

CHAPTER 11– PLANNED COMMUNITY (PC) STANDARDS

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Section 10-11-1: Authority:

This Chapter for Planned Community Zoning Standards is adopted pursuant to authority granted by Title 67, Chapter 65 of the Idaho Statute, as amended or subsequently codified.

Section 10-11-2: Provisions of Ordinance Declared to be Minimum Requirements:

In its interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Whenever the requirements of this Ordinance conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive of those imposing the higher standards shall govern.

Section 10-11-3: Purpose:

The purpose of this Ordinance is to provide standards for the review of Planned Community (PC) applications, and to implement the Planned Community Comprehensive Plan (PCCP), Planned Community Zoning Ordinance (PCZO) and Development Agreement and the specific goals and policies of the Comprehensive Plan.

Section 10-11-4: Definitions:

Definitions are found in Chapter 1 Title 7 of the Ordinance.

Section 10-11-5: Applicability and Application Requirements:

- A. **Applicability:** These regulations shall apply to applications for planned communities that meet the following minimum size and location standards:
1. The proposed PC is a minimum of forty (40) contiguous acres under common ownership or control.
 2. The proposed PC site shall be located outside existing area of city impact as well as the Airport Hazard Zone (AHZ), Public Airport Hazard Zone (PAZ), Air Base Hazard Zone (ABHZ), and Air Base Commercial Zone (ACZ) zoning classifications set forth on the adopted Elmore County Zoning Map.
 3. An application for a proposed PC shall be signed by the property owner(s) having a legal interest in the property to be included in the PC or their representative(s). Permission to make an application may be granted by the property owner(s) to a representative by providing Elmore County with signed affidavit of legal interest giving such permission.

Section 10-11-6: Pre-application Work Sessions and Neighborhood Meeting Requirements:

- A. The applicant shall complete a minimum of two (2) pre-application work sessions with Department staff, or more as may be required by the Director. The Director encourages work sessions with identified agencies, and landowners located within one (1) mile, or a greater distance as determined by the Director, of the proposed PC prior to submittal of a PC application.
- B. Prior to holding the first pre-application work session with the County, the applicant shall meet with the Director to discuss the proposed PC. The pre-application work sessions shall not commence until the applicant or owner submits the pre-application work session form and fee as approved by the Board.
- C. The purpose of the required pre-application work sessions with Department staff, identified agencies, and neighboring land owners is to develop initial communication between staff, identified agencies, neighboring land owners and the applicant. (One (1) of the work sessions may include a site visit with Department staff, identified agencies and the applicant.)
- D. The applicant shall hold a minimum of two (2) neighborhood meeting where all property owners within one (1) mile of the proposed PC boundary, or a greater

distance determined by the Director, are invited. Pre-application neighborhood meetings shall comply with the requirements of this Ordinance.

- E. Abandonment or Indefinite Hold: In the event that a proposed PC has been placed on hold status for twelve (12) months with no public hearing set, the project will be considered abandoned and will be terminated after a thirty (30) day notice to the applicant. Any fees that are remaining at the time of termination will remain with the county.

Section 10-11-7: Application Requirements:

A PC application shall be submitted to the Director with appropriate fees, and shall contain all elements and sub-elements required by this section. Prior to submittal, the Director shall determine the number of application copies required, and the printed and electronic formats required.

- A. Element A, Fees: The applicant or owner shall submit the fee for the Planned Community application as adopted by the current Department fee schedule.
- B. Element B, Planned Community Comprehensive Plan: The applicant shall submit a plan that includes elements 1- 5 as listed below, hereafter referred to as the Planned Community Comprehensive Plan, (the "PCCP"). This document shall provide sufficient information to evaluate development within the PC.
 - 1. A vision statement for the PC that is consistent with the Planned Community Goals and Policies contained in the Comprehensive Plan.
 - 2. A list of coordinated goals, and policies implementing the vision statement and addressing: private property rights; population; school facilities and transportation; economic development; land use; natural resources; hazardous areas; public/private services, facilities and utilities; transportation; recreation; special areas or sites; housing; community design; agriculture; implementation; national interest electric transmission corridors; public airport facilities; commercial/industrial development; air quality; water quality and irrigation systems.
 - 3. A conceptual land use map, conceptual densities and intensities map showing the proposed general land use patterns and proposed general densities and intensities within the PC boundary by neighborhood and district. The map shall include proposed land uses districts in sufficient detail and the proposed densities and intensities and be in sufficient detail to aid in the development of the land use matrix, which indicates residential neighborhood development as well as the minimum and maximum percentages of densities proposed for each land district. The map shall govern development within the PC utilizing the land use matrix, which indicates residential neighborhood development as well as the

minimum, and maximum percentage of densities proposed in each land use district. The conceptual land use map shall include:

