

**PUD "Planned Unit Development"** This district is established to implement comprehensive plan policies for promoting smart growth principles, negotiating innovative development concepts, design amenities, and measures intended to encourage unique planning concepts not attainable with certainty under conventional zoning or to protect environmentally, historically, or archaeologically significant sites.

- A. Residential PUD.** Single- and Multi-family residential dwelling units provided, however PUD's located within the single-family overlay district of the Future Land Use Map utilizing multi-family units within the PUD cannot exceed 49% of the housing stock, on-site recreational facilities and on-site day care facilities, convenience store and personal services intended to service the principal use.
- B. Community Mixed Use PUD.** Conventional single family attached, conventional single family detached, townhomes, multi-family units, residential units above commercial; commercial uses, such as local retail sales and service, offices, and service facilities; educational and civic uses. Other uses deemed appropriate and incidental to the primary use by the BACE.

1. Design Standards

- A) A minimum land area of ten (10) acres.
- B) The proposed uses within the Development must comply with the following table:

Use	Minimum	Maximum
Residential	25%	65%
Commercial	5%	30%
Parks & Open Space	25%	

- C) The location of the commercial center so that it is easily accessible by pedestrians from as many residential areas as possible.
- D) A network of open space in the form of squares, plazas, parks, greens and similar open space design.
- E) Individual buildings shall be related to each other in design, masses, materials, placement and connections to provide a visually and physically integrated development.
- F) There shall be an adequate amount of pedestrian walks to prevent pedestrian use of vehicular ways and parking spaces and to separate pedestrian walks from general vehicular traffic.

2. Performance Standards

- A) The proposed density and intensity standards must comply with the following table:

Use	Minimum	Maximum
Residential Density within the Center of Development	5 units/acre	8 units/acre
Residential Density within the Edge of Development	1 unit/acre	4 units/acre
Parks & Open Space	25%	N/A
	<b>FAR</b>	<b>ISR</b>
Commercial Uses within Commercial Center	.50	.70
Commercial Uses within the Edge of Development	.25	.70

- C. Neighborhood Mixed Use PUD.** Conventional single family attached, conventional single family detached, townhomes, residential units above commercial; commercial uses, such as neighborhood retail sales and service, and offices; educational and civic uses. Other uses deemed appropriate and incidental to the primary use by the BACE.

1. Design Standards

- A) A minimum land area of ten (10) acres.
- B) The proposed uses within the Development must comply with the following table:

Use	Minimum	Maximum
Residential	40%	65%
Commercial	5%	30%
Parks & Open Space	20%	

- C) The residential density shall not exceed 4 units per acre.
- D) The location of the commercial center so that it is easily accessible by pedestrians from as many residential areas as possible.
- E) A network of open space in the form of squares, plazas, parks, greens and similar open space design.
- F) Individual buildings shall be related to each other in design, masses, materials, placement and connections to provide a visually and physically integrated development.

2. Performance Standards

- A) Non-residential uses shall not exceed a Floor Area Ratio (FAR) of 0.20.
- B) Non-residential uses shall not exceed a Maximum Impervious Surface Ratio (ISR) of 0.50.
- C) A single commercial use cannot exceed 30,000 square feet in size.

**D. Commercial PUD.** Commercial uses as permitted under the C-1, C-2 and C-3 zoning districts and other uses deemed appropriate and incidental to the primary use by the BACE.

**E. Industrial PUD.** Industrial uses as permitted under the I-1 and I-2 zoning district, commercial uses intended to service the primary uses and other uses deemed appropriate and incidental to the primary use by the BACE.

