



PLANNING & ZONING ADMINISTRATION

700 Bank Street, Wallace, ID 83873-2348 Phone: (208) 752-8891 Fax: (208) 556-5135

PLANNED UNIT DEVELOPMENT

Prior to accepting the P.U.D application and scheduling for a public hearing, the applicant must provide the following information and address the issues listed below.

1. P.U.D. application (and Subdivision application if it applies).
2. Vicinity map at a standard engineering or architectural scale, showing property lines, streets, existing and proposed zoning, and such other items as the Commission may require to show the relationship of the P.U.D. (and Subdivision) to the Comprehensive Plan.
3. A preliminary development plan at a standard engineering or architectural scale, showing topography at two (2) foot intervals; location and type of recreational, residential, commercial and industrial land uses; layout dimensions, and names of existing and proposed streets; right-of-ways; dimensions of lots and building setback lines; preliminary improvement of drawing showing water, sewer, drainage, electricity, telephone and natural gas; and such other characteristics as the Commission deems necessary.
4. Proposed schedule for the development of the site.
5. Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within one (1) year.
6. The application shall be accompanied by a written statement by the developer setting forth reason why, in his or her opinion, the P.U.D. (and Subdivision) would be in the public interest.

Following are the minimum issues that need to be addressed (Idaho Code 67-6518):

- Access to hospitals, fire service, and police Protection
- Access to streams, lakes and viewpoints
- Covenants to prevent negative visual impact
- Easements for public utilities
- House or lot numbers
- Lighting
- Parking
- Riparian buffer zone
- Roadways, streets, lanes, ect.
- Sewer systems
- Signs
- Storm drainage systems
- Street numbers and names
- Trees
- Water systems
- Yard, courts, greenbelts, planting strips, parks and other open spaces

4/10/2006



PLANNING & ZONING ADMINISTRATION

700 Bank Street, Wallace, ID 83873-2348 Phone: (208) 752-8891 Fax: (208) 556-5135

APPLICATION FOR PLANNED UNIT DEVELOPMENT

File number must be shown on the face of the Plat.

FILE NUMBER: _____ DATE ACCEPTED: _____ FEES: _____

☐ PRELIMINARY PLAT ☐ FINAL PLAT ☐ AMENDED PLAT

APPLICANT NAME: _____ PHONE: _____
APPLICANT ADDRESS: _____
OWNER NAME: _____ PHONE: _____
OWNER ADDRESS: _____
ENGINEER/SURVEYOR: _____ PHONE: _____
ENGINEER/SURVEYOR ADDRESS: _____

Person to Contact ☐ Owner ☐ Applicant ☐ Engineer/Surveyor

NUMBER OF ACRES: _____ NUMBER OF LOTS: _____

LEGAL DESCRIPTION (Attach if Necessary): _____ SEC: _____ TWP: _____ RNG: _____
Parcel #: _____

GENERAL LOCATION & DIRECTION TO THE SITE (Be specific): _____

ZONING: _____ COMP. PLAN DESIGNATION: _____

ROADS PROPOSED IN THE DEVELOPMENT WILL BE: ☐ Public ☐ Private

PRIVATE ROADS WILL BE MAINTAINED BY: _____

SEWAGE DISPOSAL: _____ POLICE PROTECTION: _____

WATER SUPPLY: _____ FIRE PROTECTION: _____

POWER SERVICE: _____ SCHOOL DISTRICT: _____

PRESENT LAND USE: _____

PROPOSED LAND USE: _____

- | | | |
|--------------|--|--------------------------|
| APPLICANT | • 2 copies - Site plan - 18 X 22 or larger. | • Pictures of site. |
| ATTACHMENTS: | • 2 copies - Site plan - 8 1/2 X 11. | • Proof of ownership. |
| | • Narrative describing proposal. | • Restrictive covenants. |
| PLANNING | | |
| OFFICE | • Assessor's Map. | • Vicinity Map. |
| PROVIDES: | • Adjacent property owner's mailing list. | |
| | • Letters/Signatures from applicable agencies. | |

I understand the application process is subject to acceptance by the Shoshone County Planning Commission upon determination that this application is complete. I understand that the hearing dates are tentative and subject to the number of applications received; therefore, staff will determine the number of applications to be placed on the next available agenda. All the information, statements, attachments, and exhibits transmitted herewith are true to the best of my knowledge.