- a. A land use matrix indicating neighborhoods and the minimum and maximum percentage of densities proposed by each residential land use district.
 - b. The location of one or more town centers or village centers. The town center or village shall include commercial nodes and community gathering areas sized to meet the needs of PC residents. The Town Center shall also include a mix of uses, including commercial, retail, office, and civic uses. Churches, religious centers and high-density/clustered residential may also be allowed.
 - c. The circulation system proposed within the PC boundary indicating proposed arterials and collectors, including connectivity to surrounding properties and public lands.
 - d. Trails, paths, parks and natural open space proposed.
4. A transportation and mobility plan demonstrating internal and external community connectivity. Illustrations depicting the cross-sections for all proposed streets, trails and paths including the size and design proposed for each section. The transportation and mobility plan shall include:
- a. A key map indicating where each proposed arterial and collector street, trail and path by section type would be used.
 - b. A narrative addressing alternative transportation options for the PC, including options and/or alternatives to reduce external vehicle trips, with the goal of keeping trip generation below the Elmore County average, as determined by the Director or the appropriate agency.
5. Narrative with illustrative or pictorial examples of proposed central design concepts for residential, commercial and institutional development in sufficient detail to guide land use development and integrate the proposed mixture of land uses. Hilltop and ridge top structures shall be prohibited.
- C. Element C, Zoning Ordinance Map: The applicant shall submit a zoning ordinance map amendment to identify the PC boundaries and designation of the area as "Planned Community (PC)." The map amendment application shall include a legal description of the PC exterior boundaries.
1. A draft development agreement that meets the requirements of this Chapter and Ordinance shall be submitted with the zoning ordinance map amendment.

2. The PCCP and the PCZO shall govern development within the PC boundary and designation of the area as "Planned Community (PC)."
- D. Element D, Zoning Ordinance Text, the Planned Community Zoning Ordinance (the "PCZO"): The applicant shall submit a zoning ordinance text amendment that shall include, but not be limited to, elements 1-15 of this section.
1. Purpose statement.
 2. Applicability (regulations apply in areas identified on official zoning map and PCCP land use map).
 3. Principal permitted, accessory, conditional, and prohibited uses.
 4. Setback areas.
 5. Structure height and bulk.
 6. Structure and impervious surface coverage.
 7. Property size.
 8. Landscaping requirements, including but not limited to standards for, as well as local beautification along state highways, arterials and collector streets.
 9. Open space requirements.
 10. Street frontage and access requirements.
 11. Sign requirements.
 12. On and off-street parking requirements.
 13. Standards for energy and water conservation.
 14. Grading requirements.
 15. Design standards for structures and site improvements, including but not limited to standards for beautification along state highways, arterials and collector streets, as well as local streets.
- E. Element E, Economic Studies: The applicant shall submit an Economic Feasibility Study, an Infrastructure and Financing Plan, and a Fiscal Impact Study prepared by a Qualified Economist and including the sub-elements listed below. The Financing Plan and studies shall demonstrate that the applicant will mitigate all identified tax

and/or fee revenue shortfalls and negative impacts to existing service provision levels to all directly affected municipalities and other agencies or districts.

The Economic Feasibility Study, the Infrastructure and Financing Plan, and the Fiscal Impact Study must clearly and concisely document all of the following to allow independent verification by the County and affected service providers: methodological assumptions and rationale including distinction of whether a fiscal impact average cost or marginal cost methodology was utilized; data sources utilized for study purposes, including internet URL/address(es) as necessary; specific calculations estimated for analytical purposes, such as service cost factors, ratios, service levels, enrollment rates, growth rates and other necessary factors; informational interviews and discussions with officials from affected jurisdictions, service providers, local planning organizations and other persons that provide first-person informational resources to the study process and a bibliography containing appropriate citations to all data sources and resources employed for the impact study as outlined immediately above.

1. The Economic Feasibility Study for the proposed PC shall adequately demonstrate that all residential and commercial phases of the project are consistent with economic and market conditions in Elmore County and applicable neighboring counties. The study shall specifically demonstrate reasonable market and economic support for the following:
 - a. Planned unit counts, build-out/absorption and occupancy by phase.
 - b. Expected household demographics, including household size, household age and incidence of school-aged children.
 - c. Likely price ranges suitable for development in the PC.
 - d. Planned commercial buildings, gross space and build-out/absorption by phase.
 - e. Probable commercial retail and service uses reasonably supported by locally-captured community resident spending.
 - f. Probable commercial retail and service uses supported by capture of spending by visitors and other non-residents of the PC.
 - g. Probable annual employment and wage levels for employment occurring in commercial retail/services space in the PC.
 - h. Probable industries, annual employment and wage levels for employment occurring in non-retail commercial development, including office, business park, industrial or other similar development types.

