



Planning and Zoning

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TCLUO 2019-05

Planned Unit Development (PUD) Ordinance Rewrite Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: August 5, 2020

Request: Recommendation of approval for two revised drafts for the rewrite of Chapter 9 (PUD) of the TCLUO

Planner: Jeff Miller

Planning Commission Recommendation: Recommend Approval on Oct 16, 2019, tabled on July 1, 2020 & August 5, 2020.

Planning Staff Recommendation: Approval

Applicant Name: Planning Staff

PROJECT DESCRIPTION

Planning Staff has been mandated by the Tooele County Commission to propose adoption of a rewrite of Chapter 9 of the Tooele County Land Use Ordinance regarding Planned Unit Developments (PUDs). The Tooele County Planning Commission previously held three work sessions to discuss a workable draft of the proposed ordinance rewrite.

Previously, Planning Staff was requesting a recommendation of approval for two drafts (Option A & B) for the proposed ordinance update. On August 5, 2020, the Tooele County Commission tabled the proposed ordinance and made a motion for planning staff to pursue additional draft updates to Option A regarding water-efficient landscaping standards. The current draft includes these updates.

Should the Tooele County Commission adopt the proposed ordinance update, it would completely replace Chapter 9 (Planned Unit Developments) of the Tooele County Land Use Ordinance, which was previously repealed by the Tooele County Commission.

***Please see the updated draft of the proposed ordinance re-write of Chapter 9.**

COMMUNITY RESPONSE

A public hearing was previously held on September 18, 2019 for the previous draft. A few comments were made that the updated PUD ordinance needs to be treated as a rezone request. It was explained that the updated PUD ordinance would be a zoning overlay, instead of a conditional use.

A public hearing was held on August 5, 2020, with no additional public comments.

Any Additional comments that are received will be forwarded over to the Tooele County Planning Commission for review and summarized on October 7, 2020.

PLANNING COMMISSION RESPONSE

The original draft for the proposed ordinance updated was originally heard by the Tooele County Planning Commission on October 16, 2019. A motion was made to recommend approval of the previous draft.

The Tooele County Planning Commission heard the revised drafts on July 1, 2020. After some discussion about the proposed drafts and potential changes that could be considered, the item was tabled until August 5th, so that additional feedback could be sent over to planning staff for review. Planning Staff did not receive sufficient feedback from the planning commission to warrant additional changes to the proposed ordinance prior to August 5th. As such, planning staff placed this item back on the agenda for additional review and consideration on August 5th. On August 5th, 2020, the Tooele County Planning Commission tabled the proposed ordinance drafts, and made a motion to direct planning staff to make additional updates regarding water-efficient landscaping standards.

PLANNING STAFF ANALYSIS

As development within Tooele County continues to grow and evolve, it is vital that an updated PUD Ordinance is established with the Tooele Valley. It is anticipated that the current draft of the PUD Ordinance is a steppingstone towards envisioning growth within the valley that can delicately balance the anticipated growth with the desire of residents to maintain a rural atmosphere, a high quality of life, and improved road and utility infrastructure.

***Please see the updated draft of the proposed ordinance re-write of Chapter 9 with additional updates regarding water-efficient landscaping standards.**

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Commission makes a motion to recommend approval to the Tooele County Commission for the proposed ordinance update. It is anticipated that the Tooele County Commission will consider and adopt the proposed ordinance (potentially with additional modifications) at a future meeting.

Chapter 9 - Planned Unit Developments (PUD)

9-1: Purpose

9-1.1: Districts Permitting Planned Unit Developments

9-2: Planned Unit Development Classification, Minimums, Maximums And Exceptions.

9-3: Uses Permitted Within Planned Unit Developments

9-3.1: Planned Unit Development Application Requirements

9-3.2: Preapplication Meeting

9-3.3: Concurrent Processing Of Planned Unit Development And Subdivision Applications

9-4: "Large Scale" PUD, General Provisions

9-5: Procedures For Approval Of Planned Unit Developments

9-6: Design Standards For Planned Unit Developments

9-7: Standards For Review Of Applications For Planned Unit Developments

9-8: Expiration And Extension Of Planned Unit Development Approval

9-1: PURPOSE:

A planned unit development (PUD) is an overlay zone within the unincorporated areas of Tooele County. As such, it is intended to encourage the efficient use of land and resources, promote greater efficiency in public and utility services, preservation of open space, efficient use of alternative transportation and encouraging innovation in the planning and building of all types of development. Through the flexibility of the planned unit development technique, the County seeks to achieve the following specific objectives:

- (1) creation of a more desirable environment than would be possible through strict application of the underlying zoning district, other county land use ordinances and regulations;
- (2) promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities, and an increased effort to preserve the rural atmosphere within the community;
- (3) combination and coordination of architectural styles, building forms and building relationships;
- (4) the creation, landscaping and preservation of open space and recreational facilities;
- (5) preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
- (6) use of design, **water-efficient landscaping** or architectural features to create a pleasing environment;
- (7) preservation of buildings which are architecturally or historically significant.
- (8) establishment of interconnecting paths and trails for active transportation routes which lead to common and popular destinations and interface with automobile traffic at few and specific points;

- (9) provide a variety of housing, in accordance with the county's general or specific plans;
- (10) inclusion of special development features; and
- (11) elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

9-1.1: DISTRICTS PERMITTING PLANNED UNIT DEVELOPMENTS:

Planned unit developments (PUDs) are permitted in all districts, and may be comprised of Industrial, Commercial, and Residential Planned Unit Developments (PUDs).

9-2: PLANNED UNIT DEVELOPMENT CLASSIFICATIONS, MINIMUMS, MAXIMUMS AND EXCEPTIONS:

- A. A "small scale" PUD consisting of only industrial, commercial or residential and accessory uses and having six (6) lots and/or dwelling units or fewer and having a minimum gross land area of five (5) acres.
- B. A "large scale" PUD consisting of only industrial, commercial or residential and accessory uses and having more than six (6) lots and/or dwelling units and having a minimum gross land area of five (5) acres.
- C. A "small scale mixed use" PUD consisting of a combination of residential and subordinate commercial uses and having a minimum gross land area of ten (10) acres.
- D. A "large scale mixed use" PUD consisting of commercial, industrial, residential and/or recreational uses and having a minimum gross land area of twenty (20) acres.
- E. A commercial/industrial PUD consisting of primarily commercial and/or industrial uses, wherein the permitted uses within the PUD shall be the same as those within the base zone district.
- F: Any development having a minimum gross land are of one hundred and fifty (150) acres or more are required to go through the approval process for the Planned Community Zone (Chapter 31).
- G: The zoning administrator may authorize a mixture of industrial, commercial and/or residential uses in areas where appropriate for "small scale" and "large scale" PUDs.

9-3: USES PERMITTED WITHIN PLANNED UNIT DEVELOPMENTS:

Permitted uses shall be the same as those within the base zone district, with the following exceptions:

- A. Limited commercial and related recreational activities and facilities which are designed primarily to accommodate the needs of residents within a "mixed use" PUD described in section **9-2** of this chapter may be permitted in any district, except for Industrial. The developer will propose the limited commercial uses envisioned for the "mixed-use" PUD, subject to the approval by the County Commission during final PUD approval. Commercial recreation areas, such as golf courses are allowed where permitted or conditionally permitted in applicable districts, may include related commercial uses to accommodate the general public as well as residents within the PUD when included and approved as part of the PUD development plan.

9-3.1: PLANNED UNIT DEVELOPMENT APPLICATION REQUIREMENTS

Application for a PUD shall be made with the Tooele County Community Development Department. In addition to the basic information requirements and application forms provided by the department, a completed application shall include the following:

- A. All PUD applications shall include a preliminary environmental analysis, which shall address the impacts of the development on the various physical features of the land, including wetlands, wildlife habitat, vegetation, floodplain and floodways, cultural resources, water quality and other natural resources.
 1. A comprehensive environmental analysis by a qualified consultant may be deemed an additional required element of a completed application shall potentially significant environmental concerns be identified at any time during the reviewing and/or approval processes.
- B. Preliminary development plan or conceptual land use plan for a "large scale" PUD of significant size which may be planned in phases for a variety of land use types over a period of time. The preliminary development plan contents for a "small scale" or "mixed use" PUD, or for any portion of an approved "large scale" PUD which is contemplated to be completed or under construction within two (2) years after approval, shall include the proposed use or uses, housing densities and design of housing arrangements, parking facilities, preliminary concept subdivision plan, common areas, open spaces and a transportation network for vehicular and pedestrian circulation. The Planning Director or Planning Commission may require drawings and sketches demonstrating the design characteristics and physical relationships of various uses and siting conditions in order to determine the feasibility and desirability of any necessary variation from the conventional development standards of this title.
- C. All PUD applications shall include a preliminary traffic study, which includes a trip generation and distribution letter showing that existing and/or proposed road infrastructure can adequately handle the proposed PUD.
 1. A comprehensive traffic study by a qualified consultant may be identified as a required component of a completed application submittal during the pre-application meeting as referenced in section 9-3.2 of this chapter.
 2. The zoning administrator may allow a less defined traffic study for "small scale" residential PUDs containing six (6) residential lots or fewer, in areas deemed appropriate.

