standards that provide design flexibility, allow integration of compatible residential uses, encourage consolidation of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than may be possible under the procedures and regulations of conventional zoning classifications. A planned residential development should incorporate a diversity of architectural design throughout the project. A diversity of architecture creates "timeless" communities that do not become dated or go out of style.
- B. Planned Community Zone: The purpose of the planned community (PC) zone is to encourage imaginative and efficient utilization of land through the clustering of buildings, and the integration of compatible uses (i.e., residential, commercial, recreational). The mix of uses is encouraged in order to create a convenient, efficient and effective integration of uses that create a attractive and desirable environment where employment, residential uses and leisure are close to each other. This zone is characterized by attractive buildings within a well-planned setting. It is also characterized by a design intended to mitigate the negative effects of noise, traffic and undue congestion.

- C. Overall Intent: It is the intent of the city that the site and building plans for planned developments be prepared by a designer or team of designers having professional competence in urban planning, site planning, and architectural and landscape architectural design. However, it is not the city's intent that design control be so rigidly exercised that individual initiative is stifled or that substantial additional expense is incurred. Rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this chapter. The intent of planned developments (PC or PRD) is to:
1. Create more attractive and more desirable environments in the city;
 2. Allow a variety of uses and structures;
 3. Encourage imaginative concepts in the design of neighborhood housing and mixed use projects;
 4. Provide flexibility in the location of buildings on the land;
 5. Facilitate and encourage social and community interaction and activity among those who live within a neighborhood;
 6. Encourage the creation of a distinctive visual character and identity for each planned development;
 7. Produce a market-balanced and coordinated mixture of residential uses and related public areas and design integrated private commercial facilities;
 8. Encourage a range of housing types, including owner and renter occupied units, single-family detached dwellings and multiple-family structures, as well as other structural types;
 9. Preserve and take the greatest possible aesthetic advantage of existing trees and other natural site features and, in order to do so, minimize the amount of grading necessary for construction of a development;
 10. Provide land for the community and public at large for recreation and social purposes;
 11. Achieve physical and aesthetic integration of uses and activities within each development;
 12. Develop pedestrian circulation networks separated from vehicular roadways in order to create linkages between residential areas, open spaces, recreational areas and public and private facilities;
 13. Planned developments are best realized in large scale developments, therefore, development on a large, planned scale is required;

14. Assure compatibility and coordination of each development with existing and proposed surrounding land uses.

15. Plan for a minimum of five percent (5%) and no more than ten percent (10%) of the overall development unit count as affordable housing as defined in Utah Code. Affordable housing shall be integrated into neighborhoods of comparably sized market rate homes. (2001 Code § 89-3-401; amd. Ord. 19-13, ___-___-2019)

13-5C-2: PROCESS FOR ZONE CHANGE TO PLANNED DEVELOPMENT DESIGNATION; MASTER DEVELOPMENT PLAN REQUIRED:

- A. Feasibility: Before application is made for a zone change to the planned development PC or PRD zone, the entity proposing the change shall first meet with the city to review and assess the feasibility of the change.
- B. Approval Criteria: An application for a zone change to a PC or PRD zone shall include a Master Development Plan (“MDP”) and shall be submitted, according to section 13-5J-10, concurrently with and as part of the application for a zone change. A Master Development Agreement (“MDA”) in a form acceptable to the city shall also be required and presented to the planning commission as part of the application review prior to consideration of the application by the city council. The MDP shall follow the expiration time frames of section 13-5J-10 D, or as modified by the MDP and/or the MDA. The MDP shall be attached to and be part of the MDA.
- C. Design Guidelines: Design Guidelines shall be submitted with each MDP and shall be approved by the city council, after receiving a recommendation from the planning commission and the design review committee.
- D. Phase Sub-Area Development Plans: Each phase described in an MDP shall be submitted in the form of a Phase Sub-Area Development Plan, following the standards and guidelines established in the MDP, and shall be approved by city staff, unless density bonuses are requested. In this case, city council approval is required, after a planning commission recommendation.
- E. Ownership At Time Of Application: Each planned residential 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.
- F. Specification Of Mixed Uses In PC Zones: The general categories of uses to be established in a planned community zone shall be specified in the MDP. The areas to be devoted to each of the land use classifications shall be clearly shown in the MDP, together with the acreage of each land use area. The following classifications should be used in making these designations:
 - 1. Commercial.
 - 2. Multi-family residential.
 - 3. Single-family residential.

4. Institutional (schools, churches, etc.).
 5. Recreational and amenities (specified types).
- G. Conditions Of Approval: The City Council may impose conditions on the approval of the MDP in order to ensure that:
1. The applicant has the financial capability to carry out the proposed project;
 2. The development will be planned as one integrated land use rather than as an aggregation of individual and unrelated buildings, uses or developments; and
 3. The development as planned and shown in the MDP will accomplish the purpose and intent of this article.
 4. An accurate phasing plan for the development is provided showing that each phase can operate independently without relying on a subsequent phase.
 5. The phasing of amenities.
 6. The type and amount of open space and amenities are determined and described in the MDP and not in the development plans of individual phases (Phase Development Plans). (2001 Code § 89-3-402; amd. Ord. 13-33, 11-13-2013; Ord. 16-21, 5-11-2016; Ord. 19-13, __-__-2019)

13-5C-3: DENSITY DESIGNATIONS:

Density in planned development zones is calculated by dividing the number of proposed dwelling units by the number of gross acres designated for residential development shown in the Master Development Plan. Proposed parks and public or private open space, roads and trails may be included in determining the number of acres used in this calculation. However, areas proposed for nonresidential uses (i.e., commercial, office, church or school sites) shall not be used in determining residential density. Density ranges for subcategories of planned developments are specified below. If a proposed development does not qualify for bonus density as outlined in subsection 13-5C-8B of this article, the minimum density shall apply.