2. Financing Plan: Plans to ensure construction of public facilities and long term operation and maintenance of the public services. The financing plan, at a minimum, shall include the following for each phase of the PC through build-out as follows:

a. A brief narrative description, including:

- (1) Type of facility or facilities planned, including identification of any affected public service provider;
- (2) Description of phasing, including facilities upgrades and expansion capacity, including timing of these steps, if applicable;
- (3) Description of the entities responsible for ongoing operation and maintenance of each identified facility, and the planned revenue sources anticipated to support facility operation in perpetuity.

b. A plan of construction costs and planned financing for each public facility by phase, including:

- (1) Total construction costs and share of costs borne by the owner and partners;
- (2) Funding sources by category, including fees, contribution(s) of owner and partners, and borrowing;
- (3) Annual cash uses, including facility construction and/or expansion, additional land acquisition, debt retirement, and interest; and
- (4) Total required funding.

c. A plan of operation and maintenance financing for each public service, including:

- (1) Annual operation and maintenance costs;
- (2) Capital renewal and replacement costs (capital reserve account);
- (3) Estimated annual revenue, identified by sources;
- (4) Estimated annual private funding required, if any, to ensure continuation of public services; and
- (5) Private funding sources, contribution (s) of owner and partners, and borrowing.

3. Phasing Plan: The phasing plan shall be developed in consideration of the financing plan and shall include at a minimum:
 - a. A map of anticipated phase line boundaries for the entire PC;
 - b. A map of each anticipated phase including:
 - (1) Land use designations, including residential, mixed use, commercial, natural open space and developed open space;
 - (2) Densities and nonresidential intensities;
 - (3) Anticipated internal street network, including arterials and collectors; and
 - (4) Regional anticipated internal trail system, including trail and trailheads.
 - c. A written assessment of the sequence of development including:
 - (1) Anticipated commencement and completion times of each phase;
 - (2) Distribution of land use designations;
 - (3) Total area of each phase and anticipated population;
 - (4) Implementation of public services by phase, including a transition plan if required;
 - (5) Description on how each final plat is a self-supporting unit as defined by this Ordinance;
 - (6) How nonresidential uses and recreational opportunities will be phased to keep pace with housing.
4. The Fiscal Impact Study shall adequately demonstrate the likely additional public infrastructure and service cost burden posed by the PC and the tax and fee revenues generated by the community; and shall demonstrate any potential for fiscal tax or fee shortfalls and any diminishment of existing public service levels, whether short-term or long-term. The fiscal impact study shall include the following:
 - a. Annual, incremental public service need due to the PC, as appropriate, in terms of nature, incidence and timing of provision for all personnel need, equipment needs as well as replacement.
 - b. Resulting annual, incremental public cost estimates for service provision, personnel and equipment.

- c. Annual, incremental growth in assessed property value at the PC and resulting property tax revenues for each affected jurisdiction or service provider given that jurisdiction's or service provider's existing levies, including operations and maintenance levies and bond levies.
 - d. Annual, incremental growth in service fee revenues generated by the PC, including but not limited to emergency medical service, libraries and other similar public service provision.
 - e. An annual, incremental estimate of net fiscal impacts calculated as the reconciliation of tax revenues and fees generated by the development with on-going public service maintenance and operation costs in each year of build-out.
 - f. In years where net fiscal impacts are calculated as likely negative, identification of appropriate mitigation for the affected public service jurisdiction to be the responsibility of the applicant.
- F. Element F, The Planned Community Development Plan: The applicant shall submit a plan that includes sub-elements 1- 11 as listed below, hereafter referred to as the applicant's "Planned Community Development Plan, (the "PCDP"). This document shall provide sufficient information to evaluate and guide development within the PC.
- 1. A natural features analysis as set forth below. All technical reports and studies shall be prepared and signed by qualified experts in each relevant field. In addition, analyses shall be included in the technical reports, including but not limited to a constraints analysis and a description of the impact of the project on area air quality, area water quality, slopes, and views. The following features and studies shall be mapped, described, or noted as applicable:
 - a. Hydrology: Analysis of natural drainage patterns and water resources throughout the site.
 - b. Soils: Analysis of types of soils present in the site area. The analysis of soils shall be based on a soils survey; reports completed by the United States Department of Agriculture, Natural Resources Conservation Service or any other qualified agency or other Elmore County soils report.
 - c. Topography: Analysis of the site's terrain including mapping of elevations and delineation of slope areas greater than twenty-five (25%) percent, between fifteen (15%) percent and twenty-five (25%) percent, between eight (8%) percent and fifteen (15%) percent, and less than eight (8%) percent. Contour lines shall be based on an established datum with intervals of not more than five (5') feet for properties with a general slope of greater than five (5%) percent, or intervals of not more than two (2') feet for properties with a

general slope of less than or equal to five (5%) percent. Contour lines shall extend a minimum of three hundred (300') feet beyond the proposed development boundary. If a drainage channel borders the proposed development, the contour lines shall extend the additional distance necessary to include the entire drainage facility, as determined or required by the Director or County Engineer.

