

**CHAPTER 1157**  
**Planned Unit Development District**

<b>1157.01</b>	<b>Purpose.</b>	<b>1157.05</b>	<b>Development standards and performance requirements.</b>
<b>1157.02</b>	<b>Permitted uses.</b>		
<b>1157.03</b>	<b>Minimum tract size.</b>		
<b>1157.04</b>	<b>Procedures and plan requirements.</b>		

**1157.01 PURPOSE.**

The Planned Unit Development District is offered as an option to the requirements of the standard zoning districts in order to provide:

- (a) A maximum choice of living or working environments by allowing a variety of housing and building types, lot dimensions, yards, building setbacks and area requirements;
- (b) A useful and suitably located pattern of open space and recreation areas;
- (c) Convenience in the location of commercial and industrial uses;
- (d) Accommodation of a mixture of residential and nonresidential land uses which is not available through the standard zoning districts and which is designed to complement existing and proposed development;
- (e) A development pattern which preserves and utilizes natural topography and geologic features, unique natural features, trees and other vegetation, and avoids the disruption of natural drainage patterns;
- (f) More efficient use of land and utilities than is generally achieved through conventional development; and
- (g) A development pattern in harmony with the land use density, transportation and community facilities objectives of the comprehensive plan.  
(1980 Code 150.100)

**1157.02 PERMITTED USES.**

Land and buildings in the Planned Unit Development (PUD) District shall be limited to one or more of the following uses as specified by the applicant in the required development plan:

- (a) Standard City residential district uses;
- (b) Commercial and industrial use permitted in the B-1, B-2, B-3, B-4 and M-1 Districts;
- (c) Office/retail industrial combinations;
- (d) Zero side lot line, two-family, townhouse or other innovative forms of residential development;
- (e) Accessory buildings and uses in association with a permitted dwelling;
- (f) Open space and recreational areas including accessory facilities developed in accordance with the requirements of these regulations; and
- (g) Churches or other places of worship. Normally, a yard area of not less than three acres is required. In addition, there should be one acre or more per 100 seats in the main assembly area. These guidelines may be modified when justified by the PUD application.
- (h) Other lawful uses are permitted which, in the opinion of Council, based upon the recommendation of the Planning and Zoning Commission, meet the purpose and intent of the PUD District and are adequately designed, located and otherwise provided for by the development plan and other required documents.  
(1980 Code 150.101)

#### **1157.03 MINIMUM TRACT SIZE.**

A minimum tract size of twenty acres is normally required for submission of a PUD application. However, applications for tracts of less than twenty acres may be accepted by the City Zoning Inspector, provided one or more of the following applies:

- (a) The subject tract is contiguous to other land zoned PUD by the City or is adjacent to an equivalent planned development district within an adjacent jurisdiction.
- (b) The Planning and Zoning Commission Chairman determines that the spirit and intent of the City Zoning Ordinance shall be best served by application of the PUD District.  
(1980 Code 150.102)

#### **1157.04 PROCEDURES AND PLAN REQUIREMENTS.**

(a) Incentives for Use. The Planned Unit Development District is intended to provide incentives to encourage its use by permitting certain variations from normal development standards. In addition, the process permits a combined review of zoning and some subdivision plat requirements. In exchange for flexibility, the Planned Unit Development (PUD) District requires that the zoning application provide information traditionally found in the subdivision stage of development review. Approval of the PUD zoning development plan constitutes approval of the preliminary subdivision plan. The PUD zoning development plan is reviewed by the Planning and Zoning Commission and Council.

(b) Sketch Plan. Prior to PUD zoning development plan preparation, an applicant for a Planned Unit Development District is required to informally discuss the PUD with City staff and the Commission. The sketch plan review meeting is intended to provide a forum for discussions on general layouts proposed, land use, density and other policy issues. The applicant is not limited regarding the number of sketch plan reviews or the time period involved. This open sketch plan review process is intended to allow the applicant and the City the time necessary to reach concensus on the fundamental concepts of the PUD. At any time, the applicant may opt to proceed to the formal PUD zoning development plan review stage, provided a revised sketch plan illustrating all changes to date is submitted to the City Engineer.

(c) Planned Unit Development (PUD) Zoning Development Plan Submission. Twelve copies of a preliminary development plan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted by the fee simple landowner or lessee with the application to amend the Zoning District Map. Such preliminary zoning development plan shall conform to Section 1157.05 and shall include the following:

- (1) A legal description of the total site proposed for development, including information regarding present and proposed ownership. Include existing and proposed zoning information and evidence that the applicant has sufficient control over the land to implement the proposed PUD.
- (2) The preliminary subdivision plan requirements of the City Subdivision Regulations. The site plan and accompanying maps shall illustrate watercourses, floodplains, topographical contours at two-foot intervals, soils information at a one inch equals 100 feet scale, information on wooded areas, and proposed provisions of utilities including sewage disposal, water supply and stormwater drainage systems. Engineering concepts shall be submitted where necessary as determined by the City Engineer.
- (3) The location and size of all existing buildings, structures, and proposed location and size of areas of residential use, indicating anticipated dwelling unit densities, dwelling unit types, the total number of dwelling units for each density area, and the total number of dwelling units proposed.
- (4) The proposed size, location and types of uses of nonresidential portions of the tract, including commercial areas, industrial areas, usable open spaces, school sites, and all other areas and spaces with the suggested ownership or lot layout of such areas and spaces.

