

15-03-11 **Planned Unit Development District**

A. Purpose. The purpose of the Planned Unit Development is:

2. To encourage a better living environment through greater flexibility of design than is possible solely through the strict application of zoning regulations.
3. To encourage a more efficient use of the land and the reservation of greater proportions of open space for recreation and visual use than is otherwise provided for in the zoning regulations.
4. To encourage good neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans so as to give imagination and variety in the physical pattern of the development. This Section calls for substantial compliance with the intent of the General Plan and Development Code regulations and other provisions of this code related to the public health, safety, and general welfare but also offers the advantages of large-scale planning for residential development and efficient use of land.

B. Design Objectives for Planned Unit Developments. Every Planned Unit Development shall be designed to achieve the following design objectives:

1. Provide for a comprehensive and harmonious arrangement of buildings, open spaces, circulation ways, parking and development amenities.
2. Be related to existing and proposed land use and circulation plans of the community, and not constitute a disrupting element in the neighborhood.
3. The internal street system should be designed for the efficient and safe movement of vehicles without disrupting pedestrian circulation and activities and functions of the common areas.
4. Open and recreational areas and facilities should be located adjacent to all dwelling units or easily accessible therefrom.
5. Open and recreational areas should be the focal point for the overall design of the development.

C. Development Requirements for Planned Unit Developments. To be approved, a PUD project must show a high commitment to excellence, ensuring quality of life for future tenants and no significant effects on area property values. The following are required for all PUD projects:

1. **Ownership.** The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.
2. **Open Space.** Common and private open space shall be provided and shall not cover less than 50 percent of the gross site area. The required open space shall be land areas that are not occupied by buildings, structures, parking area, streets or alleys, and shall be accessible by the residents. Said open space shall be devoted to landscaping, preservation of natural features, patios, and recreational areas. Private open space (that provided for each dwelling unit for personal use) shall be located immediately adjacent to, attached to, or within the dwelling unit if it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Common open space may be distributed throughout the planned unit development and need not be in a single large area.

Landscaped roof areas or decks attached to individual units may not be calculated as part of

required common open space. Open space within a Sensitive Area Overlay Zone shall require conditional use approval. These areas may include, but are not limited to: 30% or greater slope areas, fault zones, flood plain, high water table, and wetlands. These areas may only be included as open space when they have been designed as an integral part of the project.

3. Interior Streets. The design of public and private streets within a planned unit development shall follow City standards for width of right-of-way and construction. Existing City standards of design and construction may be modified if recommended by the Transportation Engineer and approved by the Planning Commission if it is determined that the plan submitted is appropriate (such as sidewalk on one side, or waiver of parkstrip area). The pavement width shall be a minimum of 27 feet with at least a 37-foot right-of-way. Private streets shall be subject to the same inspections and construction standards as required for public streets. The interior street system in the entire planned unit development project shall be dedicated to the City as a utility easement. All private streets shall be conveyed to a private association. The original developer/builder will also be required to establish a City approved road maintenance fund for all private streets. This provision will be required in the CC&R's for all projects with a private street system.

4. Parking. Required parking shall be provided for all multi-family PUD's as follows:

a. Table of Parking Ratios

One-bedroom unit	1.5 parking spaces per unit
Two-bedroom unit	2.0 parking spaces per unit
Three or more bedroom unit	2.5 parking spaces per unit
Guest Parking Spaces	0.25 parking spaces per unit
Storage parking spaces for recreational vehicle storage	as determined necessary by the Planning Commission

b. All parking areas, covered or open, shall have a landscaped buffer adjacent to any public right of way.

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

- (1) The topography of the proposed site.
- (2) To enhance and protect local property values of adjacent developments and neighborhoods.
- (3) To improve the overall appearance of the development for the density of units – i.e., attached garages, underground garages, etc.
- (4) To assist the project in reaching affordable rent levels for low and median income individuals as determined by the U. S Department of Housing and Urban Development.

The Planning Commission shall review the location of all garages, and may require that they be attached or underground to the multi-family units. All covered parking shall be placed in locations adjacent and convenient to the buildings that they are intended to service.

d. Garages shall be used primarily for vehicle parking only.