- d. Vegetation: Analysis of existing vegetation of the site.
 - e. Sensitive Plant and Wildlife Species: Analysis of sensitive plant and wildlife species of the site including, but not limited to, those species listed in the Idaho Conservation Data Center sponsored by the Idaho Department of Fish and Game (the "IDFG").
 - f. Historic/Cultural Resources: Analysis of existing historic resources as identified on the Elmore County historic resources inventory and other available sources including, but not limited to, the State Historic Preservation Office (the "SHPO").
 - g. Hazardous Areas: Location and identification of all potential hazardous areas.
 - h. Map Features: The map shall show important features, including, but not limited to, the following: outline of existing structures, watercourses, wetlands, power lines, telephone lines, railroad lines, airport influence areas, any existing easements, municipal boundaries, and section lines.
 - i. Geological Reconnaissance: A map showing the basic geological conditions, features, opportunities and constrains of the site.
 - j. Preliminary wetland delineation, if applicable.
2. A narrative describing the proposed land uses and the design of the subject site. The plan shall include a variety of housing options. The plan shall describe the proposed quantity of building types and designs. The plan shall also identify one or more commercial nodes and community gathering areas and developed parks designed and sized to meet the needs of PC residents.
 3. A map showing existing land uses and current zoning within one (1) mile of the PC perimeter.
 4. A narrative description of development and population trends in Elmore County and neighboring counties, if appropriate, that includes an assessment of the land-use, public service, environmental and transportation impacts associated with the proposed PC. This narrative shall also describe the anticipated population of the PC at build-out.

5. A community services and utilities plan, containing maps or diagrams where appropriate describing the proposed routing and points of connection for electric and natural gas service; storm drainage and flood control systems; central wastewater treatment and collection facilities; community water system; irrigation system; telephone, internet and television cable service, public transportation services; libraries and schools. Lagoon waste treatment facilities may be allowed on a temporary basis not to exceed twenty-four (24) months, with Board approval. Systems such as well as septic tanks and septic systems shall not be permitted in the proposed PC. The community services and utilities plan shall describe how the proposed wastewater collection system and community water system will be managed, identify a professional company that will operate and manage the wastewater and community water systems and be accompanied by a financial plan that includes, at a minimum, initial construction costs, funding sources, ongoing maintenance costs, operational costs, projected profits and losses.
6. An open space parks and trails plan that contains a map showing overall dedicated open space, including natural open space, developed parks and trails. The plan shall be developed in conjunction with the wildlife mitigation plan and shall include:
 - a. A minimum of ten (10%) percent of the total gross area within the PC dedicated to natural open space, with additional natural open space adequate to address the protection of unique natural features as indicated by the natural features analysis.
 - b. A minimum of ten (10) acres per four hundred (400) living/dwelling units. The open space plan shall emphasize water conservation in the design and implementation of developed parks.
 - c. A description of the types, sizes and locations of proposed parks. The open space plan shall ensure that open spaces are within a reasonable walking distance from residences.
 - d. A trails plan that provides connectivity between neighborhoods, parks and commercial centers. This plan shall also demonstrate connectivity with nearby public trails and public lands.
 - e. An analysis of potential impacts to adjacent public lands and mitigation for identified adverse impacts; and
 - f. An analysis, including an illustrative map, of the walkability pattern and options within the proposed PC.
7. Wildlife and Habitat Management Plan: The wildlife and habitat management plan shall utilize the natural resources and habitat inventory of the adopted PC

comprehensive plan to add impact assessment and mitigation components and update it with the following information:

- a. A narrative of potential direct, indirect, and cumulative impacts to natural resources, wildlife habitat within the project area, including potential secondary impacts to all land within one (1) mile of the exterior boundary of the PC;
 - b. Method (information and /or calculations) used to evaluate impacts (e.g., buffers, mapping analysis, etc.)
 - c. Mitigation goals and measurable objectives with reference to the impacts(s) those goals are intended to mitigate;
 - d. A description of natural open space management;
 - e. A description of mitigation activities and implementation measures including actions and methods to meet goals, time line and estimated cost by development phase, management and monitoring plans, financing and funding sources, and alternative/adaptive management strategies; and
 - f. A description of federal and state permitting.
8. A phasing plan shall be developed indicating the sequence of development, general land uses, and anticipated commencement and completion times of each phase. Adequate essential public services shall be provided for each Final Plat within each proposed phase prior to the issuance of any building permits, except those building permits required for the direct development of infrastructure, essential public services and associated grading.
- a. The phasing plan shall include a narrative describing land use types, total area contained, anticipated population levels and essential public services. Essential public services adequate for the anticipated level of use of each phase shall be provided.
 - b. Phasing shall be accomplished so that the integrity of the PC is maintained at the end of any single phase.
 - c. The phasing plan shall demonstrate how phased non-residential uses and recreational opportunities will keep pace with housing.
9. A generalized storm water management plan and narrative that describes how the PC will maintain natural runoff rates, reduce erosion and flood hazard and maintain the area's water quality and recharge capabilities. A specific storm water management plan will be required with each preliminary plat.

10. Minimum Public Service Level Standards: Each PC shall provide all of the following categories for public services in accordance with the stated minimum standard for each:

a. Electricity: Electricity service to every buildable property.

b. Telephone: Telephone service to every buildable property.

c. Water:

(1) Drinking water service shall be provided to every buildable property within the PC by a municipality, a private water company regulated by the Idaho public utilities commission, or a water district established pursuant to Idaho Statute § 42-3201 et seq.