A. Density In PRD Zones:

1. PRD(L): The PRD(L) classification typically will be used in conjunction with areas that are designated as "low density" on the general land use map. Densities may range from 1.0 unit per acre to 3.0 units per acre.
2. PRD(M): The PRD(M) classification typically will be used in conjunction with areas that are designated as "medium density" on the general land use map. Densities may range from 3.1 units per acre to 5.5 units per acre.
3. PRD(H): The PRD(H) classification typically will be used in conjunction with areas that are designated as "high density" on the general land use map. Densities may range from 5.6 units per acre to ten (10) units per acre.

4. PRD(MF): The PRD(MF) classification typically will be used in conjunction with areas that are designated as "very high density" on the general land use map. Densities may range from 10.1 units per acre to twenty four (24) units per acre.

- B. Density In PC Zones: To the extent maximum density is not established by the TSOD or other applicable overlay zone, final density in PC zones shall be approved as part of Master Development Plan approval by the City Council after receiving a recommendation from the Planning Commission. (2001 Code § 89-3-403; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 19-13, __-__-2019)

13-5C-5: AREA, SETBACKS AND HEIGHT:

- A. Minimum Site Area:

1. PRD Zones: No planned residential development shall have an area less than twenty (20) acres, except that the City Council may approve a rezone request to the Planned Residential Development Zone classification for a parcel smaller than twenty (20) acres if: (1) the applicant can reasonably show that the surrounding neighborhood will not be adversely affected by the granting of such zone classification; and (2) the provisions of this article will be complied with. No planned residential development shall have an area greater than thirty (30) acres.

2. PC Zones: The minimum size for a Planned Community Zone shall be two hundred (200) undeveloped acres, except that the City Council may approve a rezone request to the Planned Community Zone classification for a parcel smaller than two hundred (200) acres if the City Council, in its sole discretion, determines that the surrounding neighborhood will not be adversely affected by the granting of such zone classification and that the provisions of this article will be complied with.

- B. Lot Area:

1. PC Zones: Lot sizes in Planned Community Zones shall be established by the City Council through approval of the Master Development Plan following the density designation of the Future Land Use map, unless a different density is approved in conjunction with the Master Development Plan.

- C. Building Coverage And Setbacks: With the following exceptions, dwellings and permitted structures may be located as approved in the Master Development Plan. Location and arrangement of buildings on lots shall be sited in a manner that will best utilize the lot area and create an attractive living environment. The following exceptions shall be considered minimum requirements:

1. Garages In PRD Zones:

a. Street facing garage doors shall be even with, or recessed behind, either the front facade of the living area portion of the dwelling or a covered porch which measures at least six feet by eight feet (6' x 8').

b. Garage doors may be located on the side or rear of a dwelling; provided, that the side of the garage facing the front street has windows or other architectural details that mimic the features of the living portion of the dwelling.

c. Garage doors shall not comprise more than fifty percent (50%) of the ground floor street facing linear building frontage. Alleys are exempt from this standard.

d. Attached and multi-family dwellings which front on two (2) streets or on a major walkway spine shall be exempt from subsections C1a, C1b and C1c of this section. The facade oriented to the second street or walkway spine should include windows, doorways and a structured transition from public to private areas using built elements such as porch features, pediments, arbors, low walls, fences, trelliswork and/or similar elements integrated with plants.

e. Alternative garage door treatments may be approved by the zoning administrator if the configuration of the lot or other existing physical condition of the lot makes the application of these standards impractical and the proposed design substantially meets the intent of these provisions, which is to line streets with active living spaces, create pedestrian oriented streetscape, and provide variety and visual interest in the exterior design of residential buildings.

2. Garages In PC Zones:

a. Garages facing directly on a public or private street, whether in the front or side yard, shall be set back behind the front facade of the living area portion of the dwelling or a covered porch at least five feet (5').

b. Side or rear loaded garages in PC zones shall be set back at least twenty-two (22') from the property line.

3. Residential Building Setbacks: Unless different setbacks are approved with the Master Development Plan, the following setbacks shall apply: Main residential buildings in PC zones shall be set back at least twenty-two (22') from front and rear property lines. Side yard setback for interior side lots shall be at least a total of thirteen feet (13') but no less than five feet (5') on each side. Corner lot setbacks shall be a minimum of fifteen feet (15') where no garage will be accessed from corner and twenty-two feet (22') on lots where a garage will be accessed from the corner side. The foregoing requirement shall not apply within a TSOD (transit station overlay district).

4. Planned Development Setbacks; Abutting Property: Setbacks shall be maintained along peripheral property lines of planned developments that are equal to setbacks required by the zone on abutting property. The foregoing requirement shall not apply within a TSOD (transit station overlay district).

5. Planned Development Setbacks; Existing Public Streets: In instances where a proposed planned development will front on one or more existing public streets, the setback from the street shall be equal to that required by the most restrictive zoning on property immediately adjacent or across the public street from the proposed planned development. The foregoing requirement shall not apply within a TSOD (transit station overlay district).

D. Maximum Height Of Buildings And Structures:

1. PRD Zones: Maximum height of buildings and structures in planned residential zones shall be established by the city council through approval of the Master Development Plan. Where feasible, lower height and intensity of buildings, uses or impacts shall be arranged around the boundaries of the development.

2. PC Zones: The maximum height of buildings and structures shall be:

a. Single-Family Residential Buildings: Two (2) stories or thirty five feet (35'), whichever is greater.

b. Multiple-Family Residential Buildings: Three (3) stories or forty-five feet (45'), whichever is greater.

c. Commercial Buildings And Structures: Sixty feet (60') or five (5) stories, whichever is greater. Greater heights may be established by the City Council by approval in the Master Development Plan.

d. Institutional Buildings And Structures: Two (2) stories or forty-five (45'), whichever is greater.

e. Recreational Buildings And Structures: Two (2) stories or forty-five (45'), whichever is greater.

f. TOD (Transit Oriented Development): Buildings or other structures in areas identified as a TOD on the general plan land use map or on the zoning map shall be limited in height to seventy five feet (75'), unless a greater height is established pursuant to the applicable overlay zone or otherwise as approved by the city council through the approval of a Master Development Plan. (2001 Code § 89-3-405; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 13-33, 11-13-2013; Ord. 16-21, 5-11-2016; Ord. 19-13, __-__-2019)

13-5C-6: DEDICATION AND MAINTENANCE OF OPEN SPACE REQUIRED:

A. Dedication Of Open Space: All planned developments shall provide roadways, trails, open space, open land, common areas and parks within the project area that shall either be dedicated to the City or maintained in perpetuity by a development Home Owners Association according to the following standards:

1. PRD Zones: A minimum of fifteen percent (15%) of the gross area of planned residential development shall be retained as permanent parks, which are groomed and irrigated.