9-3.2: PRE-SUBMITTAL MEETINGS:

Prior to the acceptance of a completed application submittal, the following meetings shall occur in the order as described below:

1. **Preliminary concept meeting:** The developer or developer's representative for a PUD shall submit a request to meet with the Tooele County Planner or Zoning Administrator for the preliminary concept meeting. The purpose of this meeting is to discuss early and informally with the developer, the purpose and qualifying provisions of this chapter along with any known constraints in order to assist the applicant in determining the feasibility of the proposal. The meeting will familiarize the developer with the general plan, the transportation plan, the Tooele County Active Transportation Implementation Plan, this title, sewer and water regulations and general soil information. Upon completion of the preliminary concept

meeting, the developer shall also consult with the serving utility companies and agencies regarding electrical power, sewer and water supply prior to submitting an application for the pre-application conference.

2. **Pre-application conference:** Once planning staff has determined that the concept is compatible with the county regulations and/or standards listed in section 1 above, a pre-application conference will be scheduled with the following possible attendees: county planner, zoning administrator, planning commissioner(s), county commissioner(s), applicable fire district, county health department, and any other additional party deemed necessary by planning staff. The attendees from the planning commission will be limited to no more than 3 commissioners.

9-3.3: CONCURRENT PROCESSING OF PLANNED UNIT DEVELOPMENT AND CONCEPT SUBDIVISION APPLICATIONS:

When a PUD includes a subdivision, the processing of the concept subdivision application shall take place concurrently with the PUD application.

9-4: PUD, GENERAL PROVISIONS:

- A. Final land use approval may be granted for a conceptual land use plan for a PUD, subject to submission of preliminary development plans as provided in this title. The Planning Commission shall consider the conceptual land use plan and shall make its recommendation to the County Commission, which shall conduct its own hearing on the plan. If phasing is proposed for a "large scale" PUD, a phasing schedule shall be provided with the application.
- B. Development plans submitted as part of an approved PUD shall be in substantial compliance with the approved conceptual land use plan. Any significant change affecting the original approval of the plan shall require a public hearing. A change in density or a more intensive use of the same area constitutes a significant change.

9-5: PROCEDURES FOR APPROVAL OF PLANNED UNIT DEVELOPMENTS:

Planned unit developments (PUDs) are an overlay zone within Tooele County. As such, the underlying zone establishes the density and uses within the PUD, subject to allowable density increases in association with Tables 9-6-1 and 9-6-2 below. The procedures for preliminary/conceptual "PUD" review, Final "PUD" Approval, and subsequent subdivision platting approvals are outlined below:

1. An initial review of the proposed PUD is completed by Planning Staff and any necessary reviewing agencies prior to the proposal being forwarded to the Tooele County Planning Commission for consideration of the preliminary/conceptual "PUD" review, which includes a detailed administrative review of overall site design characteristics, subject to applicable requirements of this title, and a recommendation to the Tooele County Commission regarding proposed density increases for the PUD Overlay Zone..
2. The Tooele County Commission acting as the legislative body will review the preliminary/conceptual "PUD" review made by the Tooele County Planning Commission and consider granting Final "PUD" Approval, establishing the allowable density for the PUD Overlay Zone.
3. If Final "PUD" Approval has been granted by the Tooele County Commission, the applicant will proceed with submitting for the preliminary and final subdivision plats in accordance with

Title 13 (Subdivisions) of the Tooele County Code. "Concept Plan" subdivision requirements found in Title 13 are considered as being fulfilled by Final "PUD" Approval.

