

Chapter 17.41
ANDERSON FARMS PLANNED DEVELOPMENT ZONE (PD ZONE)

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Section 17.41.010 PURPOSE AND INTENT

The purpose of the Anderson Farms Planned Development Zone (PD Zone) is to encourage efficient use of land and resources and to provide flexibility in the City's zoning scheme in order to allow for unique, innovative, and well planned developments not otherwise provided for under one of the City's other existing zoning classifications. The PD Zone is not intended for use in situations where a proposed development is reasonably feasible under one of the City's other zoning classifications or in situations where the primary purpose is to obtain a relaxation of standards applicable to similar types of development in other zones. It is the sole responsibility and burden of the applicant to convince the Planning Commission and City Council that the proposed PD Zone is preferable to traditional zoning.

The provisions contained herein are intended to accomplish the following purposes and goals:

1. To encourage and promote more detailed and specific planning and analysis for certain areas of the City.
2. To encourage the inclusion of special development amenities that are in the interest of the general public.
3. To develop a sense of community within a development and to ensure compatibility with surrounding areas while providing opportunity to create reasonable buffers and transitions between different zones.

4. To establish provisions and regulation which enable the City to address unique areas of the City or where other characteristics exist that warrant a comprehensive set of land use policies and standards which will encourage efficient and imaginative development.
5. To provide flexibility in zoning and allow for development using mixtures of density and uses to achieve a higher quality development while ensuring performance standards are implemented within the zone. Examples of this type of situation may include the following:
 - a. Where the setbacks, building height limits or other standards of an existing zone are not necessary for the protection of neighboring properties or the general welfare of the City because of the proximity of a parcel of property to a particular landscape feature such the Freeway; and
 - b. Where additional setbacks, or other adjustments to buffers and boundaries between zones may be appropriate to protect neighboring properties from uses to be employed on a parcel of property.

Section 17.41.020 LIMITATION ON LOCATION OF THE PD ZONE

The PD Zone shall only be available in those portions of Lindon City as identified by the map below. The Lindon City Zoning Map shall show the actual boundaries of the zone at any given time.



Section 17.41.030 CREATION OF THE PD ZONE AND DESIGNATION OF PLANNED DEVELOPMENT ON ZONING MAPS

The PD Zone shall be applied to the land area as the related and independent zone. Property within the PD Zone shall be developed pursuant to the requirements and conditions of an approved and adopted development agreement. The Zoning map shall be amended to reflect the location and boundaries of the PD Zone.

17.41.040 DEVELOPMENT AGREEMENT REQUIRED

Prior to, or in conjunction with, the creation of the PD Zone, an applicant shall enter into a detailed development agreement that sets forth the entire project, the total amount of units or lots, the amounts of open spaces and landscaped areas, any other amenities that the applicant will provide as part of the development, and any specific development requirements which may be applicable to the PD Zone. Accompanying, and incorporated into, the final development agreement shall be the correct legal descriptions of the property and of any dedications of property, easements, or rights-of-way to be granted to the City. At the request and discretion of the City Council, other language may be required in the development agreement to assure the City that the concept plans will match the final product built. Said agreement shall be recorded with the Utah County recorder's office, and will be attached to the title of each lot, parcel, or pad within the zone to inform future or prospective property buyers of the requirements of developing the property under the PD Zone designation. The development agreement may only be renegotiated or modified through a petition to the City to amend the PD Zone as per the requirements of this Chapter.

Section 17.41.050 APPLICATIONS

An application for the PD Zone shall be processed following the procedures set forth for a zone change application in the Lindon City Code and in the City's Land Development Polices, Standard Specifications, and Drawings manual. The application for the development of individual plats, parcels, or phases within a PD Zone shall likewise be processed pursuant to the Lindon City Code and Land Development Polices, Standard Specifications, and Drawings manual unless expressly modified in the development agreement approved in conjunction with the related PD Zone.

Section 17.41.060 CONCEPT PLAN

A concept plan shall be submitted prior to or with the application to create the PD Zone. The Planning Commission shall review the concept plan and shall provide its recommendation to the City Council. The concept plan shall at a minimum include the following:

1. A description of the proposed PD Zone in sufficient detail as to identify the purpose and intent of the zone regulations, including intended land uses and land use standards that would apply in the zone;
2. The proposed name for the PD Zone;

3. The legal description of the subject property;
4. A topographic map of the subject property and adjacent property within fifty feet (50') of the subject property;
5. A tabulation of the total land area and the percentage thereof designated for various proposed uses;
6. The number of residential units per acre and a proposed layout of anticipated lots, if applicable;
7. Identify access and availability of necessary utilities and services, and indicate any major infrastructure improvements that may be necessary;
8. A general circulation plan indicating both public and private vehicular and pedestrian ways;
9. A layout of all parking areas, amenities, open spaces, landscaped areas and drive accesses;
10. Proposed buffering and transitioning treatments between uses both within the PD Zone and with existing uses adjoining the PD Zone;
11. Locations of any critical lands; and
12. Any additional information that the City may deem necessary to determine whether the proposed PD Zone is in the interest of the public health, safety, and welfare. Such information may include, but is not limited to: proposed building footprints, building heights, and the orientation of all buildings; architectural renderings that illustrate the architectural style(s), materials and the designs to be employed in the development; a preliminary title report; a preliminary plan for storm drainage, sewage disposal, grading, and public utilities and statements indicating the future form of ownership (e.g., sole owner, condominiums, etc.) and responsibility for maintenance of the project areas such as streets, structures and open spaces.