(2) Drinking water service shall maintain compliance with all applicable federal, state and local rules and laws.

(3) All residential lots shall have an automated irrigation sprinkler system to minimize water usage and waste.

(4) All nonresidential lots shall have pressurized irrigation systems, using reclaimed water when available and permissible under all applicable federal, state and local rules and laws.

(5) All irrigation systems and water uses shall comply with all applicable federal, state, and local rules and laws.

d. Wastewater treatment:

(1) A centralized wastewater treatment and reuse service, or connection to an existing system shall be provided to every property with the PC by a municipality, a private sewer company, or a sewer district established pursuant to Idaho Statute § 42-3201 et seq.

(2) Wastewater treatment and reuse service shall maintain compliance with all applicable federal, state and local rules and laws.

(3) If treated wastewater will be used for irrigation then the irrigated area and the amount of treated wastewater used for irrigation shall be identified in the PC implementation plan, and shall comply with all applicable federal, state and local rules and laws.

(4) For specific lots, board may waive or alter the centralized wastewater treatment requirement on a case by case basis where topography or other considerations centralized service feasible.

e. Law Enforcement: One (1) law enforcement officer per one thousand two hundred (1,200) residents.

f. Fire Protection:

(1) Location within a fire district.

(2) Fire protection shall be provided to all areas within the PC with a response time of five (5) minutes or less for the arrival of the first arriving engine company at a fire suppression incident, as measured from the time the unit acknowledges notification of the emergency. (National Fire Protection Association 1710 § 4.1.2.1 – 2004 edition)

(3) If a new fire station is required for the PC to meet the response time then location of the new fire station should comply with the master siting plan of the fire district.

g. Paramedic services (EMS):

(1) Five (5) minutes or less for the arrival unit with first responder or higher-level capacity at an emergency medical incident, as measured from the time the unit acknowledges notification of the emergency for ninety (90) percent of the anticipated population of the PC. (National Fire Protection Association 1710 § 4.1.2.1- 2004 edition.)

(2) Nine (9) minutes or less for the arrival of an advanced life support (ALS) unit at the emergency medical incident, as measured from the time the unit acknowledges notification of the emergency for ninety (90) percent of the anticipated population of the PC. (National Fire Protection Association 1710 § 4.1.2.1- 2004 edition.)

(3) If a new emergency services station is required for the PC to meet the applicable response time then location of the new emergency services station should comply with the master siting plan of the district.

h. Schools:

(1) Sufficient land shall be incorporated in the land use plan for elementary educational facilities to serve the PC according to the applicable school district standard.

(2) Sufficient land shall be incorporated into the land use plan for middle school and high school educational facilities to serve the PC according the applicable school district standards.

- (3) Elementary school sites shall be within one and a half (1 ½) miles of fifty (50) percent of the elementary age residents of the PC.

i. Transportation:

- (1) PC shall be designed to have an internal trip capture of at least fifteen (15) percent, as calculated using the methodology for estimating trip generation at multiuse sites in the latest edition of the ITE "Trip Generation Handbook" and/or any other methodology approved by the applicable highway district.
- (2) The PC shall have a comprehensive transportation demand management program for the PC that will reduce weekday peak period single occupant vehicle trips compared to the forecasted trip generation for the project without transportation demand management strategies. At a minimum, the transportation demand management program shall include: street widths to accommodate transit service; internal street connectivity consistent with appropriate highway district's transportation land use integration plan; land for bus shelters (minimum of a five (5) foot x eight (8) foot pad, as appropriate); Americans with Disabilities act compliant sidewalks or pathways that are connected to the curb at bus stop locations as determined; carpool and vanpool parking designations at commercial centers; park and ride facilities; lighting; and bicycle facilities. Trip reduction rate generated due to a transportation demand management program shall not be used in the traffic impact study analysis submitted to the appropriate highway district.
- (3) Level of service on all public roadways shall be determined by the jurisdiction having authority over the roadways.

j. Natural and developed space:

- (1) A minimum of ten (10) acres per one thousand (1,000) population of developed open space based on two point five (2.5) persons per dwelling unit.
- (2) A minimum of fifteen (15) percent of the total gross area of the PC shall be dedicated to natural space.
- (3) A minimum of thirty (30) percent of the total gross area of the PC shall be dedicated to natural open space if the PC is in the foothills.
- (4) All natural space and developed open space shall be accessible to the public and shall be created and evidenced by recorded easements and plat notes, or other recorded instruments.

k. Library: Sufficient space shall be incorporated into the land use plan for library services to serve the PC.