- e. Tandem spaces shall be counted only as one space.
- 5. Building Materials. Building materials, roofing materials, and building design shall be reviewed and approved by the Planning Commission. High quality exterior materials shall be used including brick, stone, synthetic stucco, prefinished panel, or other materials of similar quality, durability, and low maintenance as accepted by the Planning Commission.
- 6. Landscaping on Public Right-of-Way. Where a planned unit development is adjacent to a public right-of-way, a permanent open space at least 20 feet in width shall be required along the property line(s). This area shall be kept free of buildings and structures (except fences as approved by the Planning Commission) and permanently maintained in street trees and other landscaping, screened or protected by natural features, or as approved by the Planning Commission. (No building shall be closer than 20 feet to a public right-of-way)
- 7. Exterior Fencing. Exterior fencing shall be provided as approved by the Planning Commission. Acceptable fencing materials include architecturally designed brick or block fences, wrought iron fences, post and rail fences, vinyl fences, or structural wood fences with square metal posts with tongue-in-groove redwood siding and redwood for all other wood members. Additional landscape buffers may also be required, with the width and landscaping specifications as determined by the Planning Commission.
- 8. Street Lights. Appropriate street lighting is required. If the streets are to be dedicated to the public, the lights shall comply with the City street light plan. If the streets are private, the lights may be altered, but must be approved by the Planning Commission. The applicant shall submit a plan which indicates the type and location of street lights in relation to the proposed site landscaping.

D. Planned Unit Development - Development Standards

- 1. Required Elements - Planned Unit Development (PUD). Residential developments shall be guided by a total design plan in which the following development standards may be varied to allow flexibility and creativity in site design, building design, and location. This applies to PUD Zoning Districts, PUD's approved as a conditional use in residential zones, and overlay zones (Traditional Neighborhood Development Area - TND) applied in residential zones. The Planning Commission may require such arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan as they determine appropriate. The Commission may require specific setbacks, a lower residential density, a height limitation and/or similar type of land use as adjoining land. These criteria shall be used by the Commission principally to assure the design objectives in this Section of this chapter are met.
 - a. Feasible Development. A PUD shall be of sufficient size, composition and arrangement to enable its feasibility as a complete development.
 - b. Density. The density allowed for a PUD shall be no greater than the zone in which the PUD is located.
 - c. Site Calculations. Specific calculations addressing the percentage of open space (common and private), impervious vs. pervious coverage, and site improvements must be submitted with all project applications.
 - d. Lot Requirements. No specific yard, setback, or lot size requirement shall be imposed

in the planned unit development however, the purpose and objectives of this Chapter must be complied with in the Final Development Plan. The Planning Commission may require certain setbacks within all or a portion of the planned unit development.

e. Traffic Circulation. Points of primary vehicular access to the planned unit development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian and bicycle traffic. Minor streets within the planned unit development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided.

f. Driveways & Alleys. When consistent with this Title, a private driveway or alley may be provided for access to a maximum of four lots, provided that sufficient guest parking is available. A private driveway or alley must comply with all established standards in this Title.

g. Privacy. Each planned unit development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walks, barriers, landscaping, and sound-reducing construction techniques shall be used as appropriate for the aesthetic enhancement of property and the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise. All structures shall meet the required building and fire safety codes.

h. Noise Attenuation. When in the opinion of the Community Development Director, a proposed planned unit development may be situated in a noisy environment which will adversely affect the peace, tranquility and privacy of its inhabitants or surrounding inhabitants, an acoustical analysis may be required. Said analysis shall be conducted by a qualified acoustical engineer and include a description of the noise environment and the construction or other methods necessary to attenuate the noise to the required level according to the noise standards of the City's Noise Ordinance.

i. Security. The development shall be designed to support security services, taking into account public safety recommendations from the Sandy City Police Department.

j. Pedestrian and Bicycle Paths. Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths which may be physically separated from vehicular traffic to serve residential, non-residential, and recreational facilities in or adjacent to the development. The Planning Commission may require when recommended by the Transportation Engineer, pedestrian and/or bicycle overpasses, underpasses or traffic signalization in the vicinity of schools, playgrounds, parks, shopping areas, or other uses that will receive considerable pedestrian and/or recreational trails use from the development.