9-6: DESIGN STANDARDS FOR PLANNED UNIT DEVELOPMENTS:

Approval of a development plan by the County Commission shall include, but is not limited to, the following performance standards and requirements, which may be in addition to and may vary from the minimum standards of this title:

A. Common Open Space: At least ten percent (10%) of the gross land area of a PUD shall be reserved as common open space, exclusive of streets, parking areas, and utility easements and other improvements which would detract from the function of the "common open space", as defined below. The required common open space must fall into one or more of the following categories:

1. Wildlife habitat or wildlife corridors, as identified by the Utah department of fish and game or U.S. fish and wildlife service. These areas might be stream corridors, waterways subject to artificial high-water marks, as defined, which shall not exceed fifty percent (50%) of the total required common open space, waterways, wetlands, grasslands, stands of mature timber, areas with snags, wintering areas, nesting and roosting sites, waterfront areas and travel corridors between habitat blocks and sources of food and water.
2. Areas with native vegetation, including native grassland or unique vegetative communities.
3. Recreational areas, including trails, sports courts and wildlife viewing areas, and other similar recreational uses, **with an emphasis on incorporating elements of water-efficient landscaping in these areas where possible, subject to the qualifying standards found in subsection (5) of Table 9-6.1.**
4. Historic or culturally significant areas as determined by the either the County or a local, state or federal historical society.
5. Actively managed pasture and farmland (known as Rural Preservation Parcels) in appropriate rural districts (in accordance with subsection 9-6.1 (5) below). Accessory agricultural structures are allowed within the common open space.

B. Owners' Association: A PUD shall include a homeowners' association and/or an agreement with an applicable service district, which shall be responsible for the development, use and permanent maintenance of all common open space areas and facilities.

C. Covenants, Articles of Incorporation: Articles of incorporation for the homeowners' association or corporate entity governing the PUD shall be recorded with the final plat of any PUD subdivision or final development plans. The covenants, conditions and restrictions shall be sufficient to enforce development requirements and responsibilities of the homeowners' association and/or ownership.

D. Development Density: The unit density of a PUD containing residential uses (dwelling units/acre) shall not exceed the density of the zone district in which it is located, except for density bonuses as provided in the following tables:

TABLE 9-6.1
 DENSITY BONUS FOR COMMON OPEN SPACE
 (Numbers in parentheses refer to additional standards located below the table.)

Amount Of Common Open Space (Percent Of Site) (2)	Maximum Percentage Increase In Approved Building Lots (1)	
	Percentage of Open Space	Density Increase By Percentage
10 percent - 19 percent	0 percent	0 percent
20 percent - 29 percent	10 percent	Bonus percentage increase equal to percentage of common open space.
30 percent - 39 percent	20 percent	
40 percent - 49 percent	30 percent	
50 percent - 69 percent	40 percent	
70 percent or more	50 percent	

*Standards:

1. To qualify for the full bonus percentages herein, the common open space must comply with applicable requirements of subsection A of this section.
2. Common open space percentages may be rounded off to the nearest whole percentage.
3. Planned unit development subdivisions shall not exceed a gross 50 percent increase of the density allowed by the underlying zoning district through provision of common open space percentages listed in table 9-6.1 above. For example, an applicant with 40 acres in the RR-5 district [normally allowed a maximum of 8 lots] may qualify for up to 12 lots via common open space increases.
4. Planned unit development subdivisions shall not exceed a combined gross 100 percent increase of the density allowed by the underlying zoning district through provision of common open space percentages listed in table 9-6.1 above and other density bonus actions listed in table 9-6.2 below. For example, an applicant with 40 acres in the RR-5 district [normally allowed a maximum of 8 lots] may qualify for up to 16 lots via a combination of common open space (table 9-6.1) and other bonus actions (table 9-6.2).

5. Planned unit developments which incorporate water-efficient landscaping standards for the open space areas associated with the proposed PUD may be awarded a 10% density bonus increase above and beyond any allocated density increases set forth by tables 9.6.1 and 9.6.2 at the sole discretion of the County Commission. The developer must show compliance with the following applicable water-efficient landscaping standards, in order to potentially be awarded the applicable density increase:

- a. A calculated **Landscape Water Allowance** for all open space areas, calculated per the following equation:
 - Landscape Water Allowance = $ET_0 \times 1.0 \times 0.62 \times A$, where *Landscape Water Allowance is in gallons per year.*
 - ET_0 = **Reference Evapotranspiration** in inches per year.
 - 1.0 = ET_0 adjustment factor, 100% of turf grass ET_0 (water year adjustment factor).
 - A = total **irrigated Landscape Area** in square feet.

- b. **Irrigation Standards and Schedule.** Sprinkler irrigation of all lawns and landscaped areas is prohibited between the hours of 10:00 am and 6:00 pm (the plant establishment period is temporarily exempt from this provision). Rain or moisture sensors shall be encouraged for all irrigated landscaped areas. A monthly Irrigation Schedule shall be prepared that covers the initial 120-day plant establishment period and the typical long-term use period. This schedule shall consist of a table with the following information for each valve:
 - i. Plant type (for example, turf, trees, low water use plants);
 - ii. Irrigation type (for example, sprinklers, drip, bubblers);
 - iii. Flow rate in gallons per minute;
 - iv. Precipitation rate in inches per hour (sprinklers only);
 - v. Run times in minutes per day;
 - vi. Number of water days per week, and
 - vii. Cycle time to avoid Runoff.

