

CHAPTER 12– PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE

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Section 10-12-1: Authority:

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

Section 10-12-2: 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 lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive or those imposing the higher standards shall govern.

Section 10-12-3: Purpose:

The purpose of this Chapter is to provide standards for the review of Planned Unit Development applications, and the applicant's request, to allow for flexibility in land use, site design and dimensional standards to develop residential, commercial, office and/or light industrial uses not allowed individually within a specific zoning or overlay district.

The proposed development shall comply with the specific goals and policies of the Comprehensive Plan and the goals and policies set forth herein.

Section 10-12-4: Regulations Establishing Permitted Uses, Applicability, Work Sessions and Application Requirements:

A. Permitted Uses: Permitted uses are restricted to the following standards:

1. Uses within the PUD shall be compatible with existing and proposed land uses and shall provide more efficient, aesthetic and desirable use of open space and recreational opportunities.
2. A PUD application shall be required for any development or subdivision proposal that meet the requirements of this Chapter and where the applicant is requesting one or more of the following:
 - a. A mix of land uses that are not allowed as principal permitted or conditional uses in the same base district.
 - b. Clustering of land uses to achieve density transfer of residential units away from physical constraints or hazardous areas. Such constraints include, but are not limited to, the following: flood hazards, unstable geologic conditions, soil conditions, topography, identified high ground water areas, and other characteristics that could threaten public health and/or safety.
 - c. Modifications of dimensional standards to achieve dedicated open space and provide for amenities not found in traditional subdivisions.
3. All uses that may be allowed within the zoning district are permitted within the PUD. Use Exceptions of up to twenty (20%) percent of the gross land area may be directed to commercial, office, industrial, public and quasi-public uses that are not allowed within the zoning district with Board approval.
4. Residential development shall be considered compatible regardless of density or dwelling type. All types of residential development shall be allowed within a PUD, including but not limited to detached, semi-detached, attached, and multifamily or any combination thereof. Protection of residential development adjacent to non-compatible uses shall require buffering. Buffering techniques shall include but not limited to screen planting, open space and landscaping.
5. PUDs are required to provide a minimum net density of six to eight (6 to 8) dwelling units per acre (DU/A). Higher density residential development greater than eight (8) DU/A and senior housing options are encouraged within the PUD. Densities greater than eight (8) DU/A are encouraged and shall be reviewed and approved based on their flexibility, imaginative and creative use and design, harmonious variety of housing opportunities proposed, and the level of urban

amenities coupled with the conservation of open space and developed parks.

6. A combination of residential, commercial, office and industrial uses within the PUD are encouraged.
7. Non-residential uses permitted pursuant to Use Exception should serve primarily the residents of the PUD, the surrounding area, and shall be compatible and harmoniously incorporated into the design of the PUD.
8. All permitted uses shall be in conformance with the PUD Development Plan, PUD Development Standards, and Elmore County Zoning and Development Ordinance pursuant to the procedural and regulatory provisions of this Chapter.
9. The PUD shall be served by a central wastewater collection and treatment facility and a community water system.
10. All roads shall be paved; all roadway sections shall include sidewalks as well as bike lanes/paths. Variations to roadway sections may be allowed with Director approval.
11. All utilities shall be installed underground including but not limited to telephone, cable and electrical systems. Exceptions to this requirement may be granted for aboveground water storage reservoirs or other similar uses with Director approval.
12. 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 the public and retained as common open space for public safety, parks, recreation, and related public uses in compliance with this Chapter. Dedication to the public 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.
13. Heavy Industrial uses shall be prohibited in a PUD.
14. Joint parking facilities for commercial, office or industrial uses shall be provided and shall provide common access points to public streets. Sufficient landscaping shall be provided for all parking, loading and outdoor storage areas.
15. Commercial, office and industrial structures shall not exceed a gross floor area of twenty thousand (20,000') total square feet in any one building unless authorized by the Board. Sufficient landscaping, setbacks and buffering shall be provided when located adjacent to residential uses.

