

ORDINANCE 2011-05

AN ORDINANCE AMENDING SECTIONS 13-4-1 AND 13-5-1 AND REPEALING CHAPTER 6, PLANNED UNIT DEVELOPMENT SUBDIVISIONS, OF TITLE 13, SUBDIVISIONS, OF THE TOOELE COUNTY CODE, CLARIFYING THE PUD PROCESS – [RESULTS OF THIS CHANGE: (1) ALL SUBDIVISIONS WITH MORE THAN 15 LOTS, INCLUDING THOSE WITH MORE THAN 99 LOTS, CONSTITUTE A MAJOR SUBDIVISION; (2) SUBDIVISIONS WITH 100 OR MORE LOTS MUST INCLUDE A MASTER PLAN; (3) COMMERCIAL OR INDUSTRIAL LAND DIVISIONS MUST BE DONE AS MAJOR SUBDIVISIONS; (4) PLANNED UNIT DEVELOPMENTS MUST FOLLOW THE REQUIREMENTS WITHIN CHAPTER 9 OF THE LAND USE ORDINANCE]

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I - PURPOSE. This ordinance seeks to update the Tooele County Code to clarify the PUD process within the county and enhance the legitimacy of the existing zoning districts. The Erda, Pine Canyon, and Tooele County Planning Commissions held public hearings on these issues and recommend passage of the amendments and repeal.

SECTION II - SECTION AMENDED. Section 13-4-1, Application, of Title 13, Subdivisions, of the Tooele County Code is hereby amended to read as follows:

13-4-1. Application.

A standard subdivision is a division of land into no more than 14 lots. It may be phased for development. Infrastructure and public facilities shall be dedicated. A standard subdivision shall not include commercial or industrial divisions.

SECTION III - SECTION AMENDED. Section 13-5-1, Application, of Title 13, Subdivisions, of the Tooele County Code is hereby amended to read as follows:

13-5-1. Application.

A major subdivision is a division of land into 15 or more lots. Subdivisions with 100 or more lots must include a master plan of the entire community. The master plan will be reviewed by the planning commission during the concept stage where the commission may approve or deny the plan. A major subdivision of more than 25 lots shall be phased for development. Infrastructure and public facilities

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shall be dedicated. Phased developments may be excused from statutory time limits imposed by this chapter if the planning commission agrees to receiving progress updates by the developer every six months. All commercial or industrial land divisions shall only be done as a major subdivision.

SECTION IV - CHAPTER REPEALED. Chapter 6, Planned Unit Development Subdivisions, of Title 13, Subdivisions, of the Tooele County Code is hereby repealed.

SECTION V - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION VI - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

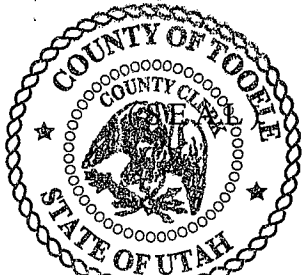
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 1st day of February 2011.

ATTEST:

TOOELE COUNTY COMMISSION:



Marilyn K. Gillette, Clerk


_____, Chairman



Commissioner Johnson voted aye
Commissioner Clegg voted aye
Commissioner Hurst voted aye

APPROVED AS TO FORM:



DOUG HOGAN
Tooele County Attorney

**TITLE 13
SUBDIVISIONS**

**CHAPTER 4
STANDARD SUBDIVISIONS**

13-4-1. Application.

A standard subdivision is a division of land into no more than 14 lots. It may be phased for development. Infrastructure and public facilities shall be dedicated. A standard subdivision shall not include commercial or industrial divisions.

**CHAPTER 5
MAJOR SUBDIVISIONS**

13-5-1. Application.

A major subdivision is a division of land into 15 or more to no more than 99 lots. Subdivisions with 100 or more lots must include a master plan of the entire community. The master plan will be reviewed by the planning commission during the concept stage where the commission may approve or deny the plan. A major subdivision of more than 25 lots shall be phased for development. Infrastructure and public facilities shall be dedicated. Phased developments may be excused from statutory time limits imposed by this chapter if the planning commission agrees to receiving progress updates by the developer every six months. All commercial or industrial land divisions shall only be done as a major subdivision.

**CHAPTER 6
REPEALED**

(Ord. 2011-05, 2/1/11)

~~PLANNED UNIT DEVELOPMENT SUBDIVISIONS~~

Section

~~13-6-1. Application.~~

~~13-6-2. Approval process.~~

~~13-6-1. Application.~~

- (1) ~~A planned unit development is required for:~~
- ~~— (a) a division of land into 100 or more lots;~~
 - ~~— (b) a master planned community being presented with mixed uses; or~~
 - ~~— (c) commercial or industrial land divisions;~~
- (2) ~~A planned unit development shall follow the procedures in Chapter 5 of this title.~~
- (3) ~~Re-zone recommendations shall be forwarded to the county commission at completion of the concept stage.~~
- (4) ~~Infrastructure and public facilities shall be dedicated in a planned unit development. A planned unit development shall have a public water system serving all lots created that provides for fire flow storage of water to supply hydrants that comply with the current state-adopted fire code and NFPA guidelines for the type of occupancy and level of development.~~
- (5) ~~A planned unit development shall be filed on a plat drawn and stamped by a licensed surveyor. (Ord. 2005-21, 9/6/05)~~

13-6-2. Approval process:

(1) A planned unit development shall be processed in three stages:

- ~~— (a) the concept stage, which will go to a planning commission public hearing where the planning commission shall take public comment, discuss and review the application, and then move the application to a public meeting to make a decision to approve or deny the application;~~
- ~~— (b) the design stage, unless the application includes a multiple-unit residential structure, or commercial or industrial development, in which case the planning commission shall hold a public hearing, the preliminary plat will be placed on the planning commission public meeting agenda, while the design and engineering infrastructure drawings will be reviewed and approved by the department of engineering staff, and~~
- ~~— (c) the final plat which will be placed on the planning commission public meeting agenda where it shall make a decision to approve or deny and sign the plat. The plat shall be recorded within 30 days or it shall be void.~~

(2) Planned unit developments may be excused from statutory time limits imposed by Chapter 5 if the planning commission agrees to receiving progress updates by the developer every six months. (Ord. 2005-21, 9/6/05)