

**CHAPTER 17****PLANNED UNIT DEVELOPMENTS***(Amended 08/14/18; 07/28/20)*

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**Section 17.010. Purpose and Intent.***(Amended 2/27/01, 11/14/17)*

A. A Planned Unit Development may be allowed at the discretion of the Planning Commission and City Council in any zoning district by complying with the provisions of this Chapter. No permit shall be issued for a Planned Unit Development unless and until the following requirements have been met. The intent of allowing Planned Unit Developments in certain districts within the city is:

1. to encourage the construction of affordable housing units within the City under conditions and requirements that will ensure development of residential environments of sustained desirability and stability;
2. to permit development of housing and commercial projects within residential or commercial districts which are characterized by a harmonious grouping of attractive buildings situated on spacious surroundings and landscaped with well kept lawns, trees and shrubs;
3. to allow more flexibility in the location of buildings on the land, the grouping of open spaces and the number of dwelling units in one building; and
4. to improve the overall quality of the built environment, maintain property values, and enhance the image of Lehi City and the character of its major corridors that serve as primary access into and through the City.

B. A Planned Unit Development is intended to be an "overlay district" in that the proposed use shall be consistent with the zoning district in which it is proposed as to the requirements of density, use and purpose, except that single family attached housing

may be permitted in traditional single family residential zones to allow for preservation of sensitive lands or agricultural areas, or for transitioning housing types when adjacent to differing land uses.

**Section 17.020. Approval Process.***(Amended 2/27/01; 08/13/02)*

A. Planned Unit Development (PUD) projects are to be reviewed in a three-step process: Concept Plan, Preliminary Plat, and Final Plat.

1. **Concept Plan.** The Concept Plan gives the applicant, staff, Planning Commission and City Council an opportunity to discuss the project in the conceptual stage. The applicant can use the Concept Plan meetings to receive direction on project layout as well as discuss the procedure for approval, specifications, and requirements that may be required for layout of streets, drainage, water, sewerage, fire protection, and similar matters prior to the preparation of a more detailed preliminary subdivision plat. Overall density of the proposed PUD will be discussed as part of the Concept Plan; however, the total density of the PUD shall be established as part of the preliminary plat approval. Sections 11.010 – 11.040 of the Development Code identify the requirements for Concept Plan.

2. **Preliminary Plat.** The Preliminary Plat examines items such as density, including the number, type, and location of all dwelling units and other associated structures, parking, impact on surrounding areas, adequacy of services, project amenities, and plan for service improvements, consistent with the preliminary subdivision requirements of this Code. Preliminary approval shall only be granted when there is a reasonable certainty that the PUD will fulfill all requirements of this Code for subdivision approval. The preliminary application requirements for a PUD are those identified for a preliminary subdivision plat as identified in Section 11.070.

3. **Final Plat.** Review of the final plat is an administrative and technical matter. The applicant shall submit the detailed and technical information necessary to demonstrate that all City standards, requirements, and conditions have been met. Approval shall only be granted if the final plat is in conformance with the preliminary approval and the requirements of the City for final subdivision plat approval as identified in Section 11.120 have been met.

B. The City Council may require a subdivision or residential project to be processed as a Planned Unit Development if the subdivision or residential project includes contiguously owned property larger than ten acres, contains more than 25 lots or residential units, or is located adjacent to a master planned arterial or collector road.

### **Section 17.030. Application Requirements.**

In addition to the requirements for a preliminary and final subdivision plat and preliminary and final site plan, whichever is applicable, as contained in this Code and the Lehi City Design Standards and Public Improvements Specifications, a Planned Unit Development application shall provide the following information:

1. preliminary architectural drawings and elevations of all dwellings, structures, and other buildings;
2. site plans of sufficient detail showing all buildings, structures, parking areas, and open space areas, and identifying the locations of all buildings, structures, roadways, and other private and public improvements;
3. tables showing the total number of acres in the proposed development and percentage designated for each of the proposed types of uses including off-street parking, streets, parks, playgrounds, schools, and churches; and
4. tabulations of the overall density for all residential and nonresidential uses and any other data that the reviewing bodies may require.