2. Desirable Amenities - Planned Unit Developments. The following are desirable amenities or design options, which may be required by the Planning Commission depending on the size, scale, impacts, and nature of each individual PUD project including PUD zoning districts, conditional uses in residential zones and overlay zones:

a. Increase in common or private open space above the fifty (50) percent minimum, particularly when the project contains significant non-buildable open space.

b. Creation of significant recreation or site amenities, including, but not limited to clubhouse, pool, tennis courts, sport courts, playgrounds, play fields, and nature areas.

c. Additional project landscaping and other open space amenities, as may be deemed appropriate under a conditional use permit.

d. Quality interior provisions including such amenities as fireplace, vaulted ceilings, and in-unit washer/dryer.

E. Non-Residential Uses - Planned Unit Development

1. Non-commercial, non-residential uses of a religious, educational, or recreational nature shall be designed primarily for the use of the residents of the proposed planned unit development. The applicant shall submit as part of the Preliminary Development Plan such evidence to substantiate his/her request for such use as the Community Development Director may require.

2. Commercial uses proposed within the planned unit development shall be designed primarily for the use of the residents of the project. The developer shall provide a fiscal impact study that shall demonstrate that the amount of land proposed is needed for such a commercial use, that it can realistically be supported by the residents of the project, and the impacts which will be imposed on Sandy City's municipal services and tax base by such use. The fiscal impact study shall be evaluated by the Planning Staff and their findings communicated to the Planning Commission along with the Preliminary Development Plan.

3. Commercial development within a planned unit development shall be located so as to be accessible in a manner that does not create traffic congestion or hazards to any street within or outside of the planned unit development. Location, off-street parking, and loading requirements shall be determined by the Development Committee as appropriate to the particular planned development. Consideration shall be given to anticipated pedestrian, bicycle, and vehicular trade, adjacent developments that may provide multiple use of off-street parking facilities, and the types of commercial uses provided. Drive-in services shall be excluded.

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

F. Maintenance Of Common Facilities of Planned Unit Developments

1. A planned unit development shall be approved subject to the submission and approval of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space and other facilities provided in the final development plan. No such instrument shall be acceptable until approved by the City Attorney as to legal form and effect, and the Planning Commission as to suitability for the proposed use of the common open space and subject facilities.

2. The common open space and other facilities provided may be conveyed to a public agency or private association. The common open space, recreational facilities, and private streets (including a road maintenance fund established by the original developer/builder) conveyed to a private association shall include as part of the aforementioned instruments a declaration of covenants and restrictions that will govern the association and shall require

maintenance of any common facilities. The provisions shall include, but not be limited to the following:

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

G. Planned Unit Development Review Process

1. Preapplication Conference. To obtain information, each applicant shall confer with the Director or his designated representative. The general outlines of the proposal, evidenced schematically by sketch plans, are to be considered prior to submission of the planned unit development application.

At this time, the Director may furnish the applicant with his written or oral comments regarding such conference, including appropriate recommendations to inform and assist the applicant prior to his preparing the components of the planned unit development application.

2. Preliminary Development Plan. The completed application containing all pertinent information shall be submitted to the Community Development Department for review and determination that the application contains all required information, and that it complies with the requirements of the Development Code. After such determination, the Planning Commission shall review the application and any comments from the Department at its regularly scheduled meeting. The Planning Commission shall approve, approve with conditions, or deny the proposed planned unit development within 30 days from the Planning Commission review or any continuance thereof and shall send written notification of the decision to the applicant. The completed application shall be known as the Preliminary Development Plan and shall include the following information:

a. Written Documents

- (1) A legal description of the total site proposal for development, including a statement of present and proposed ownership and present land use or phasing plan.
- (2) A statement of planning objectives to be achieved by the planned unit development through the particular approach prepared by the applicant. The statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
- (3) Quantitative data for the following: Total number and type of dwelling units; parcel size; proposed lot coverage of buildings and structures, approximate gross and net

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

b. Site Plan and Supporting Maps

(1) The existing site conditions including contours at 2-foot intervals, water course, flood plains, unique natural features, and all existing trees of 2 inches or more in diameter.

(2) Project size (acres), proposed lot lines and plot designs.

(3) The location and floor area size of all existing and proposed buildings, structures and other improvements including maximum heights, types of dwelling units, density per types, nonresidential structures including commercial facilities; preliminary elevations and architectural renderings of typical structures and improvements.