SIGNATURE: _____ DATE: _____



PLANNING & ZONING ADMINISTRATION

700 Bank Street, Wallace, ID 83873-2348 Phone: (208) 752-8891 Fax: (208) 556-5135

SCHEDULE OF FEES, CHARGES & EXPENSES

MINOR Subdivision* ** ***	Preliminary Plat - \$750	Final Plat - \$25 per lot (1-4 Lots) \$50 per lot (5-9 Lots)
MAJOR Subdivision* ** ***	Preliminary Plat - \$750	Final Plat - \$100 per lot
LARGE PARCEL Subdivision	Preliminary Application - \$300	Final - \$50 per lot
Planned Unit Development* ** ***	Preliminary Plat - \$750	Final Plat - \$50 per lot
RESIDENTIAL Conditional Use Permit** ***	\$250	
COMMERCIAL Conditional Use Permit** ***	\$400	
Zone Change to a Residential District** ***	\$500	
Zone Change in/to Commercial** ***	\$750	
Variance** ***	\$200	
Amended Subdivision – Replat*	\$190	
Vacation of Plat.....	\$100	
Appeals** ***	\$100	
Sketch Plan Review/Site Visit.....	\$50	
Floodplain/Floodway Review/Site Visit.....	\$50	
Site Disturbance Permit.....	\$25	
Addressing Fee.....	\$15	
*County Surveyor ReviewActual Cost, Deposit: Minor Subdivision \$100, Major Subdivision \$200		
**Advertising.....Actual Cost		
***Postage for mailings.....Actual Cost		

COPIED MATERIAL

Comprehensive Plan	Pick-up \$5.50	Mailed \$8.50
Subdivision Regulations	Pick-up \$5.50	Mailed \$8.50
Zoning Regulations	Pick-up \$7.50	Mailed \$10.50

8/20/07

CHAPTER 10

PLANNED UNIT DEVELOPMENTS (PUD)

SECTION:

- 9-10- 1: Purpose
- 9-10- 2: Governing Provisions
- 9-10- 3: Minimum Area
- 9-10- 4: Permitted Uses
- 9-10- 5: Ownership Requirements
- 9-10- 6: Common Open Space
- 9-10- 7: Utility Requirements
- 9-10- 8: Increased Residential Density
- 9-10- 9: Commercial Uses
- 9-10-10: Industrial Uses
- 9-10-11: Procedure For Approval
- 9-10-12: Preapplication Meeting
- 9-10-13: Application For Approval Of Preliminary Development Plan
- 9-10-14: Public Notice
- 9-10-15: Approval In Principle
- 9-10-16: Application For Approval Of Final Development Plan
- 9-10-17: Recommendation By Commission
- 9-10-18: Action By Board
- 9-10-19: Expiration Or Extension Of Approval

9-10-1: **PURPOSE:** It shall be the policy to guide a major development of land and construction by encouraging planned unit developments (PUD) to achieve the following:

- A. A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks, and area requirements.
- B. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses, industrial uses and services.

- C. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns.
- D. A more efficient use of land than is generally achieved through unplanned development.
- E. A development pattern in harmony with land use density, transportation facilities, and community facilities which are objectives of the comprehensive plan. (Ord. 15, 7-11-1977)

9-10-2: **GOVERNING PROVISIONS:** Whenever there is a conflict or difference between the provisions of this chapter and those of the other chapters of this title, the provisions of this chapter shall prevail. Subjects not covered by this chapter shall be governed by the respective provisions found elsewhere in this title. (Ord. 15, 7-11-1977)

9-10-3: **MINIMUM AREA:** A planned unit development for the following principal uses shall contain an area of not less than:

- A. Three (3) acres for residential development.
- B. Five (5) acres for residential use with subordinate commercial or industrial uses.
- C. Ten (10) acres for commercial use.
- D. Ten (10) acres for industrial use. (Ord. 15, 7-11-1977)

9-10-4: **PERMITTED USES:** All uses that may be allowed within the land use district are permitted within a PUD. Also, up to ten percent (10%) of the gross land area may be directed to other commercial, industrial, public and quasi-public uses that are not allowed within the land use district, provided there is a favorable finding by the commission; that

- A. The uses are appropriate with the residential uses.
- B. The uses are intended to serve principally the residents of the PUD.
- C. The uses are planned as an integral part of the PUD.