### **Section 17.040. Development Standards.**

*(Amended 4/11/00; 2/27/01; 08/13/02; 11/18/03; 12/08/15; 03/31/20; 06/23/20; 09/08/20)*

All Planned Unit Developments shall conform to the following standards and requirements:

A. Qualifying Districts. Planned Unit Developments may be allowed at the discretion of the Planning Commission and City Council in all agricultural and residential districts within the City. To ensure that PUD projects are able to achieve the purposes stated in Section 17.010, and to ensure that projects are large enough to support a private homeowners association, property management agency, or corporation responsible for maintenance of open space, all Planned Unit Developments shall have a minimum area requirement of ten acres. Exceptions may be allowed for infill projects at the discretion of the Planning Commission and City Council. However,

it is still the burden and responsibility of the applicant to demonstrate that the purposes of this chapter can be met, and that the adequate guarantees can be made for the maintenance of all required open space and common areas. For the purposes of this section, an infill project is defined as the development, or re-development within an existing developed area where street networks, utilities and other infrastructure are already present as opposed to starting with raw land in a relatively undeveloped or pristine area.

B. Ownership. The area proposed for the Planned Unit Development shall be in one ownership, or if in several ownerships, the application for the permit shall be filed jointly by all of the owners of the property included in the plan.

C. Designer/Engineer. The plan for the Planned Unit Development shall be prepared by a designer, architect or civil engineer licensed to practice in the state of Utah.

D. Density. The overall project may not exceed the density allowed by the underlying zoning district plus any additional density bonus allowed at the discretion of the Planning Commission and City Council.

E. Calculation of Density. The number of dwelling units allowed in a Planned Unit Development is to be calculated in the following manner.

1. The following areas shall be subtracted from the gross site area to determine net usable area:
  - (a) areas of steep slopes, wetlands, or areas below the high water level of Utah Lake as defined in Section 12.060-K of this Code;
  - (b) the area of any perennial channels, measured from top of bank to top of bank of the flow channel;
  - (c) existing public streets, or any areas of additional right of way required to comply with the Lehi City Master Transportation Plan; and
  - (d) areas to be set aside for public buildings or institutional uses such as churches and schools.
2. Net usable site area is multiplied by the density allowed by the underlying zoning district as established in Table 05-040-A to identify the maximum number of allowed units.
3. Density for areas in the 100-year flood plain as shown on the FEMA Flood Insurance Rate

Maps shall be calculated at a rate of one unit per five acres regardless of the density allowed by the underlying zone.

4. If the Planned Unit Development is located in more than one zoning district, the total allowed number of units shall be calculated by adding the number of units allowed by each zoning district. However, the dwelling units may be placed without regard to district boundaries, provided the total units do not exceed that allowed by the underlying zoning districts.

F. Density Bonus Amenities: The list below represents items for which a density bonus may be granted subject to Planning Commission and City Council approval. Other items not included in this list may warrant a density bonus on a case by case basis.

1. Active Recreation: master planned trails, swimming pools, sports courts, tennis courts, pickleball courts, splash pads, clubhouse, trails, pedestrian bridges, and other similar amenities beyond those required.

2. Pedestrian and Bicycle Enhancements: raised planters, bulb-outs or curb extensions, pedestrian plazas, additional bike lanes or facilities not already required.

3. Additional Open Space: beyond the required 10 percent.

4. Improvements to Master Planned Infrastructure: master planned roads, utilities, trails, property for civic buildings, or other similar items.

G. Lot Sizes. The dwellings may be situated in one building or buildings may be clustered. Individual lot sizes may be reduced below the requirements of the zone in which the development is located. The remaining land not within individual lots shall be set aside for parks, playgrounds, open space or other open areas. Setbacks may be reduced but shall be sufficient to allow for the installation of all required public utilities. No permanent structure shall be allowed in the public utility easement space. Public utility easements shall be free and clear of building footings, foundation walls, window wells, or any other permanent structure that does not meet utility clearance requirements. All buildings and structures shall maintain a minimum five-foot setback from any public utility easement, water line easement, sewer easement, storm drain easement, power

easement, detention easement, or any other utility easement in order to ensure property utility clearances are maintained.

H. Required Open Space. For all Planned Unit Developments, not less than ten percent of the gross area of the project site shall be set aside for the use of the occupants for parks, playgrounds, open space or other open areas. All areas required for vehicular access, parking areas, and land which is otherwise required to comply with the minimum yard requirements around buildings, shall not be included in computing the area required for parks, playgrounds or other open space areas.

I. Open Space Design.

1. The required open space shall be landscaped with sod and irrigation sprinklers and a minimum 25% of the proposed open space shall be water-wise landscaped as defined in Chapter 39 of this Code.

