

ARTICLE 14

“PUD” PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

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14.010 Purpose

The Purpose of the Planned Unit Development designation is to encourage imaginative and efficient utilization of land by providing greater flexibility in the location of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units.

14.020 Use in Combination

The Planned Unit Development designation may be used in combination with existing conventional residential zones and the “B-1” and “B-2” zones as designated herein, and the provisions of the Planned Unit Development Designation shall supplement or super cede the provisions of the district regulations. The Planned Unit Development Designation shall not be applied to a land area as an independent district. When shown on the District Zoning Map, the letters PUD shall be a suffix to the district classification. For example, a Planned Unit Development “PUD” in a R-1 Single Family District would be shown on the District Zoning Map as a R-1 (PUD).

14.030 Development Standards

1. A Planned Unit Development established under the provisions of the Article shall contain not less than five (5) acres, unless expressly permitted by the Planning and Zoning Commission.
2. The total of dwelling units permitted in Planned Unit Development shall be determined by dividing the net development area by the minimum lot area requirement of the district in which the development is proposed to be located, minus the land used for commercial purposes.

3. The area of land set aside for common open space or recreational use shall be included in the net development area. Where an area of fifty (50) acres or more is being developed in the R-1 and R-2 districts, a maximum of fifty (50) percent of the dwellings may be multiple family dwellings.
4. The minimum lot area and minimum lot frontage of single-family dwelling lots established within the development shall not be less than two-thirds (2/3) of the normal minimum lot area and minimum lot frontage of the single-family district in which the lot is located.

14.040 Preliminary Development Plan

1. All preliminary development plans shall be submitted to the City Clerk at least twenty (20) days prior to the Planning Commission meeting.
2. All applications for a Planned Unit Development Overlay District shall be accompanied by a preliminary plan and fifteen (15) copies of the proposed development showing:
 - A. The area to be included in said development and abutting property lying within three hundred (300) feet drawn to a scale of not less than two hundred (200) feet to the inch;
 - B. North point, scale, and date of preparation;
 - C. Name of proposed development (to coincide with name of consequent subdivision plat);
 - D. A legal description of the property;
 - E. Names and address of developer, surveyor, landscape architect, architect, engineer, or any other persons involved in the development;
 - F. Existing conditions in the plan area showing sewers, water mains, gas mains, bridges, streets, alleys or drives, and existing structures;
 - G. Existing grade and contour (and proposed grade and contour) with contour intervals of not more than five (5) feet (referred to U.S.G.S. datum); also existing water courses, wooded areas, lakes, ravines, and such other features as may be pertinent;
 - H. The location of proposed buildings, streets, parking facilities, signs, landscape buffer strips, fences, or screens, and other open places or facilities which may be applicable to the nature of the development;
 - I. All buildings and uses shall be clearly labeled as to proposed use.

14.050 Public Hearing Requirements

Not less than fifteen (15) days notice of any such proposed Planned Unit Development shall be published in the official newspaper. After such notice, a hearing shall be granted to any person interested at a time and place specified in said notice. The Planning and Zoning Commission shall approve or disapprove the preliminary plan according to requirements established in this Article, but may impose additional requirements deemed reasonable and necessary. If approved, the applicant shall then revise the preliminary sketch plan to meet the requirements established by the Planning Commission and submit the final Planned Unit Development Plan.

14.060 Final Plan Approval

Following approval of the preliminary Planned Unit Development Plan, the applicant shall plat the land according to the Subdivision Regulations, however, the approved preliminary plan shall be considered to be the approved preliminary subdivision plat. Therefore, the Platting process shall commence with the submission of a final subdivision plat.

1. If in the event the property is presently part of a subdivision plat, approved and recorded in the manner prescribed in the Subdivision Regulations, the requirements for platting and the references made to subdivision plats in the following subsections shall be disregarded.
2. The final Planned Unit Development plan and fifteen (15) copies thereof shall be submitted concurrently with the filing of the final subdivision plat so that both may be considered simultaneously by the Planning and Zoning Commission. Submittal of the final development plan and plat shall be made to the City Clerk ten (10) days prior to the Planning and Zoning Commission Meeting.
3. The final Planned Unit Development plan shall be the approved preliminary Planned Unit Development plan prepared on linen, film mylar, cronoflex, or similar material providing space for the date and signatures of the following, certifying approval;
 - a. Owners and developers of subject property;
 - b. Chairman and Secretary of the Planning and Zoning Commission;
 - c. The Mayor and City Clerk or the Chairman of the Board of County Supervisor, whichever may have jurisdiction.

14.070 Processing of Applications

1. Review by appropriate city departments as requested by the Planning and Zoning Commission.
2. The preceding agencies shall be given seven (7) days following their receipt of the application to submit a report to the Planning and Zoning Commission.

If said report has not been returned to the Planning and Zoning Commission within seven (7) days, it shall be considered as an affirmative report.

3. The tract or plot must be contiguous parcel, five (5) acres or more, under one (1) ownership or held jointly by two (2) or more owners. The Planning and Zoning Commission may waive the five (5) acre requirement.
4. The proposed development shall be designed to produce an environment of a stable and desirable character not out of harmony with its surrounding neighborhood, and shall not conflict with the Comprehensive Plan or any parts thereof.
5. Dwelling Units may be relieved of district Zoning Regulations concerning yard size, setback, height, bulk, and other plat requirements where such requirements interfere with the overall development.

However, the buildings at the perimeter of such development must maintain the requirements as established for the district.

6. Off-street parking:

Shall be in accordance with Article 18.

7. Signs:

Shall be in accordance with Article 17.

8. Before final approval of a Planned Unit Development plan, the City Council may require a contract with safeguards guaranteeing completion of the development in a period to be specified by the City Council but which period shall not exceed five (5) years unless extended by the City Council for due cause.

14.080 Disapproval

If in the event the proposed Planned Unit Development is disapproved by the Planning and Zoning Commission, the applicant shall be notified and presented a written report setting forth the Planning and Zoning Commission's reasons.

14.090 Filing and Recording

The signed and recorded Planned Unit Development drawing shall be made a part of the permanent file of the Zoning Administrator and the district zoning maps shall be corrected to show the attachment of Planned Unit Development.

14.100 Permit Issued

Subsequent to the filing and recording of the final Planned Unit Development linen and subdivision plat, the Planning and Zoning Commission shall notify the Zoning Administrator in writing to issue a zoning permit for a Planned Unit Development.

14.110 Amendments

A building permit shall not be issued for any building within a Planned Unit Development which does not conform to the development plan as approved and recorded, except that a reasonable variance to location and gross floor area of individual buildings may be granted after a review of said variation by the Planning and Zoning Commission.

If the Planned Unit Development plan requires an amendment because the requested variation is deemed unreasonable by the Planning and Zoning Commission, then the applicant shall proceed in the same manner established for the application of a permit for Planned Unit Development.

14.120 Extension or Revision

If due cause for extension of time is shown, the Planning and Zoning Commission shall commence action to revert any zoning established in connection with a Planned Unit

Development to its zoning classification prior to such amendment. At the same time, the Planned Unit Development from the district zoning maps and render said plan null and void.

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