- D. The uses be located and so designed as to provide direct access to a collector or an arterial street without creating congestion or traffic hazards.
- E. A minimum of fifty percent (50%) of the residential development occurs prior to the development of the related commercial or industrial land uses. (Ord. 15, 7-11-1977)

9-10-5: OWNERSHIP REQUIREMENTS:

- A. Time Of Application: An application for approval of a PUD may be filed by a property owner or a person having an existing interest in the property to be included in the planned unit development. The PUD application shall be filed in the name or names of the recorded owner of property included in the development. However, the application may be filed by the holder of an equitable interest in such property.
- B. Time Of Final Development Plan Approval: Before approval is granted to the final development plan, the entire project shall be under single ownership or control and legal title must be presented with the final development plan. (Ord. 15, 7-11-1977)

9-10-6: COMMON OPEN SPACE:

- A. Minimum Required: A minimum of ten percent (10%) of the gross land area developed in any residential planned unit development project shall be reserved for common open space and recreational facilities for the residents or users of the area being developed.
- B. Ownership: The required amount of common open space land reserved under a planned unit development shall either be held in corporate ownership by owners of the project area for the use of each owner who buys property within the development or be dedicated to the public and retained as common open space for parks, recreation, and related uses. Public utility and similar easements and rights of way for watercourses and other similar channels are not acceptable for common open space dedication unless such land or right of way is usable as a trail or other similar purpose and approved by the commission.

- C. Maintenance: The responsibility for the maintenance of all open spaces shall be specified by the developer before approval of the final development plan.
- D. Design: Every property developed under the planned unit development approach should be designed to abut upon common open space or similar areas. A clustering of dwellings is encouraged. In areas where townhouses are used, there shall be no more than eight (8) townhouse units in any contiguous group. (Ord. 15, 7-11-1977)

9-10-7: **UTILITY REQUIREMENTS:** Underground utilities, including telephone and electrical systems, are required within the limits of all planned unit developments. Appurtenances to these systems which can be effectively screened may be excepted from this requirement if the commission finds that such exemption will not violate the intent or character of the proposed planned unit development. (Ord. 15, 7-11-1977)

9-10-8: **INCREASED RESIDENTIAL DENSITY:** To provide for an incentive for quality PUD, the commission may authorize an increased residential density of up to fifteen percent (15%) of the allowable number of dwelling units. Character, identity, and architectural and siting variation incorporated in a development shall be considered cause for density increases, provided these factors make a substantial contribution to the objectives of the PUD, which are as follows:

- A. Landscaping (a maximum increase of 5 percent), streetscape, open spaces and plazas, use of existing landscaping, pedestrianway treatment, and recreational areas.
- B. Siting (a maximum increase of 5 percent), visual focal points, use of existing physical features such as topography, view, sun and wind orientation, circulation pattern; physical environment, variation in building setbacks, and building grouping (such as clustering).
- C. Design features (a maximum increase of 5 percent), street sections, architectural styles, harmonious use of materials, parking areas broken by landscaping features, and varied use of housing types. (Ord. 15, 7-11-1977)

9-10-9: COMMERCIAL USES:

- A. Groups; Common Areas; Screening: When planned unit development districts may include commercial uses, commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections. Planting screens or fences shall be provided on the perimeter of the commercial areas abutting residential areas.
- B. Design: The plan of the project shall provide for the integrated and harmonious design of buildings and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding noncommercial areas.
- C. Future Expansion: All areas designed for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner. (Ord. 15, 7-11-1977)