1. Maximum density/intensity. The maximum density/intensity allowed within the PUD shall be as allowed within the overlay land use districts as delineated on the Future Land Use Map.
2. PUD land uses. Land uses proposed within a PUD must conform to uses allowed within the land use designations of the Future Land Use Map of the Comprehensive Plan.
3. Minimum parcel size. The minimum size of any parcel shall be five (5) acres for commercial or industrial PUDs. The minimum size for any residential PUD shall be ten (10) acres.
4. Unified ownership. All land within the PUD shall be under the ownership or control of the applicant at the time of execution of the development agreement whether the applicant be an individual, partnership or corporation, or groups of individuals, partnerships or corporations.
5. Setbacks and buffering. Setback requirements within the PUD shall be flexible; however, in no case shall the setback be less than ten (10) feet between structures or zero-lot-line if structures abut.
6. Open space requirements. A minimum of twenty (20) percent for mixed use, commercial or industrial shall be established and maintained as common open space (which includes common green space left in its natural condition) or common facilities. No area shall be accepted as common open space unless it satisfies the following standards:
  - A) Common open space shall be dedicated to and useable by all residents of the planned unit development or specific phase thereof.
  - B) Common open space set aside for recreational use shall be suitably improved for its intended use. Such improvements may include aesthetic, amenities, buffering or recreational facilities.
  - C) Common green space set aside for the preservation of natural features or listed species habitats, or for buffering purposes shall remain undisturbed and be protected by conservation easements.
  - D) Common open space shall not be used for the construction of any structures other than recreational facilities and incidental maintenance buildings.
  - E) Common open space shall be maintained by the Property Owners Association.
7. Pre-application conference. It is required that a pre-application conference be held with the Zoning Administrator by the developer or the developer's representatives in order to verify the steps necessary for application and review, and to discuss potential issues regarding the PUD proposal.

8. Application. Application shall be made to the City utilizing the rezoning application form provided by the City. The application shall be accompanied by the appropriate review fee, seven (7) copies of the Conceptual Development Plan and supporting documentation prepared in accordance with the requirements of this Code and one (1) electronic copy in a PDF format.
  - A) Conceptual development plan. In order to implement the goals and policies of the Comprehensive Plan and to streamline the development review process, the applicant shall prepare a Conceptual Development Plan to be submitted prior to the first rezoning hearing for review by the City staff. The Conceptual Plan shall be drawn to a scale acceptable to the Zoning Administrator but in no instance to a scale smaller than one inch equals one hundred feet (100) and shall include the following:
    1. Boundary of subject property.
    2. Major natural features such as lakes, streams, wetlands, and natural communities.
    3. Existing or proposed streets abutting the project and within a three hundred foot (300') area surrounding it.
    4. Generalized location map and legal descriptions, including acreage.
    5. Proposed land use types and their location.
    6. Gross densities.
    7. Typical lot sizes showing setbacks and dimensions.
    8. Number of units and type.
    9. Square footage for commercial or industrial buildings.
    10. Adjacent zoning.
    11. Anticipated internal major road network.
    12. Maximum building heights.
    13. Anticipated phasing plan (If applicable).
    14. A statement of the proposed method of providing water service, fire protection, sewage disposal and stormwater management. Indicate location of nearest potable water, sanitary sewer and reuse lines to the project.
    15. Percentage and acreage of open space and location.
    16. Percentage and acreage of parks/recreation and location.
    17. Typical road section.
    18. Soils and 100-year flood prone areas.
    19. Project name.
    20. Existing topography at one-foot contours
    21. Net living area for each type of dwelling unit.
    22. Parking and loading facilities.
    23. Aerial indicating the approximate size and location of major tree groupings and those trees with a diameter of least sixteen inches (16").