16. Commercial, office and industrial structures shall have common design themes and elements and shall be developed in a park-like setting, clustered wherever possible to preserve open space, reduce thoroughfares, and through traffic.

Section 10-12-5: Applicability and Application Requirements:

- A. These regulations shall apply to applications for Planned Unit Development that meet the following minimum size and location standards:
 1. The PUD shall contain under one ownership or control a minimum of ten (10) contiguous acres, but shall be less than one hundred sixty (160) contiguous acres.
 2. The PUD shall be located within an existing area of city impact. The jurisdictional municipality shall be notified of all meetings, work sessions and any other activities concerning the PUD. The City representatives will be encouraged to become active participants in the process. The PUD may be located within multiple areas of city impacts provided the PUD boundary is contiguous. A portion of a contiguous PUD boundary may be outside an area of city impact within Elmore County provided that the portion outside the area of impact is contained within an existing legal parcel of record boundary or involves less than thirty-three (33%) percent of the gross acreage being proposed by the PUD.
 3. The PUD shall not be located within the Air Base Hazard Zone (ABHZ), or Air Base Commercial Zone (ACZ) zoning classifications on the Comprehensive Plan Land Use Map.
 4. An application for a PUD shall be signed by the property owner(s) having a legal interest in the property to be included in the PUD or his/her/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 affidavits of legal interest giving such permission.

Section 10-12-6: 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 required by the Director. The Director encourages multiple work sessions with City officials, identified agencies, and landowners located within one thousand (1,000') feet of the proposed PUD boundary, or a greater distance determined by the Director, prior to submittal of an application for a PUD.
- B. Prior to holding the first pre-application work session with the County, the applicant shall meet with the Director and City officials to discuss the proposed PUD. Pre-application work sessions shall not commence until the applicant or owner submits

the pre-application work session form and fee as recommended by the Director and thereafter adopted by the Board. The pre-application work session fee as approved by the Board.

- C. The purpose of the required pre-application work sessions with Department staff and identified agencies and neighboring landowners is to develop communication between staff, city officials, identified agencies, neighboring landowners and the applicant. One of the work sessions shall include a site visit with planning staff, city officials and the applicant.
- D. The applicant shall hold a minimum of two (2) neighborhood meeting where all property owners within one thousand (1,000) feet of the proposed PUD boundary, or a greater distance determined by the Director, are invited. The pre-application neighborhood meeting(s) shall comply with the requirements of this Ordinance.

Section 10-12-7: Application Requirements:

A PUD application shall be submitted to the Director with the appropriate fees, and shall contain all elements and sub-elements required by this Ordinance. The Director shall determine the number of application copies required for submittal as well as the printed and electronic formats required.

- A. Element A, Fees: The applicant or owner shall submit the fee as adopted by the current Department fee scheduled adopted by the Board.
- B. Element B, Conceptual Densities and Intensities Map: The applicant shall submit a plan that includes elements 1-6 as listed, hereafter referred to as the "The PUD Intensities and Densities Map". This document shall provide sufficient information to evaluate development within the PUD.
 - 1. A conceptual land use map, densities and intensities map showing the proposed land use patterns within the PUD boundary by neighborhood and district. The applicable Comprehensive Plan Land Use Map should be considered in developing this map. The map shall include:
 - a. The circulation systems within the PUD boundary including proposed arterials and collectors, including connectivity systems and opportunities to surrounding properties and public lands.
 - b. Trails, paths and open space.
 - 2. A conceptual transportation and mobility plan demonstrating internal and external community connectivity. Illustrations depicting cross sections for all proposed street, trail and path including the size and design proposed for each section. A key map indicating where each proposed arterial and collector street sections

and trail and path sections would be used. The plan shall also address alternative transportation options for the PUD.

C. Element C, Zoning Ordinance Map: The applicant shall submit a zoning ordinance map amendment to identify the PUD boundaries and designation of the area as "PUD". The map amendment application shall include a legal description of the PUD exterior boundaries.