9-10-10: INDUSTRIAL USES:

- A. Permitted: Planned unit development districts may include industrial uses if it can be shown that the development results in a more efficient and desirable use of land.
- B. Design: Industrial uses and parcels shall be developed in park-like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks, and/or outdoor storage of raw materials or products. A planned industrial area shall provide for the harmony of buildings and a compact grouping in order to economize in the provision of such utility services as are required. Thoroughfares shall be kept to a minimum throughout a planned industrial area in order to reduce through traffic.
- C. Yard Requirements: Project site yards of forty feet (40') and a rear yard of fifty feet (50') shall be required if the project is located adjacent to any residential uses. All intervening spaces between buildings, driveways, parking areas, and improved areas shall be landscaped with trees and plantings and properly maintained at all times. (Ord. 15, 7-11-1977)

9-10-11: **PROCEDURE FOR APPROVAL:** When the PUD also qualifies as a subdivision, the processing of the special use permit and subdivision application shall occur at the same time. The granting of a special use permit for a PUD shall require a preapplication, the submission of a preliminary development specified within this title. (Ord. 15, 7-11-1977)

9-10-12: **PREAPPLICATION MEETING:** The developer shall meet with the administrator prior to the submission of the preliminary development plan. The purpose of this meeting is to discuss early and informally the purpose and effect of this title and the criteria and standards contained herein, and to familiarize the developer with the comprehensive development plan, this title and title 10 of this code, and such other plans and ordinances as deemed appropriate. (Ord. 15, 7-11-1977)

9-10-13: **APPLICATION FOR APPROVAL OF PRELIMINARY DEVELOPMENT PLAN:**

- A. **Filing:** An application for preliminary planned unit development shall be filed with the administrator by a property owner or person having existing interest in the property for which the planned unit development is proposed.
- B. **Required Information:** At a minimum, the application shall contain the following information filed in triplicate:
 - 1. Name, address and phone number of applicant.
 - 2. Name, address and phone number of registered surveyor, registered engineer and/or urban planning assisting in the preparation of the preliminary development plan.
 - 3. Legal description of property.
 - 4. Description of existing use.
 - 5. Zoning districts.
 - 6. A vicinity map at a scale approved by the commission, showing property lines, streets, existing and proposed zoning, and such other items as the commission may require to show the relationship of the

planned unit development to the comprehensive plan and to existing schools and to the other community facilities and services.

7. A preliminary development plan at a scale approved by the commission showing topography at two foot (2') intervals; location and type of residential, commercial and industrial land uses; layout dimensions, and names of existing and proposed streets; rights of way; dimensions of lots and building setback lines; preliminary improvement of drawings showing water, sewer, drainage, electricity, telephone and natural gas; and such other characteristics as the commission deems necessary.

8. Proposed schedule for the development of the site.

9. Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within one year.

- C. Written Statement: The application for preliminary planned unit development shall be accompanied by a written statement by the developer setting forth reasons why, in his opinion, the planned unit development would be in the public interest. (Ord. 15, 7-11-1977)

9-10-14: **PUBLIC NOTICE:** The same provision for public hearing and legal notification as required for conditional use permits shall be followed¹. (Ord. 15, 7-11-1977)

9-10-15: **APPROVAL IN PRINCIPLE:**

- A. Commission Review: Within thirty (30) days after the public hearing, the commission shall review the preliminary development plan to determine if it is consistent with the intent and purpose of this title; whether the proposed development advances the general welfare of the community and neighborhood; and whether the benefits, combination of various land uses, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations. The commission's approval in principle of the preliminary development plan shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility.