(4) The location and size in acres or square feet, which ever is appropriate, of all areas to be conveyed, dedicated, or served as common open spaces, public parks, recreational areas, school sites, and similar public and semi-public uses.

(5) The existing and proposed circulation system of arterial, collector and local streets including off-street parking areas and other major points of access to public rights-of-way (including major points of ingress and egress to the development). Notations of proposed ownership, public and private, should be included where appropriate.

(6) The existing and proposed pedestrian and bicycle circulation system including its interrelationship with the vehicular circulation system indicating proposed treatment of points of conflict.

(7) The existing and proposed utility systems including sanitary sewers, storm sewers and water, electric, gas and telephone lines.

(8) A landscape plan, prepared under the direction of a licensed landscape architect or other qualified professional, shall be required for all open space required or provided in a planned unit development. Said landscaping plan shall indicate the spacing, sizes and specific types of landscaping material. All open space provided shall be irrigated. The only exception shall be where the Planning Commission determines an area because of its natural beauty or uniqueness would be most beneficial to the project and the community if left in its natural or existing condition. Existing trees shall be preserved wherever possible. The location of trees must be considered when planning common open space, location of buildings, underground services, walls, paved areas, playgrounds and parking areas.

(9) Enough information on land areas adjacent to the proposed development to indicate the relationships between the proposed development and existing and proposed adjacent areas including land uses, zoning classifications, densities, circulation systems, public facilities, and unique natural features of the landscape.

(10) The proposed treatment of the perimeter of the development including materials and techniques used such as berming, landscaping, screens, fences, and walls.

c. Within a maximum of 12 months following the review and acceptance of the Preliminary Development Plan, the applicant shall file with the Planning Commission the Final Development Plan containing in detail the information required. At its discretion and for good cause, the Planning Commission may extend for a maximum of 12 months, for one time only, the period for filing the Final Development Plan. If the time requirements are not complied with, the preliminary review shall be deemed to be revoked and all of that portion of the area included in the Development Plan for which final approval has not been given shall be subject to the zoning and subdivision ordinances otherwise applicable to said property.

3. Final Development Plan. Upon receipt of the Final Development Plan, the Community Development Department shall review said plan and determine if it is complete and complies with all requirements of the Development Code and those imposed by the Planning Commission, or staff at the review of the Preliminary Development Plan. After such determination, the item may be scheduled for review by the Planning Commission. The Final Development Plan shall be reviewed by the Planning Commission to determine substantial compliance of the Final Development Plan with the Preliminary Development Plan. Said review shall also determine the Final Development Plan's quality and compliance with the purpose and design objectives of a Planned Unit Development.

a. The Final Development Plan shall include all of the information required in the Preliminary Development Plan in its finalized, detailed form. In addition, any new items not submitted with the Preliminary Development Plan, any final plats, any required dedication documents and/or improvement bonds should be submitted at this time.

b. The Planning Commission after reviewing the Final Development Plan shall in writing, either approve the Final Plan as presented, approve the plan subject to specified modification or disapprove it.

4. Amendments to the Final Development Plan. Minor changes in the location, siting or character of buildings and structures may be authorized by the Community Development Director if required by engineering or other circumstances not foreseen at the time the Final Development Plan was approved. No change authorized under this section may cause any of the following:

a. A change in the use or character of the development.

b. An increase in the overall density or intensity of use.

c. An increase in overall coverage of structures.

d. A reduction or change in character of approved open space.

e. A reduction of required off-street parking.

f. A detrimental alteration to the pedestrian, vehicular and bicycle, circulation and utility networks.

g. A reduction in required street pavement widths.

h. Changes in storm drains, underdrains, irrigation.

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

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

6. Phased Planned Developments. If the sequence of construction of various portions of the Final Development Plan is to occur in stages, then the open space and/or recreational facilities shall be developed in proportion to the number of dwelling units intended to be developed during any given stage of construction. A phasing plan, including size and order of phases, shall be approved by the Planning Commission and City Council. Individual phases of the planned unit development may exceed the overall density of the zone if the approved overall phasing plan does not exceed the maximum density of the zone. Such phasing plan shall have the written approval of all property owners. In addition, the approved phasing shall be submitted to the City Recorder for recordation with the County Recorder's Office as a covenant to run with the land.