1. A draft development agreement that meets the requirements of this Ordinance shall be submitted with the zoning ordinance map amendment.
2. The Planned Unit Development Conceptual Densities and Intensities Map. This map shall govern the land use and development patterns within the PUD zoning ordinance map amendment.

D. Element D, Development Standards (Exceptions/Modifications): The applicant may request exceptions and/or modifications to the Elmore County Zoning and Development Ordinance. All exceptions and/or modifications for the PUD shall be submitted for review and approval. Exceptions and/or modifications shall be limited to those elements listed in 1-9 of this section. The adopted development standards (Exceptions/Modifications) shall be used to review and guide development within the PUD:

1. Applicability (regulations that apply in areas identified on the official Planned Unit Development Densities and Intensities Map.
2. Setback areas.
3. Structure height and bulk.
4. Structure and impervious surface coverage.
5. Property/Lot size.
6. Landscaping requirements, including but not limited to standards for as well as local beautification along state highways, arterials and collector streets, and local streets.
7. Street frontage and access requirements.
8. On and off-street parking requirements.
9. Standards for energy and water conservation.

E. Element E, Planned Unit Development Plan: The applicant shall submit a development plan that includes sub-elements 1- 10 as listed below, hereafter

referred to as the applicant's "Planned Unit Development Plan." These documents shall provide sufficient information to evaluate development within the PUD.

1. A natural features analysis as set forth in this Chapter. All technical reports and studies shall be prepared and signed by qualified experts as defined in this Chapter in each relevant field. The analysis shall include:
 - 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 USGS datum of 1988 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 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 of 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 or 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 constraints 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 provide for a variety of housing options at a variety of price points, including, but not limited to, single family detached, multifamily, condominiums, apartments, live/work, or mixed use. The plan shall describe the proposed quantity of building types and designs. The plan shall also identify one or more commercial nodes, community gathering areas and developed parks designed and sized to meet the needs of PUD residents.
 3. A map showing existing land uses and current zoning within one (1) mile of the PUD perimeter.
 4. A narrative assessment of the public services available, proposed private services, and environmental/transportation impacts associated with the proposed PUD.
 5. A narrative describing the anticipated population and household demography of the PUD at build-out.
 6. Design Concepts:
 - a. Narrative and illustrative or pictorial examples of proposed central design concepts for all proposed development, including residential, commercial and institutional development, in sufficient detail to guide land use development and integrate the proposed mixture of land uses.
 - b. Narrative describing predevelopment site conditions with careful attention to the current placement of public and quasi-public land uses, open space areas, developed parks and landscaping.
 - c. Narrative of construction and placement of all improvements indicating how it will utilize on-site materials to balance the fills and cuts thereby limiting the need to truck material to the site from off-site locations.
 - d. Narrative demonstrating how the development footprint meets the existing grade, how visual impacts and natural features of the development will be enhanced by rounding finished grade contours to blend with the existing slopes, requiring that building pads be designed to follow the natural contours by requiring contour or landform designs, ensuring grading practices are

designed to minimize visual impacts, and requiring hillside and ridge side building foundations and designs to be stepped with the natural grade contours by minimizing cuts to improve visual aesthetics.