- c. **Soils Report.** A Soils Report will be required where irrigated landscaped areas exceed 2,500 square feet. The Soils Report shall describe the depth, composition, and bulk density of the topsoil and subsoil at the site and shall include recommendations for soil amendments. Landscaped areas shall incorporate the recommendations of the Soils Report into the planting specifications.

- d. **Landscape Design Standards.**
 - i. Plants selected for landscape areas shall consist of plants that are well suited to the microclimate and soil conditions at the project site. Plants with similar water needs shall be grouped together as much as possible.
 - ii. For projects located at the interface between urban areas and natural open space (non-irrigated), Extra-Drought Tolerant Plants shall be selected that will blend with the native vegetation and are fire resistant or fire retardant. Plants with low fuel volume or high moisture content shall be emphasized. Plants that tend to accumulate excessive amount of dead wood or debris shall be avoided.
 - iii. Areas with slopes greater than 33% shall be landscaped with deep rooting, Water Conserving Plants for erosion control and soil stabilization.
 - iv. Parking strips and other landscaped areas less than eight (8) feet wide on any side shall be landscaped with Water-Conserving Plants.

- v. After completion of all planting, all irrigated non-turf areas shall be covered with a minimum four (4) inch layer of Mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material shall not be placed under the mulch.

*A minimum of (10%) of the required open space in rural districts must be preserved as actively managed pasture and farmland (known as Agricultural Preservation Parcels) with an emphasis on Rural Preservation Parcels being located along corridors to help preserve the rural esthetic and atmosphere. Agricultural Preservation Parcels are required to include an adjoining and separate Residential Farm Lot. Any dwellings located within the Residential Farm Lots are required to be restricted to farmhouse/ranch style dwellings. Additional landscaping restrictions for Residential Farm Lots are required and must be proposed and submitted with the initial PUD application. Agricultural Preservation Parcels must be owned and managed by the HOA and/or approved rural preservation entity. Agricultural Preservation Parcels are required to abide by any existing animal regulations.

TABLE 9-6.2
DENSITY BONUS FOR OTHER ACTIONS

Density Bonus Action	Maximum Percentage Increase In Approved Building Lots
1. Provide subdivision residents with usable access to adjacent lakes, streams or public lands. The access must meet the minimum trail/pathway design standards specified in Title 13, Subdivisions and the Tooele County Active Transportation Implementation Plan.	5 percent
2. Provide general public with usable access to common open space, adjacent lakes, streams or public lands. (Note: This option is in lieu of, not in addition to, action 1.) The access must meet the minimum trail/pathway design standards specified in Title 13, Subdivisions and the Tooele County Active Transportation Implementation Plan.	15 percent
3. Provide a sidewalk or pathway system that connects each lot in the subdivision per the design standards in Title 13, Subdivisions, the Tooele County Active Transportation Implementation Plan, and Title 15, Roads.	5 percent if open only to subdivision residents. 15 percent if open to the general public.
4. Provide other public amenities. The County Commission may approve bonus lots for other improvements and	Up to 25 percent

<p>amenities, both on and off site, where the applicant can successfully demonstrate that the proposed improvements/amenities benefit the public. See subsections E of this section for examples and requirements. Improvements required to mitigate impacts shall not be used to earn bonus lots.</p>	
<p>5. Bonus for urban water and/or sewer infrastructure (wells and septic systems are not considered “infrastructure” for purposes of this density bonus action.</p>	<p>25 percent (water or sewer infrastructure)</p> <p>35 percent (both water and sewer infrastructure has been provided)</p>

E. Public Amenities: Below are public amenities that can be provided to obtain a density bonus. All are subject to approval by the County Commission:

1. Construct recreational improvements that are available for the use by the general public. Improvements may include, but are not limited to, play fields, picnic shelters, children play areas and indoor recreational facilities. Applicants must successfully demonstrate that the improvements are safe, accessible and desirable to the general public.
2. Construct public facilities such as schools, fire stations or libraries. To qualify, the land and/or facilities must be accepted by the applicable public agency. The land itself set aside for such public use shall be considered as common open space for the purposes of obtaining a density bonus.
3. Provide environmental improvements as certified by wetlands, plant or other biologists having expert knowledge of the specific environmental feature. An example could be replacement of nonnative vegetation with native vegetation in common open space areas. Such improvements are particularly desirable in and around wetland areas and designated critical wildlife habitat.
4. Provide off site road improvements (above and beyond what is required by the Planning Commission for subdivision approval).