The required development agreement may modify or supplement the information provided in the concept plan without a formal amendment to the concept plan.

Section 17.41.070 DEVELOPMENT AND DESIGN STANDARDS

Unless expressly modified in the development agreement approved in conjunction with the related PD Zone, or unless otherwise modified in this Chapter, the development/design standards and regulations for a given use within the PD Zone shall be the same standards and regulations for that given use as set forth in Title 17 of the Lindon City Code and in the City's Land Development Polices, Standard Specifications, and Drawings manual.

Section 17.41.080 PERMITTED AND CONDITIONAL USES

Permitted and conditional uses within a PD Zone shall be the respective uses designated as permitted and conditional uses for residential zones (R1-12, R1-20 and R3 zones) in the Standard Land Use Table and any additional uses expressly allowed in the development agreement approved in conjunction with the related PD Zone.

Section 17.41.090 DENSITY

The residential density allowed in a PD Zone shall be High Residential as defined by the City's General Plan, unless expressly modified in the development agreement approved in conjunction with the related PD Zone.

Section 17.41.100 ACREAGE REQUIREMENT

The minimum size requirement for any project applying for a PD Zone shall be no less than 100 acres.

Section 17.41.110 SETBACK REQUIREMENTS

Setback requirements for residential uses within a PD Zone may be established by the development agreement approved in conjunction with the related PD Zone. However, under no circumstances shall setbacks be less than the following standards:

- | | |
|----------------------|---------------------------------|
| 1. Front Setback | Twenty feet (20') |
| 2. Rear Setback | Twenty feet (20') |
| 3. Side Setback | Five feet and five feet (5'/5') |
| 4. Side Road Setback | Fifteen feet (15') |

Section 17.41.120 BUFFERING BETWEEN RESIDENTIAL AND NON-RESIDENTIAL USES

Any phase or plat of a planned development within a PD Zone which locates residential uses next to non-residential uses, shall provide a buffer between the residential and the non-residential uses so as to minimize the impact of such uses on one another within the PD Zone and to reduce the impact of the PD Zone on existing uses on adjoining properties. At the discretion of the City, specific requirements to minimize the impact of the PD Zone on existing uses may be imposed in the development agreement approved in conjunction with the related PD Zone.

Section 17.41.130 AMENDMENTS OR MODIFICATIONS OF PD ZONE

An established PD Zone, including the required development agreement, may only be amended or modified pursuant to a formal application to amend. Such applications shall be submitted and processed using the procedures established by Lindon City for a zone change application.

Section 17.41.140 EXPIRATION OF PD ZONE (SUNSET PROVISIONS)

After 10 years from the City Council's original approval of the PD Zone, the PD Zone designation shall expire as to any phase, parcel, or plat of land that is not included within a final plat that has been recorded in the Utah County Recorder's Office. The zoning on such property for which a PD Zone expires, shall automatically revert back to the zoning that existed prior to the adoption of the PD Zone.

The ten (10) year time period established in this section may be extended by either:

1. The express terms of the development agreement approved in conjunction with the related PD Zone, but which may not exceed a total of 20 years from the time of the original approval; or
2. On the motion of the Planning Commission to grant an extension. The Planning Commission may not grant an extension unless it finds, based on substantial evidence placed in the record, all of the following:
 - a. Substantial progress is being made toward the final recording of the plat(s) with PD Zone;
 - b. The conditions of the PD Zone approval are still viable based on the currently applicable requirements of this Code; and
 - c. An ordinance change has not occurred or has not been initiated that may substantially affect the activity of the planned development authorized by the PD Zone approval.

Section 17.41.150 R-2 OVERLAYS EXCLUDED

As the stated purpose of the PD Zone is to provide opportunities for higher density developments than are otherwise allowed in Lindon, and whereas it is not the City's intent to further increase the higher density allowed under the PD Zone through the provisions of the R-2 overlay zone, the use of these the R-2 overlay zone is expressly excluded and disallowed within the PD Zone.

17.41.160 DISCRETION OF CITY COUNCIL

The provisions and standards provided within this Chapter are adopted with the sole intent to benefit the general population of Lindon City by allowing certain modifications and exceptions to standard zoning requirements in order to encourage high quality developments within unique areas of the City. Therefore, it is the sole burden of an applicant to convince the Planning Commission and City Council that a requested PD Zone is warranted and that the proposed planned development will further the purposes and intent of this Chapter.
(Ord. 2016-7, adopted 2.16.16)