7. Community services and utilities plan:

- a. Narrative describing the routing and the proposed points of connection for electric service, natural gas service, storm drainage and flood control systems, central wastewater treatment and collection facilities, community water system, irrigation, telephone, internet, television cable, public safety services and public transportation services.
 - b. Wastewater Collection Systems and Community Water Systems may be developed by the PUD; however, the PUD would be encouraged to connect to existing city services whenever possible.
 - c. Wastewater Collection Systems supplied by the PUD may be allowed, on a temporary basis, not to exceed twenty-four (24) months with Board approval, systems such as septic tanks and/or septic systems. Only MBR, SBR or existing municipal sewer systems shall be allowed when developed by the PUD. The community services and utilities plan shall also 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, the initial construction costs, funding source, ongoing maintenance costs, operational costs, projected profit and loss. The Commission and Board may also consider wastewater treatment systems other than MBR or SBR systems provided the proposed systems are similar in design, water quality output or further advance wastewater treatment systems through technological advances.
 - d. Community Water System supplied by the PUD shall be accompanied by a plan describing how the proposed Community Water System will be managed by a professional company with specific details regarding the operation and management, accompanied by a financial plan that includes the initial construction costs, funding source, ongoing maintenance costs, operational costs, projected profit and loss.
8. An open space, parks and trail plan that contains a map showing overall dedicated open space, parks, and trails are required. Alternative options may be considered, such as but not limited to contributing funds or land to enhance or further develop an existing regional park or a city park system or plan. Alternative options may be proposed for up to a fifty (50%) percent of the amount of open space or developed parks required by this Chapter and Title. Alternative options shall be submitted to the Director for review and approval. The Director's decision shall be submitted to the applicant in writing within

forty-five (45) days of receipt of said request. Appeals of the Director's decision by the PUD applicant shall suspend the PUD application review process until the appeal process has been exhausted. The plan shall demonstrate how the open space, developed parks and trails would be managed and maintained and how they will be protected from development into perpetuity. The plan shall include:

- a. A minimum of ten (10%) percent of the total gross area within the PUD shall be dedicated to natural open space, with additional natural open space adequate to address the protection of unique natural features.
 - b. A minimum of ten (10) acres per four hundred (400) living/dwelling units.
 - c. A narrative describing how dedicated open space, natural open space, developed parks and trails meet the intent of this Chapter and the needs of the PUD.
 - d. A description and map containing the types, sizes and locations of proposed parks. The plan shall ensure that the parks are located to provide a reasonable walking distance from residences.
 - e. 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.
9. 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 PUD 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.

10. Storm Water Management:

- a. The applicant shall provide a narrative describing how the PUD will maintain natural runoff rates, reduce erosion and flood hazard, and maintain the area's water quality and recharge capabilities. Specific storm water management plans and details shall be required with each preliminary plat.

F. Element F, 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 Ordinance as determined by the Director, Commission or Board, as applicable.

Section 10-12-8: General Provisions and Process:

A. Neighborhood Meeting Requirements: See Title 7 Chapter 3 for requirements.

B. 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 Land Use and Building 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 PUD application and to provide comment to Elmore County regarding the proposed use.

C. 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 PUD and have sufficient staff present to answer specific questions regarding the proposed PUD. 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.

D. 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 after one hundred twenty (120) 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.

- 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 10-12-9: 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 this Ordinance.
- C. PUD Development Standards: The PUD Intensities and Densities Map, the Development Standards (Exceptions/Modifications), and the Planned Unit Development Plan, if approved, shall be by resolution of the Board, subsequent to a recommendation from the Commission and shall be used to guide and review development applications for the PUD.
- D. Amendments to Zoning Ordinance Map: The zoning ordinance map amendment, if recommended by the Commission, shall be adopted by the Board as an amendment to the Elmore County Zoning Ordinance.
- E. Amendments to a PUD:

1. Applications for amendment to the PUD Intensities and Densities Map, the Development Standards (Exceptions/Modifications), and the Planned Unit Development Plan, shall be processed substantially in the same manner as the original application and may be initiated by:
 - a. The original applicant, owner, or the owner's successors and/or assignees; or
 - b. Property owners owning eighty (80%) percent or more of the land area within the PUD.

Section 10-12-10: Approval and Platting Timelines:

- A. Approval; Reversal of Action: If the Board approves a zoning ordinance map amendment pursuant to a request from a PUD, the Board shall not subsequently reverse its action or otherwise change the zoning classification as set forth in Idaho Statute § 67-6511(d).
- B. There shall be no time limit placed on the final platting of approved PUD preliminary plats as long as the applicant/developer shows progress by submitting a final plat for a portion of the approved preliminary plat every twelve (12) months and at least eighty percent (80%) of the approved preliminary plat must be finally platted within five (5) years. When less than eighty percent (80%) of the approved preliminary plat has not been finally platted within five (5) years, the non-final platted portion of the preliminary plat shall become null and void.

