

Chapter 13
PLANNED DISTRICT, PL

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13.1 PURPOSES

1. To encourage and provide a means for effectuating desirable development through the use of variations in sites, mixed land uses, and/or varied dwelling or other buildings.
2. To preserve the amenities and compatibility of PL Districts by adoption of a general development plan showing proper orientation, desirable design character, and compatible land uses.
3. To provide for the orderly pre-planning and long term development for a variety of uses or large tracts of land which are under unified ownership or development control, so as to ensure that the entire tract will provide an environment of stable and desirable character.
4. To give the developer reasonable assurance that phased development plans prepared in accordance with an approved general development plan will be acceptable to East Carbon City.
5. Phased development plans shall include subdivision plans and/or planned unit development plans as provided for in this chapter.
6. To enable the adoption of measures providing for development of the surrounding area in character compatible with the planned district.

13.2 STANDARDS AND REQUIREMENTS.

The following provisions shall apply in a PL District, which district shall also be subject to other provisions of this code, except that where conflict in regulations occurs, the regulations specified in this chapter, or on a development plan approved pursuant to this chapter, shall apply.

1. PL Districts may be established on parcels of land which are suitable for, and of sufficient size, to be planned and developed in a manner consistent with the purposes and objectives of this chapter. No PL district shall include less than 5 acres of contiguous land unless otherwise specifically approved by conditional use permit.
2. No ordinance establishing a PL District shall be adopted unless and until there is on file with East Carbon City, written consent of every property owner within such district at the time of adoption of the ordinance, agreeing:
 1. That the owner will be bound by the conditions and regulations proposed and which will be effective within the PL District.
 2. To record such written agreement with the Carbon County Recorder.
3. Before detailed studies of any PL District development plans shall be undertaken by the planning staff or the Planning Commission, there shall be on file with East Carbon City the written request of all property owners within the proposed district that such detailed studies be made.
4. Standards for area, coverage, density, yard requirements, parking and screening for PL district uses shall be governed by the standards of the residential, commercial, or industrial zoning districts most similar in nature and function of the

proposed PL District use(s), as determined by the Planning Commission, and as contained in an approved preliminary design plan for the planned unit development. Standards for public improvements shall be governed by applicable ordinances, regulations and laws. Exceptions to or modification of these standards may be made by the Planning Commission and by the City Council, when these bodies find that such exceptions encourage a desirable living environment and are warranted in terms of the proposed planned unit development as a whole.

13.3 APPROVAL REQUIRED PRIOR TO REZONING.

Prior to the filing of a formal PL District rezoning application, the applicant shall have obtained concept plan approval for the planned unit development from the Planning Commission, which plans shall have been certified to the City Council. Upon receipt of the approved concept plan, the City Council shall proceed with the zoning district amendment procedures outlined in this code. Such amendment procedures shall be deemed to have been satisfied by the meeting of the planned unit development requirements (which must be met incident to obtaining concept plan approval from the Planning Commission).

13.4 FINDINGS REQUIRED FOR APPROVAL.

After public hearing following required legal notice, the City Council may by ordinance establish a PL District, provided that it finds that the facts submitted with the application and presented at the hearing establish:

1. The proposed PL District or a given unit thereof can be substantially completed within two years of the establishment of the PL District.

2. Each phase of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.
3. The streets proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the PL District.
4. Commercial development can be justified economically at the locations proposed, if any, to provide commercial facilities.
5. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
6. Any exception from standard ordinance requirements is warranted by the design and amenities incorporated into the final plan.
7. The PL District is in conformance with the General Plan.
8. Existing or proposed utility services are adequate for the population and use densities proposed.

13.5 CONCEPT PLAN REQUIREMENTS.

At the time of adoption of any ordinance establishing a PL District, the City Council shall make appropriate arrangements with the applicant to ensure the accomplishment, at the scheduled times, of the public improvements, public dedications, and grants of easement to be shown on the approved concept plan. The PL District shall be given an appropriate name

number or letter to identify it and the approved concept plan shall be adopted by reference and become part of this code.

13.6 REVERT TO ORIGINAL ZONING.

1. If no development has occurred to effectuate a PL District development within 2 years after the district has been created, the Planning Commission shall review the action and determine whether or not the continuation of a given PL District is in the public interest. If the Planning Commission so recommends, the City Council may order that the area revert to the original zoning district from which it was created, without a public hearing.
2. If the land within a PL District is sold to new owner(s), the Planning Commission or the City Council shall require the new owner(s) to accept in writing all obligations and guarantees required by the Preliminary Design Plan of the original owner(s). In the event that such agreement is not provided, the governing body may, without public hearing, return the zoning of the PL District to the original zoning district which existed prior to creation of the PL Districts.
3. If the owner(s) or developer of the PL District is unwilling or unable to carry out the requirements of the Preliminary Design Plan because claimed adequate water supplies, waste water disposal, streets, or other major elements of approval cannot or will not be provided as required, the City Council may stop all development in the district until such failure has been remedied or may terminate the PL District and revert back to the original zoning district which existed prior to creation of the PL District, without waiting for the 2 year period provided above to expire.