2. PC Zones: A minimum of twenty percent (20%) of the gross area of a planned community as described in the Master Development Plan shall be retained in permanent open space and/or open land and/or parks. As part of the required twenty percent (20%) open space a minimum of eight percent (8%) shall be developed as groomed irrigated park space. Each park space shall have a pavilion and playground equipment installed. The park space can be developed as one large space or dispersed throughout the development, but in no case shall a groomed park be smaller than two (2) acres in area.

The park space shall be maintained by the development's Home Owners Association, unless dedicated to the City and the City agrees to maintain the same as part of the Master Development Plan and Development Agreement.

- B. Computation Of Area: Land proposed to be devoted to vehicular streets or roads, parking, driveways, required setbacks, park strips, commercially paved areas and slopes greater than thirty percent (30%) shall not be included in computations of permanent open space. All open space is required to be usable open space.
- C. Design Of Common Open Space, Open Land, Parks and Common Areas: Diversity in the design and use of common open space, open land, parks and common areas is encouraged, and approval shall be judged as to its appropriateness based on the following criteria:
 - 1. Areas intended for public use shall be freely accessible from streets and/or other common areas that have unrestricted entry. The configuration of such space shall be to accommodate parks, play fields, and play areas as directed by the city.
 - 2. Areas intended for restricted use shall be interspersed within residential development so as to convey a sense of openness within the neighborhood. Residential developments shall not totally exclude open space from fronting on streets at appropriate intervals.
 - 3. Agricultural lands shall be located in areas having suitable production capabilities, including soil conditions, fertility, water, access and land configuration to accommodate the intended cultivation practices.
- D. Trail System Required: A pedestrian trail system around and through the development that connects to established and planned trails in the area. The minimum width of the trail shall be twelve feet (12') wide and constructed of asphalt per City standards.
- E. Additional Amenities in PC Zone: Based on the overall planned unit count and in addition to all required amenities (trails, open space, parks, etc.), additional amenities shall be provided as defined in categories 1 through 9 below and as described in the Master Development Plan. More than one additional amenity may be provided from a single category, and there is no requirement to provide additional amenities from any given category. Residential unit count 0-199: No additional amenities required. 200 to 500: two total additional amenities. 501-800: four total additional amenities. 801 to 1100: six total additional amenities. 1101-1400: eight total additional amenities. 1401 and up: ten total additional amenities.
 - 1. Active Recreational Facilities. These facilities may include sports courts, tennis courts, pedestrian bridges, community parks, swimming pools, sports fields, playgrounds, bike paths, skate parks, pavilions, community gardens, cemeteries, plazas, public squares, dog parks, and other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.

2. Common Buildings or Facilities. Developments which contain buildings or facilities that are constructed for use by the residents of the planned community or citizens of the community for meetings, indoor recreation, receptions, classes, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.
3. Civic Sites. Developments which set aside and/or donate property for civic uses including police or fire satellite stations, municipal buildings, schools, public recreation facilities and other public buildings or facilities, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.
4. Street Beautification. Along all collector streets (as determined by the City) in the development ten foot (10') wide park strips with minimum two (2") inch caliper trees planted twenty-five feet (25') on center along with six foot (6') sidewalks. Trees species shall be approved by the Urban Forester and may be clustered where needed or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.
5. Pedestrian and Bicycle Enhancements Along All Collector Streets. Pedestrian and bicycle amenities not typically required as part of the street improvements may include, but are not limited to, raised planters, bulb-outs or curb extensions, pedestrian plazas with seating areas and tables, additional bike lanes/facilities not already required, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.
6. Water Features. Water features, exclusive of any features provided as part of an entry sign area, such as fountains, streams, ponds, or other similar features that are used commonly and are highly visible in the planned community, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.
7. Theme Lighting or Other Theme Design. A theme may be incorporated into the development such as decorative street lights/lamp posts, lighting along walkways or trails, entrance way lighting, and exterior building lighting in addition to the normal street lighting requirements or other design themes unique to the development, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.
8. Design Features. Architecture that is unique, visionary and timeless as determined by the Planning Commission and City Council.
9. Entry Monuments. Planned Communities which provide a landscaped entry sign(s) area(s) for residential areas.

F. Use Of Open Space: Use of open space is limited to the following:

1. Natural areas of undisturbed vegetation or areas replanted with vegetation after development, including woodlands, floodplains, waterways and natural areas. Use and maintenance is limited to removal of litter and accumulated plant material. Natural waterways are to be maintained as free flowing and devoid of debris. Stream channels shall conform to the city stormwater master plan and be maintained so as not to alter base flood elevations.
2. Agricultural uses where conditions are suitable for agricultural production. Minimum areas for agricultural use designation shall be five (5) acres.
3. Garden plots for the common use of residents.
4. Greenways and waterways may include pedestrian ways, trails, bike paths and equestrian trails linking residential areas with other open space uses.
5. Recreation areas designed for specific recreational activities such as parks, athletic fields, tot lots, play fields, playgrounds, tennis courts and similar facilities.
6. Stormwater control and management in conjunction with other allowed uses described in this section. (2001 Code § 89-3-406; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 19-13, __-__-2019)

13-5C-7: DEVELOPMENT PLAN REQUIREMENTS:

- A. Development Plan Review: The steps outlined in section 15-3-8 and 13-5J-10 of this code shall be followed in connection with applications for approval of a development plan, along with the required fees and other specific processes required by this code to complete a specific project.
- B. Development Plan Submittal Requirements: A developer seeking city approval of a development plan shall follow the submittal requirements as outlined in subsections 13-5J-10B through E of this chapter. (2001 Code § 89-3-407; amd. Ord. 10-09, 2-24-2010; Ord. 19-13, __-__-2019)

13-5C-8: GENERAL PROVISIONS:

- A. Compliance With Related Sections: No provision of this article shall be interpreted so as to relieve the developer of a planned development from complying with all applicable development standards, technical standards, subdivision standards and development approval processes of the city.
- B. Density Bonuses: Density bonuses may be applied in any PRD zone. If no bonus is applied, the lowest density defined in subsection 13-5C-3A1 of this article shall be used. If bonus densities are approved, they may only increase density to the maximum density as defined in the General Plan and on the Future Land Use Map of the City, unless otherwise approved as part of the Master Development Plan. Density bonus awarding shall occur according to 13-5J-10 of this Title. Bonus densities in units per acre (u/a) may be applied for the following amenities:

1. Each one percent (1%) of additional open space equals 0.25 u/a.
 2. A detached garage equals 0.15 u/a.
 3. Ten foot (10') park strips along with six foot (6') sidewalks equal 0.10 u/a.
 4. Recreational facilities as follows:
 - a. Tennis courts and tot lots equal 0.15 u/a.
 - b. Barbecue pits, picnic facilities, etc., equal 0.10 u/a.
 5. Theme lighting equals 0.15 u/a.
 6. Alleys equal 0.10 u/a.
 7. Upgraded architectural features (as per section 13-10-2 of this title) equal 0.15 u/a.
- C. Alley Access: Whenever a lot has frontage along an alley, any new off street parking area located on such lot must obtain access from such adjoining alley; provided, however, that such alley access shall not be required when a new detached garage is proposed to be accessed from an existing driveway that has a curb cut along a public street, or when alley access is determined by the city engineer to be a hazard to persons or vehicles.
- D. Street Development Standards: All streets developed and maintained within a planned development shall be developed to technical standards established by city for the class of street being constructed. However, in instances where the developer can show that, due to severe topography, security requirements, or other special circumstances, dedication or development to city standards is impractical or undesirable, the city council, after receiving recommendations from the city engineer and fire chief, may approve modified street standards as part of the Master Development Plan.
- E. Parking And Loading: All uses in planned development districts shall comply with provisions governing off street parking in chapter 12 of this title; provided however an alternative set of sign standards may be approved as part of a Master Development Plan.
- F. Signs: All signs in planned development districts shall comply with the provisions governing signs in this title and title 12 of this code. (2001 Code § 89-3-408; amd. 2009 Code; Ord. 13-33, 11-13-2013; Ord. 16-21, 5-11-2016; Ord. 19-13, __-__-2019)

Section 2. Additions or amendments to the 2009 City Code when passed in such form as to indicate the intention of the City Council to make the same a part of the 2009 City Code shall be deemed to be incorporated in the 2009 City Code, so that reference to the 2009 City Code hereafter includes the additions and amendments.

Section 3. This Ordinance shall become effective immediately upon passage and having been published in accordance with Utah Code Annotated § 10-3-711.

Passed and adopted by the City Council of the City of West Jordan, Utah this _____ day of _____, 2019.

CITY OF WEST JORDAN

By: _____
JIM RIDING
Mayor

ATTEST:

MELANIE S. BRIGGS, MMC
City Clerk

Voting by the City Council

“YES”

“NO”

Council Member Alan Anderson

Council Member Dirk Burton

Council Member Zach Jacob

Council Member Chad R. Lamb

Council Member Chris McConnehey

Council Member Kayleen Whitelock

Mayor Jim Riding

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2019, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder

[SEAL]

Legislative

ARTICLE C. PLANNED DEVELOPMENT ZONES

13-5C-1: PURPOSE AND INTENT:

13-5C-2: PROCESS FOR ZONE CHANGE TO PLANNED DEVELOPMENT DESIGNATION; CONCEPTUAL MASTER DEVELOPMENT PLAN REQUIRED:

13-5C-3: DENSITY DESIGNATIONS:

13-5C-4: PERMITTED AND CONDITIONAL USES:

13-5C-5: AREA, SETBACKS AND HEIGHT:

13-5C-6: DEDICATION AND MAINTENANCE OF OPEN SPACE REQUIRED:

13-5C-7: DEVELOPMENT PLAN REQUIREMENTS:

13-5C-8: GENERAL PROVISIONS:

13-5C-1: PURPOSE AND INTENT:

- A. Planned Residential Development Zone: The purpose of the planned residential development (PRD) zone is to encourage imaginative, creative and efficient utilization of land by establishing development standards that provide design flexibility, allow integration of mutually compatible residential uses, and encourage consolidation of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than may be possible under the procedures and regulations of conventional zoning classifications. A planned residential development should also incorporate a common diversity of architectural design theme throughout the project that provides variety and architectural compatibility, as opposed to a development of individual, unrelated buildings located on separate, unrelated lots. A diversity of architecture creates "timeless" communities that do not become dated or go out of style.
- B. Planned Community Zone: The purpose of the planned community (PC) zone is to encourage imaginative and efficient utilization of land through the clustering of buildings, and the integration of compatible mixed uses (i.e., residential, commercial, recreational). The mix of uses is encouraged in order to create more a convenient, efficient and effective integration of uses that work in concert to create a more attractive and desirable environment in which people can enjoy where employment, residence residential uses and leisure within are close proximity to each other. This zone is characterized by mixed uses in attractively designed attractive buildings within a well-planned and well-coordinated landscaped setting. It is also characterized by a design intended to mitigate the negative effects of noise, traffic and undue congestion.
- C. Overall Intent: It is the intent of the city that the site and building plans for planned developments be prepared by a designer or team of designers having professional competence in urban planning, site planning, and architectural and landscape architectural design. However, it is not the city's intent that design control be so rigidly exercised that individual initiative is stifled or that substantial additional expense is incurred. Rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this chapter. The intent of planned developments (PC or PRD) is to:

1. Create more attractive and more desirable environments in the city;
2. Allow a variety of uses and structures ~~and to encourage imaginative concepts in the design of neighborhood housing and mixed use projects;~~
3. Encourage imaginative concepts in the design of neighborhood housing and mixed use projects;
34. Provide flexibility in the location of buildings on the land;
45. Facilitate and encourage social and community interaction and activity among those who live within a neighborhood;
56. Encourage the creation of a distinctive visual character and identity for each planned development;
67. Produce a market-balanced and coordinated mixture of residential uses and related public areas and design integrated private commercial facilities;
78. Encourage a ~~broad~~ range of housing types, including owner and renter occupied units, single-family detached dwellings and multiple-family structures, as well as other structural types;
89. Preserve and take the greatest possible aesthetic advantage of existing trees and other natural site features and, in order to do so, minimize the amount of grading necessary for construction of a development;
910. ~~Encourage and provide for open~~ Provide land for the ~~general benefit of the community and public at large as places for recreation and social activity purposes;~~
1011. Achieve physical and aesthetic integration of uses and activities within each development;
1112. ~~Encourage and provide for development of comprehensive~~ Develop pedestrian circulation networks, separated from vehicular roadways in order to create linkages between residential areas, open spaces, recreational areas and public and private facilities, ~~thereby minimizing reliance on the automobile as a means of transportation;~~
1213. ~~Since many of the purposes for planned development zones can~~ Planned developments are best be realized in large scale developments, therefore, development on a large, planned scale is ~~encouraged~~ required;
13. ~~Achieve safety, convenience and amenity for the residents of each planned residential development and the residents of neighboring areas;~~
14. Assure compatibility and coordination of each development with existing and proposed surrounding land uses.
15. Plan for a minimum of five percent (5%) and no more than ten percent (10%) of the overall development unit count as affordable housing as defined in Utah Code. Affordable housing shall be integrated into neighborhoods of comparably sized market rate homes.
(2001 Code § 89-3-401; amd. Ord. 19-13, __ - __ -2019)

13-5C-2: PROCESS FOR ZONE CHANGE TO PLANNED DEVELOPMENT DESIGNATION; CONCEPTUAL MASTER DEVELOPMENT PLAN REQUIRED:

- ~~A.~~ Feasibility: Before application is made for a zone change to the planned development PC or PRD zone, the entity proposing the change shall first meet with the city to review and assess the feasibility of the change.
- ~~AB.~~ Approval Criteria: In order to determine if a proposed planned development will accomplish the purposes and intent of planned development zones, a conceptual development plan shall be submitted with each application for a zone change. Prior to approval of a zone change to a PRD or PC designation, the city council, after first receiving a recommendation from the planning commission, shall find that the proposed zone and associated conceptual plan is consistent with the purpose and intent outlined in section 13-5C-1 of this article. In addition, the city council shall find that the proposed development is not in conflict with any applicable element of the city general plan. A rezoning request for a PRD or PC designation may not be approved without concurrently approving a concept development plan under this section. An application for a zone change to a PC or PRD zone shall include a Master Development Plan ("MDP") and shall be submitted, according to section 13-5J-10, concurrently with and as part of the application for a zone change. A Master Development Agreement ("MDA") in a form acceptable to the city shall also be required and presented to the planning commission as part of the application review prior to consideration of the application by the city council. The MDP shall follow the expiration time frames of section 13-5J-10 D, or as modified by the MDP and/or the MDA. The MDP shall be attached to and be part of the MDA.
- ~~C.~~ Design Guidelines: Design Guidelines shall be submitted with each MDP and shall be approved by the city council, after receiving a recommendation from the planning commission and the design review committee.
- ~~D.~~ Phase Sub-Area Development Plans: Each phase described in an MDP shall be submitted in the form of a Phase Sub-Area Development Plan, following the standards and guidelines established in the MDP, and shall be approved by city staff, unless density bonuses are requested. In this case, city council approval is required, after a planning commission recommendation.
- ~~BE.~~ Ownership At Time Of Application: Each planned residential 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.
- ~~G.~~ Submittal Requirements For Conceptual Development Plan: The following information shall be provided in addition to that required by chapter 7, article B of this title:
- ~~1.~~ A complete and accurate legal description of the property that is the subject of the planned development.
 - ~~2.~~ A topographic map of the entire site shall be prepared showing contour intervals at two feet (2') or less.
 - ~~3.~~ Plans shall show the locations of parks, common open spaces, playgrounds, school sites, and other public or private recreation facilities and improvements proposed within the development.
 - ~~4.~~ The general location of all dwellings and/or institutional and commercial structures in the development, and an indication of the proposed population densities and building densities, including tables or graphs showing the percentages of each dwelling type being proposed.
 - ~~5.~~ A preliminary development schedule indicating the phases in which development will occur and the approximate dates when said phases will be completed.

~~6. Additional information may be required by the city planner, planning commission, or city council which may be necessary to adequately evaluate the proposed development.~~

~~DE.~~ Specification Of Mixed Uses In PC Zones: The general categories of uses to be established in a planned community zone shall be specified in the ~~conceptual development plan~~ MDP. The areas to be devoted to each of the land use classifications shall be clearly shown ~~on~~ in the ~~conceptual plan~~ MDP, together with the acreage of each land use area. The following ~~general~~ classifications should be used in making these designations:

1. Commercial.
2. Multiple Multi-family residential (specified average density).
3. Single-family residential (~~specified average density~~).
4. Institutional (schools, churches, etc.).
5. Recreational and amenities (specified types).