Section 10-12-11: Incorporation, Annexation, or Inclusion:

Any incorporation, annexation or inclusion of a PUD by a city shall be processed in accord with applicable state law.

Section 10-12-12: Process for Subsequent Development:

- A. Development within an approved PUD shall be governed by the regulations and requirements of the PUD Intensities and Densities Map, the approved Development Standards (Exceptions/Modifications), and the Planned Unit Development Plan. Where zoning issues arise that are not addressed in the PUD Development Standards (Exceptions/Modifications), this Chapter shall apply and govern. This Chapter shall only be repealed or amended by a specific ordinance repealing or amending this Chapter or specific amendment to other Elmore County ordinances required to enforce compliance with this Chapter.
- B. Each phase of the PUD shall comply with the general requirements of the approved PUD Intensities and Densities Map, the Development Standards (Exceptions/Modifications), the Planned Unit Development Plan and the specific regulations adopted by the Board for that phase.

- C. Each phase shall not be approved unless all necessary essential public services for each phase are/have been provided, as specified in the approved PUD Development Standards (Exceptions/Modifications), and the Planned Unit Development Plan.
- 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.

Section 10-12-13: Zoning Ordinance Map Amendment and Development Standards (Exceptions/Modifications):

- A. Process: Zoning Ordinance Map Amendment and/or Development Standards (Exceptions/Modifications) initiated by a PUD application.
 - 1. Zoning Ordinance Amendments Initiated by the Board: The Board may propose to amend this Chapter, as provided herein.
 - 2. The applicant/owner shall complete all work sessions as required by this Ordinance prior to submittal of an application for a zoning ordinance map amendment or Development Standards (Exceptions/Modifications).
 - 3. Application; Review: The Board shall apply the standards listed in this Ordinance for map amendments and Development Standards (Exceptions/Modifications).
- B. Required Findings: Upon recommendation from the Commission, the Board shall make a full investigation and shall, at the public hearing, review the PUD application. In order to grant a Planned Unit Development Map Amendment and adopt Development Standards (Exceptions/Modifications) the Board shall make the following findings:
 - 1. Findings to approve a zoning ordinance map amendment:
 - a. The zoning ordinance map amendment, PUD complies with the regulations outlined for this Ordinance.
 - b. The zoning ordinance map amendment, PUD District is not materially detrimental to the public health, safety and welfare.
 - c. The development agreement meets the requirements of this Ordinance.
 - 2. Findings to approve Development Standards (Exceptions/Modifications):
 - a. The Development Standards complies with the regulations outlined in this Ordinance.

- b. The Development Standards are not materially detrimental to the public health, safety and welfare.

Section 10-12-14: Development Agreement:

See Title 7 Chapter 10 for Development Agreement requirements.

Section 10-12-15: Subdivision Applications:

See Title 10 Chapter 1 for Subdivision requirements.

Section 10-12-16: Additional Required or Concurrent Applications:

- A. Additional Required or Concurrent Applications. Any additional required application(s) may be submitted and shall be reviewed concurrently with the PUD application, provided the submitted application(s) meet the following requirements:
 - 1. The applicant shall submit any additional application material(s) as required by Elmore County Ordinance with fees as shown on the current fee schedule adopted by the Board, prior to the PUD application receiving Final Application Acceptance.
 - 2. Final approval of additional required applications shall be contingent upon final approval of the PUD application, and execution of all development agreements.
 - 3. Subsequent preliminary plat or subdivision applications shall be subject to the provisions of the applicable PUD Ordinance and fee schedule contained in this Title 10 Chapter 1 of this Ordinance.