11. Additional Service Standards: Each PC must provide a minimum of six (6) of the following categories of additional services in accordance with the stated minimum standard for each:
 - a. Developed open space: A minimum of twelve (12) acres per one thousand (1,000) population based on two point five (2.5) persons per dwelling.
 - b. Natural open space: A minimum of sixteen point five (16.5) percent of the total gross area of PC shall be dedicated to natural open space.
 - c. Multi-family housing: A minimum of ten (10) percent of the total number of dwelling units.
 - d. Workforce housing: A minimum of fifteen (15) percent of for sale housing (single-family and multi-family) priced for household earning one hundred twenty (120) percent of the Elmore County household median income or below.
 - e. Rental housing: A minimum of thirty (30) percent of the total rental units for multi-family housing priced for households earning up to eighty (80) percent of the Elmore County household median.
 - f. Green community:
 - (1) Water efficiency (e.g. low water plumbing fixtures in homes and building; primarily low water or xeric landscaping; limited turf).
 - (2) Energy efficiency (e.g. energy star homes or comparable standard).
 - (3) Materials efficiency (e.g. using less building materials than standard).
 - (4) Green infrastructure/design (e.g., application of reclaimed wastewater; groundwater recharge; less impermeable surface).
 - g. Library:
 - (1) A minimum standing collection of three and one half (3 ½) volumes per resident.
 - (2) Provision of space at agreed upon stages of residential development consistent with one point twenty-five (1.25) square feet per resident.
 - (3) Staffing of one (1) full time employee per one thousand (1,000) residents.
 - (4) One (1) public computer per one thousand (1,000) residents with a minimum of three (3) public computers in any library space.

h. Schools:

(1) Donation of land for educational facility beyond that needed to primarily serve the PC population.

(2) Site size and location and donation requirements must be in accordance with adopted school district standards.

i. Mixed use district: Five thousand (5,000) square feet finished building space per one thousand (1,000) residents (approximately phased).

j. Employment: Office park, industrial park or other area sufficient for fifty (50) employees.

k. Walkability: Ninety percent (90%) of dwelling units located within ½ mile walking distance to neighborhood shops/services and/or developed open space.

l. Trip capture: At least fifteen point seventy percent (15.75%) internal trip capture as calculated using the methodology for estimating trip generation at multi-use sites in the latest edition of the ITE "Trip Generation Handbook" and/or any other methodology approved by the appropriate highway district.

m. Other: Must be approved by the director, planning and zoning or board.

G. Element G, Additional Information Technical Reports: The applicant shall submit technical reports, signed and completed by qualified experts as defined by this Ordinance and any other information necessary to support the purposes of this Chapter, as determined by the Director, Commission, and/or Board, as applicable.

H. Element H, Updating Information: The Director, Commission, and/or Board may make a determination that material changes in conditions have occurred that may require the applicant/owner update information previously provided or provide additional analysis or study of specific issues identified.

Section 10-11-9: Application Acceptance, Agency Workshop and Review, Action by the Commission:

A. Application Acceptance:

1. Application Acceptance: The date of the Director's letter to the applicant indicating that all required elements are deemed substantially complete for form and content and all fees have been paid, shall be the date of application acceptance. Application acceptance shall be the date that establishes the applicable Ordinance and Comprehensive Plan. Application acceptance does

not indicate that the application requirements are approved or that positive findings can be made based on the application as submitted.

2. Upon Application Acceptance: A complete copy of the application shall be transmitted by the Department to the appropriate agencies and service providers as determined by the Director. Elmore County shall ask those agencies and service providers to review the proposed PC application and to provide comment to Elmore County regarding the proposed use.
- B. Agency Workshop and Review: Within sixty (60) days of receiving application acceptance, the applicant shall hold a workshop with the transmitted agencies and service providers as determined by the Director where the applicant shall provide a complete overview of the proposed PC and have sufficient staff present to answer specific questions regarding the proposed PC. Notice shall be sent to all agencies and service providers ten (10) days prior to the workshop. Agencies and service providers are encouraged to attend but not required. Agencies are encouraged to comment within ninety (90) days. Agencies may provide written comment or oral testimony at anytime.
- C. Action by the Planning and Zoning Commission: The Commission shall conduct a public hearing for a Comprehensive Plan amendment, zoning ordinance map amendment, zoning ordinance text amendment and development agreement. The hearing shall be scheduled one hundred twenty (120) days after the initial ninety (90) day agency review period. The Planning and Zoning Commission shall have adequate time to review the PC application materials after the agency review period and prior to any scheduled public hearing.
- D. Abandonment or Indefinite Hold: In the event that a proposed PC has been placed on hold status for twelve (12) months with no public hearing set, the project will be considered abandoned and will be terminated after a thirty (30) day notice to the applicant. Any fees that are remaining at the time of termination will remain with the county.

Section 10-11-10: Action by the Board and Amendments:

- A. Action by the Board: After receipt of the final recommendation of the Commission, the Board shall; after reviewing application materials and agency submittals, conduct a public hearing for a Comprehensive Plan amendment, zoning ordinance map amendment, zoning ordinance text amendment and development agreement. Following such hearings, the Board may approve, approve with conditions, deny the application, send the application back to the Commission for more information, and stay the proceedings to obtain more information from the applicant, agency or others, conduct additional hearings or take such other actions as to be determined by the Board. Upon granting or denying the application, the Board shall specify:
1. The Ordinance and standards used in evaluating the application.