2. Trees shall be provided within the open space at a rate of ten trees per acre of provided open space. Deciduous trees shall be a minimum 2" caliper and coniferous trees shall be a minimum six feet in height.

3. Detention and retention basins shall not be counted toward meeting the minimum open space requirement. Open space design and location issues shall be kept separate and independent of drainage issues.

J. Location of Open Space. The location of open space conserved through a Planned Unit Development shall be consistent with the policies contained in the General Plan Parks, Open Space and Recreational Facilities Element. Required open space areas shall be well planned, walkable, and connected, not a collection of remnants. Where possible, units shall front onto the open space(s). Yard areas within lots shall not be counted toward meeting the minimum open space requirement.

K. Open Space Adjacent to Major Roads. Where a Planned Unit Development is required for projects adjacent to a master planned arterial or limited access collector road, the area between the property line/ROW line and the required decorative fence shall be enlarged and landscaped as part of the required open space. The enlarged parkway area shall be counted towards meeting the minimum open space requirement and shall include decorative fencing, street tree plantings and other applicable

improvements required in the Lehi City Design Standards and Public Improvement Specifications Manual. The landscaped area may also include shrubs, rocks, flowerbeds and ground cover. Maintenance of the landscaped parkway shall be insured by the developer and owner by means of a property management agency or by establishing a private association or corporation responsible for such maintenance, which shall levy the cost thereof as an assessment on the property owners within the Planned Unit Development.

L. Utilities. All buildings shall be served by public sewer and water systems and shall conform to the requirements of the Lehi City Design Standards and Public Improvement Specifications.

M. Compatibility. Wherever the Planned Unit Development site shares a common property line with a lower density residential or agricultural district, then for that portion of the Planned Unit Development site the setback requirements of the adjacent or contiguous zoning district shall apply. For example, if the rear yards of units in a PUD share a common property line with a lower density residential district, then the rear yard of the PUD units shall be the same as the required rear yards of the adjacent lower density district.

N. Landscaping. All areas not covered by buildings, or by off-street car parking areas or driveways, shall be planted in lawn, trees and shrubs, or otherwise landscaped and maintained in accordance with an approved landscape plan. All required front yard and side yard areas which are adjacent to a public street shall not be used for automobile parking areas, except for permitted driveways, but shall be landscaped and maintained with lawns, trees and shrubs, or other landscape materials.

O. Design Standards and Conditions. Design standards and conditions of development approval in addition to those required by the underlying zoning district may be required as conditions of approval, by the Reviewing Departments, Planning Commission and City Council when deemed necessary to insure that a Planned Unit Development will be compatible with adjoining or nearby uses.

P. Parking. Developments shall provide adequate parking based on the requirements of Table 37.070. In addition to those requirements, developments with single-family detached units on lots with less than 50' of frontage shall provide guest parking at a rate of one space for every six dwelling units.

#### **Section 17.050. Guarantees.** (Amended 2/27/01)

A. Adequate guarantees, acceptable to the City, shall be provided for the permanent preservation and maintenance of park, playground, and other open space areas.

B. The city may require the developer and owner to furnish and record protective covenants, which will guarantee the preservation and maintenance of all park, playground and other open space areas or the city may require the creation of a corporation or homeowners association granting beneficial rights to the open space to all owners or occupants of land within the Planned Unit Development.

C. The developer and owner shall develop and maintain all park, playground and other open space areas, unless part of, or all of these areas are contiguous to and made part of an existing City-maintained park.

D. In the case of private reservations, all park and open space areas shall be protected against any future building development by conveying to the City as part of the condition for project approval, an open space easement over such open areas, restricting the area against any future building or use, except as is consistent with that of providing landscaped open space for the aesthetic and recreational satisfaction of the residents. Building or uses for noncommercial, recreational or cultural purposes, compatible with the open space objectives, may be permitted only with the express approval of the City, and the receipt of all necessary approvals, licenses and permits.

E. The maintenance of all private parks and open space areas shall be ensured by the developer and owner by establishing a private homeowners association, property management agency or corporation responsible for such maintenance which shall levy the cost thereof as an assessment on the property owners within the Planned Unit Development. Ownership and tax liability of private parks and open space reservations shall be established in a manner acceptable to the City and made a part of the conditions of the Planned Unit Development approval.

#### **Section 17.060. Amendments to an Approved Planned Unit Development.**

Amendments to an approved Planned Unit Development may be permitted by following the procedures required for the original approval and upon the filing of a petition with the City by at least two-thirds or

more of the property owners within the Planned Unit Development area.