The applicant shall include a cost estimate for the proposed public amenity improvements prepared by a professional construction estimator, registered general contractor, engineer, architect or landscape architect shall be submitted with the application. The cost estimate shall be limited to physical improvements, labor and utility costs associated with the proposed public amenity feature.

G. Design Standards: Minimum development standards set forth in this title may be increased or decreased sufficient to accomplish design objectives in the utilization of natural or created amenities (i.e., topographic features, seasonal recreational uses, etc.), provided the development meets the intent of the standards. Open space areas within PUD subdivisions shall comply with the open space provisions (classified as primary and secondary open space) of chapter 8 of Title 12, Subdivisions.

H. Buffering, Clustering: Residential PUDs should provide for the clustering of dwelling units. Clustered lots shall be accessed by interior road systems. When located adjacent to undeveloped land, stub streets must be provided as a future connection to potential adjoining development. To the maximum extent possible, cluster lots shall be located so that common open space provides a buffer between the cluster lots and adjacent properties and/or right of way. When this is not possible, the development shall be designed to provide at a minimum one of the following:

1. Lots or open space areas that abut surrounding properties or right of way shall be at least seventy five percent (75%) of the minimum lot size standard for the subject parcel. Open space and agricultural preservation parcels can be included in the required minimum lot size area calculation.
2. Cluster lots that abut surrounding properties or rights of way shall be separated from adjacent properties or rights of way by a minimum buffer strip of one hundred feet (100'). At a minimum, proposed or existing landscaping and vegetation within the buffer strip shall be of sufficient size and type to provide a buffer of vegetation. New landscaping materials shall consist of a combination of native trees and shrubs. Variations to these standards may be permitted where the applicant can demonstrate that unique topographic conditions provide sufficient buffering, such as intervening waterways, ridges or ravines, or other land features. Active transportation trails are encouraged to be located within buffer strip areas and may be required by zoning administrator, where deemed appropriate.

9-7: STANDARDS FOR REVIEW OF APPLICATIONS FOR PLANNED UNIT DEVELOPMENTS:

Planning Staff, Planning Commission and/or County Commission shall review the particular facts and circumstances of each planned unit development proposal. To approve a planned unit development proposal, the Planning Commission and/or County Commission must find adequate evidence showing that the proposal has met the following:

- A. The planned unit development is in accordance with the Tooele County General Plan.
- B. The proposed planned unit development or the first phase of it can be substantially completed within two (2) years from the date of approval.
- C. Each individual development phase can exist as an independent unit meeting the minimum standards set forth in this subchapter.
- D. The streets and thoroughfares proposed are suitable and adequate to gather anticipated traffic and will not generate traffic in amounts that will overload the street network outside the planned unit development. Connections to public transportation systems shall also be considered.
- E. Any residential development will constitute a residential environment of sustained desirability and stability and will be in harmony with the character of the surrounding neighborhood and community.

F. Any proposed commercial or industrial development will constitute an efficient well-organized development, with adequate provisions for access and storage, and it will not adversely affect adjacent or surrounding development.

9-8: EXPIRATION AND EXTENSION OF PLANNED UNIT DEVELOPMENT APPROVAL:

- A. Final "PUD" Approval: Final "PUD" Approval shall expire two (2) years from the date of approval if the final plat has not been approved and recorded. If subdivision phasing is proposed, the final plat for the first phase must be approved and recorded within two (2) years from the date of Final "PUD" Approval

- B. Subsequent Subdivision Approvals: Final Plat Approval shall expire two (2) years from the date of approval, if building permits have not been issued and/or construction begun on a substantial portion of the project, as determined by the Planning Commission.

- C. Large Scale PUD: Final "PUD" Approval for a "large scale" PUD shall expire four (4) years from the date of approval if no improvements have started in accordance with subdivision and/or development plan approval requirements. The developer is responsible for keeping the county informed of progress made during the approval period.

- D. Extension: An extension of time request not to exceed two (2) years may be granted by the County Commission. The request shall be made in writing prior to the expiration date and shall state the reasons why the extension is needed and how the developer intends to progress with the project. If it is found that the intent of the PUD approval is merely for speculation purposes, the extension shall not be granted.