2. The reasons for approval or denial.
 3. The actions, if any, that the applicant could take to obtain approval.
- B. Re-submittal: No application that has been denied by the Director, the Commission, or the Board shall be resubmitted, in the same form for the same use, within one year from the date of denial. The Director may waive the one (1) year requirement and accept a new application, where the subject property is affected by amendments to the applicable Comprehensive Plan or to the Ordinance.
- C. Planned Community Comprehensive Plan: The Planned Community Comprehensive Plan, (PCCP), if approved, shall be adopted as an amendment to the Comprehensive Plan and shall be used as a guide for the evaluation of each development application within the PC. The Planned Community Development Plan (PCDP) shall be included as addenda to the PCCP.
- D. Planned Community Zoning Ordinance: Planned Community Zoning Ordinance (PCZO), if approved by the Board, shall be used to regulate each development application within the PC.
- E. Zoning Ordinance Map Amendment: The zoning ordinance map amendment, if approved by the Board as an amendment to the Elmore County Zoning Ordinance.
- F. Amendments to a PC: Applications for amendments to a PC by the applicant/owner, to add additional property into the boundaries of a PC, shall be processed substantially in the same manner as an original application with the current Ordinance. The request shall not be initiated prior to the third biennial review period.
- G. An amendment to a PCCP, PCZO or a Zoning Ordinance Map Amendment may be initiated by one of the following:
1. The original applicant, owner, or the owner's successors and/or assignees.
 2. Property owners owning eighty (80%) percent or more of the land area within the PC.
 3. The Board pursuant to a recommendation of the Director or Commission.
 4. Any other applicable amendment procedure outlined in the Ordinance.

Section 10-11-11: Periodic Evaluation:

- A. The applicant/owner shall submit a Biennial Review Application with the appropriate fees to the Director requesting initiation of the biennial review of the PC within twenty-four (24) months after approval of the PC and every two years thereafter until

recordation of the last final plat in the final phase of the PC or until further biennial reviews are waived by the Board.

- B. The Director shall evaluate the Biennial Review Application and recommendations and requests of the applicant/owner and report to the Board, at a noticed public hearing, the progress and anticipated long-term viability of the PC and any amendments or modifications required by the Board to protect health, safety and welfare or requested or anticipated by the applicant.
- C. The Board, in the course of evaluating the PC during the biennial review, pursuant to a request by the applicant and based on reliable information and evidence contained in the Director's report, may make a determination that material changes in conditions have occurred require updating of the PCCP, PCDP, PCZO, Planned Community Zoning Map, or the execution of new analyses or new studies of specific issues.
- D. In the event that the Board determines, based on reliable information and evidence contained in the Director's report, that the PC has not developed in substantial conformance with the PCCP, PCDP, or PCZO, or has caused undue adverse economic impacts on affected municipalities, or other agencies and/or districts, the Board may initiate hearings to investigate such matters and may, at the conclusion of such hearings, require the applicant to mitigate such undue adverse economic impacts. All such public hearings shall be scheduled and conducted in conformance with Idaho Statute and this Chapter.

Section 10-11-12: Area of City Impact:

Any incorporation, annexation, or inclusion of a PC within an Area of City Impact shall be processed in accord with applicable state law, the Comprehensive Plan and this Ordinance.

Section 10-11-13: Process for Subsequent Development:

- A. Development within an approved PC shall be governed by the regulations and requirements of the approved PCCP and PCZO. Where zoning issues arise that are not addressed in the PCZO, the current Ordinance shall apply and govern.
- B. Despite any other regulations to the contrary, each phase of the PC shall comply with the general requirements of the approved PCCP, PCZO, and any specific regulations for that phase.
- C. Each phase shall not be approved unless the necessary essential public services for said phase, as specified in the approved PCCP and related documents, are provided to support the progress of the development, including said phase.

- D. No development shall be allowed prior to application, review, and approval of the final plat for the specific phase in which the development is located except as allowed by this Chapter or as specified by the PCZO.

Section 10-11-14: Other Requirements:

- A. All uses within the PC shall be served with a central wastewater collection and treatment facility and a community water system.
- B. All roads within the PC shall be paved; all roadway sections shall include sidewalks as well as bike lanes/paths. Variations to roadway sections may be allowed with the approval of the applicable highway district and/or the County.
- C. All utilities lines shall be installed underground including but not limited to telephone, cable and electrical systems. Exceptions to this requirement may be granted with Director approval.
- D. Dedicated open space, developed parks and trails shall be either held in a conservation easement with public access easements, managed and maintained by a professional company or dedicated to a property owner's association and retained as common open space for public safety, parks, recreation, and related public uses in compliance with this Chapter. Dedication to a property owner's association shall require Board approval with specific development timelines for parks and trails. In any event, the developer shall be responsible for the development or funding and maintenance of all required developed parks, open space and trail systems as required by this Chapter. Agreements may be considered by the Board to assign management and/or maintenance to a public municipality.

