

Sec. 401.10 PUD, Planned Unit Development

(a) *Description and purpose of PUD districts.* The purpose of the PUD district is to establish a mechanism for a person to propose a commercial, industrial or residential mixed-use development that is innovative but which does not strictly comply with the provisions of the zone in which the property is located and cannot be achieved through traditional zoning. The intent of the PUD district is to promote high quality developments while allowing greater flexibility in the design of such developments. The PUD should produce:

- (1) a maximum choice in the types of environment and living units available to the public;
- (2) common open space and recreation areas;
- (3) a pattern of development which preserves natural features and prevents soil erosion;
- (4) a creative approach to the use of land and related physical development;
- (5) an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering costs;
- (6) internally located commercial uses that serve surrounding residential areas; and,
- (7) an environment of stable character in harmony with the surrounding development.

(b) *Minimum area required for PUD districts.* The minimum lot area required for property proposed for a Planned Unit Development district shall be 10 acres.

(c) *PUD districts require zoning designation and a master site plan.* The PUD is a combination of zoning designation and master site plan. A detailed site plan is required for approval. Once approved, the site plan becomes a zoning district by city ordinance in the same manner as any other zoning parcel and the applicant may proceed with the platting or large scale development process. Development must follow the site plan exactly. Failure in this respect will result in reversion of the property to the original zoning. Although design innovation is encouraged and flexibility is allowed, the PUD may not be used simply as a method of avoiding zoning regulations.

(d) *Allowed uses in PUD districts.* The PUD submittal shall include a listing of the proposed land uses and the amount of land devoted to each. This list will constitute part of the zoning component of the PUD. No other land uses will be allowed unless the PUD is revised through a rezoning process.

(e) *Density requirements for PUD districts.* The site plan shall clearly depict the proposed density by land use category. For purposes of calculating densities, net residential acres are defined as gross acres of the PUD site minus all public rights-of-way, and less the area of all parcels or lots devoted to commercial, industrial, or institutional uses not of a residential nature. Common open space that is owned and maintained by a property owners' association shall be included in calculating the net residential acres available for all dwelling units that automatically belong to such an association. Where more than one (1) property owners' association is to be created, then each common open space can only be attributed to the lot or dwellings which have automatic membership for that specific common open area.

(f) *PUD districts may modify development standards.* The applicant shall provide a written description of the proposed zoning and development standards. This information will become part of the zoning ordinance of the PUD district.

- (1) *Modifications permitted.* The PUD district may modify the following zoning and development standards:

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- a. density;
 - b. building setbacks;
 - c. height of building or structure;
 - d. lot size;
 - e. lot width;
 - f. lot depth;
 - g. landscaping;
 - h. required off-street parking spaces in instances of mixed residential/commercial uses;
 - i. street widths; and,
 - j. garage setbacks.
- (2) *Modifications prohibited.* The PUD district shall not modify the following development standards:
- a. sign requirements;
 - b. grading and drainage;
 - c. access management;
 - d. outdoor lighting;
 - e. screening;
 - f. residential and commercial street light standards; and,
 - g. flood damage protection.
- (g) *Development criteria for PUD districts.*
- (1) *PUD districts common open space requirements.* Common useable open space constitutes an essential ingredient in a planned unit development and is one of the most basic and important design elements.
- a. *Minimum area devoted to open space.* A minimum of 20% of the total project area, exclusive of public right-of-way and parking lots, shall be devoted to common open space.
 - b. *Equitable distribution.* Open space should be distributed more or less equitably throughout the PUD district in relationship to the dwelling units and other use areas that are intended to be served by the common open space.
 - c. *Preservation.* Adequate guarantees must be provided that the common open space areas as contained in the plan for the PUD district are preserved and maintained for those purposes only. A property owners' association shall be required if other arrangements satisfactory to the planning commission have not been made for improving, operating and maintaining all such common open space areas. At the time the final plan and plat is submitted, the articles of incorporation and bylaws of the property owners' association shall be reviewed and approved by the planning commission. Additionally, the restrictive covenants which run with the land must be submitted and include similar provisions to preserve all open space areas.
 - d. *Accessible.* Common useable open space shall be open to tenants and customers within the PUD. Access by the general public is desired.
 - e. *Common open space options.* The required common open space may include:

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1. Wetlands and water bodies, including the normal water surface area of unfenced retention ponds up to 50% of the required open space area;
 2. Active detention ponds that include recreational equipment/facilities;
 3. Vegetated / landscaped area, excluding required parking lot landscaping requirements;
 4. Pedestrian paths, trails, sidewalks (exclusive of those required by ordinance) and covered walkways;
 5. Public plazas and hard surfaced recreation areas; and,
 6. Public pools, tennis courts, basketball courts, baseball fields, soccer fields, or similar outdoor recreation facilities that are open to the residents and users of the PUD.
- (2) *PUD districts parking and off-street loading requirements.* All uses established within a Planned Unit Development district shall comply with the off-street parking and loading requirements as established in *Article 501 Off-Street Parking and Loading*. However, the requirements for individual structures or lots may be met through either provision of adequate parking on the lot on which such structure is so located or upon adjacent property which is under the control of a property owners' association to which said lot is an automatic participant. In no case, however, shall the cumulative requirements for all parking and off-street loading requirements be less than if said uses were individually established and located in any other zoning district within the city.
- (3) *PUD districts perimeter requirements.* In order to assure compatibility with surrounding development, the developer shall submit specific information as to the setbacks, building height, coverage factors and other elements necessary for all perimeter lots that are adjacent to the boundary of the PUD district or adjacent to any boundary or perimeter street right-of-way. While no specific setback requirements are herein established, the planning commission and city council shall consider the nature, extent and character of the adjacent development and shall take into consideration the types of area regulations applicable to adjacent properties.
- (4) *PUD districts structural design standards.* The PUD shall meet the design standards for large scale developments in the subdivision code and the following structural design standards.
- a. Residential buildings should have their main entrances oriented toward the adjoining street.
 - b. All structures shall have a common architectural theme.
 - c. Avoid unbroken building facades of more than 100 ft.
 - d. Provide human scale features, especially at street level.
 - e. Avoid unarticulated and monotonous building facades and window placement.
 - f. Provide a variety of building heights and varied roofline articulation.
 - g. Aluminum, vinyl or fiberglass siding or roofing materials on the facades or sides of the building shall not be visible from a public right-of-way.
 - h. Rear and side loading residential garages are encouraged and shall be setback a minimum of 20 feet. Front-loading garages shall be recessed a minimum of 10 ft, from the front elevation of the house and shall be setback a minimum of 30 ft. from the front property line.
- (i) *PUD expiration.* If a PUD expires as set forth in the Subdivision Code, the PUD zoning designation is void and the property reverts to its previous zoning district.
(Code 1994; Ord. No. 2003-101, § 1, 06-10-2003; Ord. No. 2005-51, § 1; Ord. No. 2012-58, § 2, 07-24-2012; Ord. No. 2018-62, § 6, 03-27-2018)