Section 10-12-17: Planned Unit Development Required Findings:

- A. Required Findings: In order to approve a PUD application, the Board shall make the findings:
 - 1. The proposed PUD complies with the Comprehensive Plan, including but not limited to the Land Use Section, titled PUD.
 - 2. The proposed PUD provides for a variety of housing types and designs, including single family attached and detached, and multi-family.
 - 3. The proposed PUD provides for all essential public services which will be created and financed by the PUD or other agency or jurisdiction.
 - 4. The proposed PUD provides for uses that will be served by a central wastewater collection and treatment facility and a community water system.

5. The proposed PUD provides for open space and developed parks that meet or exceed the minimum requirements and are adequate to serve the anticipated population.
6. The proposed PUD provides for path and trail linkages between parks, schools, neighborhoods and commercial centers; and provides connectivity with nearby public trails and public lands where appropriate.
7. The phasing plan ensures the integrity of the PUD is maintained at the end of each phase.
8. The proposed PUD complies with all applicable county, state, and federal plans and regulations.
9. The proposed PUD sets forth sufficient and adequate mitigation for the identified impacts on municipalities and other agencies and/or districts.
10. The proposed PUD provides land development and uses that will accommodate population growth within Elmore County.
11. The proposed PUD design and arrangement of uses conforms to the natural features analysis and identified constraints and opportunities.
12. The proposed PUD conforms to the requirements and standards of this Chapter.
13. The proposed PUD is compatible with abutting land uses.
14. The proposed PUD design includes clustering of land uses to achieve density transfer of residential units away from physical constraints or hazardous areas while providing for aesthetic and desirable use of open space and recreational opportunities.
15. The proposed PUD contains appropriate modifications of dimensional standards to achieve dedicated open space, providing for amenities not found in traditional subdivisions.
16. The proposed PUD provides a variety of housing options at a variety of pricing points with a minimum net density of six to eight (6 to 8) dwelling units per acre.
17. The proposed PUD non-residential uses allowed through a Use Exception were designed to serve primarily the residents of the PUD or the surrounding area, and are compatible and harmoniously incorporated into the design of the PUD.
18. The proposed roads within the PUD will be paved and roadway sections include sidewalks, bike lanes/paths in compliance with this Ordinance.

19. All utilities are designed to be installed underground including but not limited to telephone, cable and electrical systems in compliance with this Ordinance.
20. Dedicated open space, developed parks and trails are either held in a conservation easement with public access easements, managed and maintained by a professional company or dedicated to the public in compliance with this Ordinance.
21. Heavy Industrial uses are not proposed.
22. The proposed PUD provides for joint parking facilities for commercial, office or industrial uses with sufficient landscaping and screening and common access points to public streets.
23. The proposed PUD provides sufficient landscaping for all parking, loading and outdoor storage areas.
24. Commercial, office and industrial structures do not exceed a gross floor area of twenty thousand (20,000) total square feet in any one building unless authorized by the Board, and sufficient landscaping, setbacks and buffering is provided when located adjacent to residential uses.
25. Commercial, office and industrial structures shall have common design themes and elements and are developed in a park-like setting, clustered wherever possible to preserve open space, and reduce thoroughfares and through traffic.

Section 10-12-18: Fees:

- A. Fees: The Board shall, by resolution, establish fees for all applications or petitions authorized by this Ordinance.
- B. All persons making application for permits and other items herein referred in this Ordinance shall be required to submit to the Director an application on forms provided by the Land Use and Building Department and accompanied by an application fee as adopted by the Board. No application shall be considered as accepted by the Director unless it is complete with all required information and fees.
- C. The date of acceptance shall be the date of the PUD application acceptance letter sent by the Land Use and Building Department notifying the applicant that the Director has received payment of the required fee and all of the required submittal information pursuant to this Ordinance.
- D. Fees shall be reviewed by the Director periodically to ensure that the fees charged adequately cover department expenses, salaries and cost of living increases.