Section 10-11-15: Zoning Ordinance Map and Text Amendments:

- A. Zoning Ordinance amendments may be initiated by a PC Application or by action of the County in accordance with the Ordinance.
- B. Application and Review: The Board shall apply the standards listed in this Chapter and Ordinance to zoning ordinance map and text amendments.
 - 1. Approval; Reversal of Action: If the Board approves a zoning ordinance map amendment pursuant to a request from a PC, the Board shall not subsequently reverse its action or otherwise change the zoning reclassification as set forth in Idaho Statute § 67-6511(d).
 - 2. Final approval of a zoning ordinance map amendment and zoning ordinance text amendments shall be contingent upon an executed and recorded development agreement in compliance with this Chapter and Ordinance.

C. Required Findings: Upon recommendation from the Commission, the Board shall make a full investigation and shall, at the public hearing, review the PC application. In order to amend the zoning ordinance map and zoning ordinance text based on the PC application, the Board shall make the findings set forth in the following subsection:

1. Findings to approve a zoning ordinance map amendment:

- a. The proposed map amendment complies with the regulations outlined for this Chapter and Ordinance; and
- b. The proposed map amendment shall not be materially detrimental to the public health, safety and welfare; and
- c. The development agreement meets the requirements of this Chapter and Ordinance; and
- d. The proposed map amendment does not conflict with the adopted Comprehensive Plan.

2. Findings to approve zoning ordinance text amendment:

- a. The proposed text amendment complies with the regulations outlined in this Chapter and Ordinance; and
- d. The proposed text amendment shall not be materially detrimental to the public health, safety and welfare; and
- c. The proposed Zoning Ordinance text amendment does not conflict with the PCCP or adopted Comprehensive Plan.

Section 10-11-16: Development Agreement:

See Title 7 Chapter 10 for Development Agreement requirements.

Section 10-11-17: Subdivision Applications:

See Title 10 Chapter 1 for Subdivision requirements.

Section 10-11-18: Planned Community Application Required Findings:

A. In order to approve a PC application, the Board shall make the following findings:

- 1. The Proposed PC complies with the Comprehensive Plan, including but not limited to the Land Use Section, titled Planned Communities.

2. The proposed PC complies with local, state and federal laws and regulations.
3. The proposed PC complies with all applicable county ordinances.
4. The proposed PC provides the necessary development tools to accommodate compatible, mixed-use, small-town or urban-type development while promoting connectivity and walkability.
5. The proposed PC provides reasonable on-site commercial and community facilities and employment opportunities for its residents commensurate with its size.
6. The PCCP addresses all required components and establishes design concepts for all aspects of the development.
7. The PCDP complies with the zoning ordinance text amendment and follows the guidance of the PCCP.
8. The PCDP provides for a variety of housing types and designs, including single family attached and detached, and multi-family.
9. The wildlife mitigation plan adequately avoids, reduces or mitigates any adverse impact on wildlife.
10. The financial plan provided by the applicant demonstrates that essential public services will be provided, created and financed by the PC or other agency or jurisdiction.
11. The proposed PC shall not create excessive additional requirements at public cost for public facilities and services and the proposed PC shall not be detrimental to the economic welfare of the county.
12. The proposed PC shall be served adequately by public facilities such as highways, streets, police protection, fire protection, drainage structures and refuse disposal.
13. The PCDP and economic analysis demonstrate that upon build out, the PC contributes to the area's jobs-to-housing balance and places higher density housing near commercial centers.
14. The proposed PC complies with overlay districts specified in the Ordinance.
15. The PC has adequate facilities and programs to promote the use of alternative transportation both within the PC and outside of the PC boundaries.

16. The PCDP has adequately demonstrated that the PC will be served by a central wastewater collection and treatment facility and a community water system.
17. The PC has provided open space and developed parks that meet or exceed the minimum requirements and are adequate to serve the anticipated population.
18. The proposed natural open space is adequate to preserve views, special sites, important natural features, riparian areas, wetland areas, wildlife habitat and rare plants.
19. The PC has phased non-residential uses and recreational opportunities that keep pace with housing.
20. The PC provides path and trail linkages between parks, schools, neighborhoods and commercial centers. The PC provides connectivity with nearby public trails and public lands where appropriate.
21. The phasing plan for development within the PC ensures the integrity of the PC is maintained at the end of each phase.
22. The proposed PC provides adequate mitigation for all identified tax and/or fee revenue shortfalls and negative impacts to existing service providers.
23. The proposed PC shall not be hazardous or disturbing to existing neighboring uses or impede their normal development.
24. The proposed PC shall not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
25. The proposed PC shall not result in the destruction, loss or damage of a natural or scenic feature of major importance.

Section 10-11-19: Fees:

- A. Fees: All applications authorized by this Ordinance have fees adopted by the Board.
- B. All persons making application for permits and other matters herein referred in this Chapter shall be required to submit to the Director an application on forms provided by the Department and accompanied by the application fee. No application shall be considered as accepted by the Director unless it is complete with all required information and fees.
- C. The date of final acceptance shall be the date the Department sends the final-application acceptance letter, notifying the applicant that the Director has received

payment of the required fee and all of the required submittal information pursuant to this Chapter. Final acceptance does not guarantee application approval or that the application is compliant with this Ordinance.