~~EG.~~ Conditions Of Approval: The City Council may impose conditions on the approval of any ~~zone change to a planned development designation~~ the MDP in order to ensure, ~~among other things,~~ that:

1. The applicant has the financial capability to carry out the proposed project;
2. The development will be planned as one integrated land use rather than as an aggregation of individual and unrelated buildings, uses or developments; and
3. The development as planned and shown in the ~~concept development plan~~ MDP will accomplish the purpose and intent of this article.
4. An accurate phasing plan for the development is provided showing that each phase can operate independently without relying on a subsequent phase.
5. The phasing of amenities.
6. The type and amount of open space and amenities are determined and described in the MDP and not in the development plans of individual phases (Phase Development Plans).

~~F.~~ Expiration Of PC And PRD Zones:

1. ~~PC And PRD Zoning Expiration: PC and PRD zoning, with associated concept plan, shall remain valid for a period of two (2) years upon receiving approval by the City Council; wherein the zoning designation shall become void by resolution from the City Council and shall revert back to the previous zone if an application for preliminary development plan has not been accepted by the City within two (2) years following PC or PRD zoning approval by the City Council, or if the master development plan or preliminary development plan has expired per the requirements and conditions listed in subsection 13-5J-10D of this Code. (2001 Code § 89-3-402; amd. Ord. 13-33, 11-13-2013; Ord. 16-21, 5-11-2016; Ord. 19-13, __-__-2019)~~

13-5C-3: DENSITY DESIGNATIONS:

Density in planned development zones is calculated by dividing the number of proposed dwelling units by the number of gross acres designated for residential development ~~(including residential uses within a mixed use component of a development)~~ on the conceptual development plan shown in the Master Development Plan. Proposed parks and public or private open space, roads and trails may be included in determining the number of acres used in this calculation. However, areas proposed for nonresidential uses (i.e., commercial, office, church or school sites ~~not included in a mixed use component of a development~~) shall not be used in determining residential density. Density ranges for subcategories of planned developments are specified below. If a proposed development does not qualify for bonus density as outlined in subsection 13-5C-8B of this article, the minimum density shall apply.

A. Density In PRD Zones:

1. PRD(L): The PRD(L) classification typically will be used in conjunction with areas that are designated as "low density" on the general land use map. Densities may range from 1.0 unit per acre to 3.0 units per acre.
2. PRD(M): The PRD(M) classification typically will be used in conjunction with areas that are designated as "medium density" on the general land use map. Densities may range from 3.1 units per acre to 5.5 units per acre.
3. PRD(H): The PRD(H) classification typically will be used in conjunction with areas that are designated as "high density" on the general land use map. Densities may range from 5.6 units per acre to ten (10) units per acre.
4. PRD(MF): The PRD(MF) classification typically will be used in conjunction with areas that are designated as "very high density" on the general land use map. Densities may range from 10.1 units per acre to twenty four (24) units per acre.

B. Density In PC Zones: To the extent maximum density is not established by the TSOD or other applicable overlay zone, final density in PC zones shall be approved as part of ~~preliminary development plan~~ Master Development Plan approval by the City Council after receiving a recommendation from the Planning Commission. (2001 Code § 89-3-403; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 19-13, ___-___-2019)

13-5C-5: AREA, SETBACKS AND HEIGHT:

A. Minimum Site Area:

1. PRD Zones: No planned residential development shall have an area less than ~~that approved by the City Council~~ twenty (20) acres, except that the City Council may approve a rezone request to the Planned Residential Development Zone classification for a parcel smaller than twenty (20) acres if: (1) the applicant can reasonably show that the surrounding neighborhood will not be adversely affected by the granting of such zone classification; and (2) the provisions of this article will be complied with. No planned residential development shall have an area greater than thirty (30) acres.
2. PC Zones: The minimum size for a Planned Community Zone shall be ~~fifty (50)~~ two hundred (200) undeveloped acres, except that the City Council may approve a rezone request to the Planned Community Zone classification for a parcel smaller than fifty (50) two hundred (200) acres if the developer can reasonably show City Council, in its sole discretion, determines that the surrounding neighborhood will not be adversely affected by the granting of such zone classification and that the provisions of this article will be complied with.

B. Lot Area:

1. PC Zones: Lot sizes in Planned Community Zones shall be established by the City Council through approval of the ~~preliminary development plan~~ Master Development Plan following the density designation of the Future Land Use map, unless a different density is approved in conjunction with the Master Development Plan.

C. Building Coverage And Setbacks: With the following exceptions, dwellings and permitted structures may be located as approved in the ~~final development plan~~ Master Development Plan. Location and arrangement of buildings on a lot shall be ~~accomplished~~ sited in a manner that will best utilize the lot area and create an attractive living environment. The following exceptions shall be considered minimum requirements:

1. Garages In PRD Zones:

a. Street facing garage doors shall be even with, or recessed behind, either the front facade of the living area portion of the dwelling or a covered porch which measures at least six feet by eight feet (6' x 8').

b. Garage doors may be located on the side or rear of a dwelling; provided, that the side of the garage facing the front street has windows or other architectural details that mimic the features of the living portion of the dwelling.

c. Garage doors shall not comprise more than fifty percent (50%) of the ground floor street facing linear building frontage. Alleys are exempt from this standard.

d. Attached and multi-family dwellings which front on two (2) streets or on a major walkway spine shall be exempt from subsections C1a, C1b and C1c of this section. The facade oriented to the second street or walkway spine should include windows, doorways and a structured transition from public to private areas using built elements such as porch features, pediments, arbors, low walls, fences, trelliswork and/or similar elements integrated with plants.

e. Alternative garage door treatments may be approved by the zoning administrator if the configuration of the lot or other existing physical condition of the lot makes the application of these standards impractical and the proposed design substantially meets the intent of these provisions, which is to line streets with active living spaces, create pedestrian oriented streetscape, and provide variety and visual interest in the exterior design of residential buildings.

2. Garages In PC Zones:

a. Garages facing directly on a public or private street, whether in the front or side yard, shall be set back behind the front facade of the living area portion of the dwelling or a covered porch at least five feet (5').

b. Side or rear loaded garages in PC zones shall be set back at least ~~twenty feet (20')~~ twenty-two (22') from the property line.