Required Documentation. The application for a PUD shall require documentation and/or analyses in support of the application and shall include:

1. Traffic Impact Study (TIS). The applicant shall submit a TIS pursuant to Chapter 65 of this Code.
  2. Preliminary Environmental Assessment prepared by an ecologist, biologist, or similar professional.
  3. Preliminary Concurrency Analysis. The analysis shall include calculations of the projected demands generated by the proposed development on public facilities and the availability of such facilities to serve the proposed project.
  4. Any other information deemed pertinent by the Zoning Administrator, Board of Adjustment and Code Enforcement, and the City Council.
9. Application review process.
    - A) The approval process shall be the same as that followed for rezoning.
    - B) City Staff Review. Once the application has been determined to be complete by the Zoning Administrator the application will be reviewed by City staff for compliance with all applicable City regulations.
    - C) Re-submittal. Re-submittal of the Conceptual Development Plan reflecting revisions required by Staff comments shall be made at least ten (10) working days prior to the scheduled Board of Adjustment and Code Enforcement hearing.

- D) Board of Adjustment and Code Enforcement action. Staff shall prepare a report of finding for presentation at a public hearing by the Board of Adjustment and Code Enforcement. The Board of Adjustment and Code Enforcement shall consider the application, all supporting documentation, and the Staff report at a regularly scheduled meeting to determine if the submittal meets the requirements of this Code. Upon consideration of the staff and public comments, the Board shall take one of the following actions:
1. Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
  2. Recommend that the application be approved.
  3. Recommend that the application be approved with conditions.
  4. Recommend that the application be denied.
- E) City Council approval. The City Council shall consider the submitted plan and rezoning application at a regularly scheduled meeting to determine if the submittal meets the requirements of this Code. Upon consideration of the comments of the staff, the public, and the recommendation of the Board of Adjustment and Code Enforcement, the City Council shall take one of the following actions:
1. Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
  2. Approve the application.
  3. Approve the application with conditions.
  4. Deny the application.
10. Alterations to conceptual development plan. All alterations to the approved Conceptual Development Plan shall be classified as either substantial or non-substantial alterations as determined by the Zoning Administrator. The following criteria shall be used to identify a substantial alteration.
- A) A change which would include a land use not previously permitted under the approved PUD zoning.
  - B) A change that would increase the land use intensity by ten (10) percent within any development phase without a corresponding decrease in some other portion of the overall PUD.
  - C) A change that would require an amendment to the conditions approved by the City Council.
- Alterations to the Conceptual Development Plan which are determined to be substantial must be submitted with plans, support data and fee for review by City staff, the Board of Adjustment and Code Enforcement, and the City Council.
11. Execution of master development agreement. The second reading of the ordinance for designating any land as a PUD shall not take place until the developer has provided an executed copy of the master development agreement to the Zoning Administrator or designee. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. The document shall also include reduced copies of the revised Conceptual Development Plan exhibits. If there are no additional requirements, corrections or conditions attached by the City Council at the second reading, the executed document shall be signed by the City Manager and Mayor and forwarded to the County Clerk for recording. If there are additional requirements, corrections or conditions attached by the City Council at the second reading, the applicant shall revise the development agreement and Conceptual Development and return the documents to the Zoning Administrator within thirty (30) days for execution and recording. The requirement to return the document within thirty (30) days shall be specified by the City Council as a condition for approval of the rezoning.
12. Timely resubmission.
- A) Failure to meet any of the resubmission deadlines cited above shall require the filing of a new application, including the appropriate review fees.
  - B) Extension of re-submittal deadlines. The Zoning Administrator may extend the deadlines cited above when warranted by unforeseeable events. A request for extension shall be filed in writing with the City explaining the circumstances justifying the extension.

13. Expiration of master development agreement. Any master development agreement executed and recorded after the adoption of this development code shall be required to include an expiration date or series of expiration dates tied to specific improvements or phases. Such date(s) shall be determined based upon the size of the project, installation of physical improvements, and any other factors pertinent to the specific proposal. If the City should determine that the developer has failed to satisfy the requirements necessary to avert expiration, the development agreement shall become null and void, and approval of any additional final development plans for the PUD shall not be permitted without resubmission and approval of a new development agreement in accordance with the procedures established in the development code.
14. Final development plan approval. Unless otherwise noted within the development agreement, final development approval for subdivisions or site plans within the PUD shall be required in accordance with the general procedures established by this Code.