1. See section 9-9-6 of this title.

- B. Considerations: The commission shall consider the general standards applicable to conditional use permits and criteria for conditional uses before approving in principle a preliminary development plan¹. (Ord. 15, 7-11-1977)

9-10-16: **APPLICATION FOR APPROVAL OF FINAL DEVELOPMENT PLAN:** Upon approval in principle of a preliminary development plan, an application for approval of the final development plan may be filed with the administrator by at least one property owner or person having a presently existing interest in the property for which the planned unit development is proposed. Each application shall be signed by the owner or lessee, attesting to the truth and exactness of all information supplied on the application for final development plan. Each application shall clearly state that the development shall begin within one year from the date of issuance of the approval. At a minimum, the application shall contain the following information: (Ord. 15, 7-11-1977; amd. 2001 Code)

- A. Survey: A survey of the proposed development site, showing the dimensions and bearings of the property lines, area in acres, topography, existing features of the development site, including major wooded areas, structures, streets, easements, utility lines and land uses.
- B. Required Information: All the information required on the preliminary development plan; the location and sizes of lots, location and proposed density of dwelling units, nonresidential building intensity; and land use considered suitable for adjacent properties.
- C. Schedule Of Development: A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres in the proposed project for various uses; the number housing units proposed by type; estimated residential population; anticipated timing for each unit; and standards for height, open space, building density, parking areas, population density and public improvements proposed for each unit of the development whenever the applicant proposes an exception from standard zoning districts or other ordinances governing development.
- D. Engineering Feasibility Studies And Plans: Engineering feasibility studies and plans showing, as necessary, water, sewer, drainage,

1. See sections 9-9-3 and 9-9-4 of this title.

electricity, telephone, and natural gas installations; waste disposal facilities; street improvements; and nature and extent of earth work required for site preparation and development.

- E. Site Plan: Site plan, showing buildings, various functional use areas, circulation, and their relationship.
- F. Preliminary Building Plans: Preliminary building plans, including floor plans and exterior elevations.
- G. Landscaping: Landscaping plans.
- H. Deed Restrictions; Protective Covenants: Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to be commonly owned and maintained. (Ord. 15, 7-11-1977)

9-10-17: RECOMMENDATION BY COMMISSION:

- A. Commission Recommendation; Transmittal To Board: Within sixty (60) days after receipt of the final development plan, the commission shall recommend to the board that the final development plan be approved as presented, approved with supplementary conditions, or disapproved. The commission shall then transmit all papers constituting the record and the recommendations to the board. (Ord. 15, 7-11-1977; amd. 2001 Code)
- B. Facts Established: The commission shall find that the facts submitted with the application and presented to them establish; that
 - 1. Initiation Of Development: The proposed development will be initiated within one year of the date of approval.
 - 2. Independency: Each individual unit 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; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which would not be achieved under standard district regulations.
 - 3. Streets And Thoroughfares: The streets and thoroughfares 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 planned unit development.

4. Commercial Development: Any proposed commercial development can be justified at the locations proposed.

5. Exceptions: Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accordance with the planned unit development and the adopted policy of the board.

6. Surrounding Area: The area surrounding such development can be planned and zoned in coordination and substantial compatibility with the proposed development.

7. Comprehensive Plan: The planned unit development is in general conformance with the comprehensive plan.

8. Utility Services: The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.

- C. Notice Of Recommendation: The commission shall notify those persons who either commented in writing or in person at the public hearing of the commission's recommendations. (Ord. 15, 7-11-1977)

9-10-18: ACTION BY BOARD:

- A. Board Action: Within sixty (60) days after receipt of the final recommendation of the commission, the board shall either approve, approve with supplementary conditions, or disapprove the application as presented.
- B. Specifications Of Action: 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; and
 3. The actions, if any, that the applicant could take to obtain a permit.

- C. Issuance Of Approval: If the application is either approved or approved with conditions, the board shall direct the administrator to issue zoning approval only in accordance with the approved final development plan and the supplementary conditions attached thereto. (Ord. 15, 7-11-1977)

9-10-19: **EXPIRATION OR EXTENSION OF APPROVAL:** The approval of a final development plan for a planned unit development shall be for a period not to exceed one year to allow for preparation and recording of the required subdivision plat and the development of the project. If no construction has begun within one year after approval is granted, the approved final development plan shall be void. An extension of the time limit or modification of the approved final development plan may be approved if the commission finds that such extension or modification is not in conflict with the public interest. (Ord. 15, 7-11-1977)