3. Residential Building Setbacks: Unless different setbacks are approved with the Master Development Plan, the following setbacks shall apply: Main residential buildings in PC zones shall be set back at least ~~twenty feet (20')~~ twenty-two (22') from front and rear property lines. Side yard setback for interior side lots shall be at least a total of thirteen feet (13') but no less than five feet (5') on each side. Corner lot setbacks shall be a minimum of fifteen feet (15') where no garage will be accessed from corner and twenty-two feet (22') on lots where a garage will be accessed from the corner side. The foregoing requirement shall not apply within a TSOD (transit station overlay district).

4. Planned Development Setbacks; Abutting Property: Setbacks shall be maintained along peripheral property lines of planned developments that are equal to setbacks required by the zone on abutting property. The foregoing requirement shall not apply within a TSOD (transit station overlay district).

5. Planned Development Setbacks; Existing Public Streets: In instances where a proposed planned development will front on one or more existing public streets, the setback from the street shall be equal to that required by the most restrictive zoning on property immediately adjacent or across the public street from the proposed planned development. The foregoing requirement shall not apply within a TSOD (transit station overlay district).

D. Maximum Height Of Buildings And Structures:

1. PRD Zones: Maximum height of buildings and structures in planned residential zones shall be established by the city council through approval of the ~~preliminary development plan~~ Master Development Plan. Where feasible, lower height and intensity of buildings, uses or impacts shall be arranged around the boundaries of the development.

2. PC Zones: The maximum height of buildings and structures ~~within a planned community~~ shall be as follows:

a. Single-Family Residential Buildings: Two (2) stories or thirty five feet (35'), whichever is greater.

b. Multiple-Family Residential Buildings: ~~Two (2) stories or thirty five feet (35')~~ Three (3) stories or forty-five feet (45'), whichever is greater.

c. Commercial Buildings And Structures: ~~No limitation except as may be imposed by the current edition of the international building code, or as may be established as a condition of approval on the preliminary or final plan by the city council.~~ Sixty feet (60') or five (5) stories, whichever is greater. Greater heights may be established by the City Council by approval in the Master Development Plan.

d. Institutional Buildings And Structures: Two (2) stories or ~~thirty five feet (35')~~ forty-five (45'), whichever is greater.

e. Recreational Buildings And Structures: Two (2) stories or ~~thirty five feet (35')~~ forty-five (45'), whichever is greater.

f. TOD (Transit Oriented Development): Buildings or other structures in areas identified as a TOD on the general plan land use map or on the zoning map shall be limited in height to seventy five feet (75'), unless a greater height is established pursuant to the applicable overlay zone or otherwise as approved by the city council through the approval of a ~~preliminary development plan~~ Master Development Plan. (2001 Code § 89-3-405; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 13-33, 11-13-2013; Ord. 16-21, 5-11-2016; Ord. 19-13, __-__-2019)

13-5C-6: DEDICATION AND MAINTENANCE OF OPEN SPACE REQUIRED:

A. Dedication Of Open Space: All planned developments shall provide ~~permanently dedicated roadways, trails, open space, open land, common areas and parks~~ that shall either be dedicated to the City or maintained in perpetuity by a development Home Owners Association according to the following standards:

1. PRD Zones: A minimum of fifteen percent (15%) of the gross area of planned residential development shall be retained as permanent ~~open space parks, which are groomed and irrigated.~~

2. PC Zones: A minimum of ~~fifteen percent (15%)~~ twenty percent (20%) of the gross area of a planned community as described in the Master Development Plan shall be retained in permanent open space and/or open land and/or parks. As part of the required twenty percent (20%) open space a minimum of eight percent (8%) shall be developed as groomed irrigated park space. Each park space shall have a pavilion and playground equipment installed. The park space can be developed as one large space or dispersed throughout the development, but in no case shall a groomed park be smaller than two (2) acres in area. The park space shall be maintained by the development's Home Owners Association, unless dedicated to the City and the City agrees to maintain the same as part of the Master Development Plan and Development Agreement.

B. Computation Of Area: Land proposed to be devoted to vehicular streets or roads, parking, driveways, required setbacks, ~~park strips~~, commercially paved areas and slopes greater than thirty percent (30%) shall not be included in computations of permanent open space. All open space is required to be usable open space.

C. Design Of Common Open Space, Open Land, Parks and Common Areas: Diversity in the design and use of common open space, open land, parks and common areas is encouraged, and approval of a common open space plan shall be judged as to its appropriateness based on the following criteria:

1. Areas intended for public use shall be freely accessible from streets and/or other common areas that have unrestricted entry. The configuration of such space shall be to accommodate parks, play fields, and play areas as directed by the city.

2. Areas intended for restricted use shall be interspersed within residential development so as to convey a sense of openness within the neighborhood. Residential developments shall not totally exclude open space from fronting on streets at appropriate intervals.

3. Agricultural lands shall be located in areas having suitable production capabilities, including soil conditions, fertility, water, access and land configuration to accommodate the intended cultivation practices.

D. Trail System Required: A pedestrian trail system around and through the development that connects to established and planned trails in the area. The minimum width of the trail shall be twelve feet (12') wide and constructed of asphalt per City standards.

E. Additional Amenities in PC Zone: Based on the overall planned unit count and in addition to all required amenities (trails, open space, parks, etc.), additional amenities shall be provided as defined in categories 1 through 9 below and as described in the Master Development Plan. More than one additional amenity may be provided from a single category, and there is no requirement to provide additional amenities from any given category. Residential unit count 0-199: No additional amenities required. 200 to 500: two total additional amenities. 501-800: four total additional amenities. 801 to 1100: six total additional amenities. 1101-1400: eight total additional amenities. 1401 and up: ten total additional amenities.

1. Active Recreational Facilities. These facilities may include sports courts, tennis courts, pedestrian bridges, community parks, swimming pools, sports fields, playgrounds, bike paths, skate parks, pavilions, community gardens, cemeteries, plazas, public squares, dog parks, and other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.

2. Common Buildings or Facilities. Developments which contain buildings or facilities that are constructed for use by the residents of the planned community or citizens of the community for meetings, indoor recreation, receptions, classes, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.

3. Civic Sites. Developments which set aside and/or donate property for civic uses including police or fire satellite stations, municipal buildings, schools, public recreation facilities and other public buildings or facilities, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.

4. Street Beautification. Along all collector streets (as determined by the City) in the development ten foot (10') wide park strips with minimum two (2") inch caliper trees planted twenty-five feet (25') on center along with six foot (6') sidewalks. Trees species shall be approved by the Urban Forester and may be clustered where needed or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.

5. Pedestrian and Bicycle Enhancements Along All Collector Streets. Pedestrian and bicycle amenities not typically required as part of the street improvements may include, but are not limited to, raised planters, bulb-outs or curb extensions, pedestrian plazas with seating areas and tables, additional bike lanes/facilities not already required, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.

6. Water Features. Water features, exclusive of any features provided as part of an entry sign area, such as fountains, streams, ponds, or other similar features that are used commonly and are highly visible in the planned community, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.

7. Theme Lighting or Other Theme Design. A theme may be incorporated into the development such as decorative street lights/lamp posts, lighting along walkways or trails, entrance way lighting, and exterior building lighting in addition to the normal street lighting requirements or other design themes unique to the development, or other items deemed similar in nature and intensity as proposed by the developer and approved by the City Council after receiving a recommendation from the Planning Commission.

8. Design Features. Architecture that is unique, visionary and timeless as determined by the Planning Commission and City Council.

9. Entry Monuments. Planned Communities which provide a landscaped entry sign(s) area(s) for residential areas.

D.F. Use Of Open Space: Use of open space is limited to the following:

1. Natural areas of undisturbed vegetation or areas replanted with vegetation after development, including woodlands, floodplains, waterways and natural areas. Use and maintenance is limited to removal of litter and accumulated plant material. Natural waterways are to be maintained as free flowing and devoid of debris. Stream channels shall conform to the city stormwater master plan and be maintained so as not to alter base flood elevations.
2. Agricultural uses where conditions are suitable for agricultural production. Minimum areas for agricultural use designation shall be five (5) acres.
3. Garden plots for the common use of residents.
4. Greenways and waterways that may include pedestrian ways, trails, bike paths and equestrian trails linking residential areas with other open space uses.
5. Recreation areas designed for specific recreational activities such as parks, athletic fields, tot lots, play fields, playgrounds, tennis courts and similar facilities.
6. Stormwater control and management in conjunction with other allowed uses described in this section. (2001 Code § 89-3-406; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 19-13, __-__-2019)

13-5C-7: DEVELOPMENT PLAN REQUIREMENTS:

- A. Development Plan Review: The steps outlined in section 15-3-8 and 13-5J-10 of this code shall be followed in connection with applications for approval of a development plan, along with the required fees and other specific processes required by this code to complete a specific project.
- B. Development Plan Submittal Requirements: A developer seeking city approval of a development plan shall follow the submittal requirements as outlined in subsections 13-5J-10B through E of this chapter. (2001 Code § 89-3-407; amd. Ord. 10-09, 2-24-2010; Ord. 19-13, __-__-2019)

13-5C-8: GENERAL PROVISIONS:

- A. Compliance With Related Sections: No provision of this article shall be interpreted so as to relieve the developer of a planned development from complying with all applicable development standards, technical standards, subdivision standards and development approval processes of the city.
- B. Density Bonuses: Density bonuses may be applied in any PRD zone. If no bonus is applied, the lowest density defined in subsection 13-5C-3A1 of this article shall be used. If bonus densities are applied approved, they may only increase density to the maximum density as defined in subsection 13-5C-3A4 of this article in the General Plan and on the Future Land Use Map of the City, unless otherwise approved as part of the Master Development Plan. Density bonus awarding shall occur at preliminary development plan approval according to 13-5J-10 of this Title. Bonus densities in units per acre (u/a) may be applied for the following amenities:
 1. Each one percent (1%) of additional open space equals 0.25 u/a.
 2. A detached garage equals 0.15 u/a.
 3. Ten foot (10') park strips along with six foot (6') sidewalks equal 0.10 u/a.

4. Recreational facilities as follows:
 - a. ~~Swimming pool equals 0.25 u/a.~~
 - ba. Tennis courts and tot lots equal 0.15 u/a.
 - eb. Barbecue pits, picnic facilities, etc., equal 0.10 u/a.
 5. Theme lighting equals 0.15 u/a.
 6. Alleys equal 0.10 u/a.
 7. Upgraded architectural features (as per section 13-10-2 of this title) equal 0.15 u/a.
- C. Alley Access: Whenever a lot has frontage along an alley, any new off street parking area located on such lot must obtain access from such adjoining alley; provided, however, that such alley access shall not be required when a new detached garage is proposed to be accessed from an existing driveway that has a curb cut along a public street, or when alley access is determined by the city engineer to be a hazard to persons or vehicles.
- D. Street Development Standards: All streets developed and maintained within a planned development shall be developed to technical standards established by city for the class of street being constructed. However, in instances where the developer can show that, due to severe topography, security requirements, or other special circumstances, dedication or development to city standards is impractical or undesirable, the city council, after receiving recommendations from the city engineer and fire chief, may approve modified street standards as part of the ~~preliminary development plan~~ Master Development Plan.
- E. Parking And Loading: All uses in planned development districts shall comply with provisions governing off street parking in chapter 12 of this title; provided however an alternative set of sign standards may be approved as part of a Master Development Plan.
- F. Signs: All signs in planned development districts shall comply with the provisions governing signs in this title and title 12 of this code. (2001 Code § 89-3-408; amd. 2009 Code; Ord. 13-33, 11-13-2013; Ord. 16-21, 5-11-2016; Ord. 19-13, __-__-2019)