- (5) Drawings illustrating architectural design concepts to be utilized, landscaping plans (as provided in Section 1157.05), representative conceptual streetscapes and other information relating to the architectural and landscape themes of the proposed Planned Unit Development. Such drawings should be sufficient to relay the basic architectural and landscaping intent of the proposed improvements.
- (6) The existing and proposed circulation system of arterial, collector and local streets including right-of-way widths, pavement widths, street lighting, driveway widths, off-street parking areas, service areas, loading areas, major points of access to public rights-of-way and public transportation improvements. Walks and other proposed pedestrian accessways should be illustrated. Notations of proposed ownership, public or private, should be included where appropriate.
- (7) A development schedule indicating the approximate date when construction of the PUD or stages of the PUD can be expected to begin and be completed.
- (8) A text description of the relationship of the proposed PUD zoning development plan to the City Comprehensive Plan and other adopted plans and policies.
- (9) When privately-maintained common areas or open space are proposed, deed restrictions, protective covenants and other legal statements or devices to be used to control the use, development and maintenance of the land, shall be provided.
- (10) Sufficient information on land areas adjacent to the proposed PUD to indicate the relationships between the proposed development and adjacent areas, including land uses, zoning classification, permitted densities, public facilities and natural features of the landscape.
- (11) Other information, as may be required by the Commission or Council, in order to determine compliance with this chapter.

(d) PUD Zoning Development Plan Text. An accompanying text shall be submitted which addresses the above plan requirements and describes the commitments of the plan in sufficient detail to facilitate timely review by the City. This text is intended to describe the general concepts to be utilized, including the theme which integrates the various uses. For example, the standard building package for a franchise business may not be appropriate unless it is modified to blend with the architectural theme of other structures in the PUD. The text should describe the general modifications necessary.

(e) PUD Zoning Development Plan Review. The PUD zoning development plan shall be reviewed according to the provisions and scheduling requirements of Section 1113.02.

(f) PUD Zoning Development Plan Approval. The PUD zoning development plan shall be reviewed at a public hearing by the Commission. A formal recommendation for approval, disapproval or some modification of the PUD zoning development plan shall be forwarded to Council by the Commission. Council shall advertise for a public hearing on the PUD zoning development plan.

(g) Basis of Approval. A PUD zoning development plan may be approved by the Commission and Council, provided the following criteria are met:

- (1) A development pattern is proposed which is consistent with the purpose, intent and applicable standards of this Zoning Code;
- (2) The proposed development is in conformity with the Comprehensive Plan or portion thereof as it may apply;
- (3) The proposed development advances the general welfare of the City;
- (4) That the benefits, improved arrangement, and the design of the proposed development justify the deviation from standard residential development requirements included in this Zoning Code.

(h) Effect of Approval. The PUD zoning development plan as approved by Council shall constitute a Planned Unit Development Zoning District as it applies to the land included in the approved PUD zoning development plan approved by Council. Approval of the PUD zoning development plan constitutes approval of a preliminary subdivision plan as required by the City Subdivision Regulations. The approval shall be for a period of five years to allow the preparation of the required subdivision plat, submitted in accordance with the City Subdivision Regulations. Unless the required subdivision plat is submitted and recorded within the five-year time limit, the approval shall be voided and the land shall revert to its last previous zoning district, except if an application for time extension is approved in accordance with the following subsection.

(i) Extension of Time or Modification. Extensions of time limit or modifications of the PUD Zoning Development Plan may be approved by resolution of Council. Such approval shall be given upon a finding of the purpose or necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original PUD Zoning Development Plan as approved by Council, and that such extension or modification is not in conflict with the general health, safety and welfare of the public or the development standards of the Planned Unit Development District. No such modification or extension shall be approved by Council until a recommendation regarding the same is received from the Commission.  
(1980 Code 150.103)

**1157.05 DEVELOPMENT STANDARDS AND PERFORMANCE REQUIREMENTS.**(a) Intensity of Use.

- (1) Lot Area. No minimum lot area is required for single-family residential uses, however, the average lot area shall not be less than 10,000 square feet for the lots designated for single-family use in a Planned Unit Development District.
- (2) Yards. No yard requirements or distances between buildings are established in order to enable creativity in design. The applicant shall design the building arrangement in such a way that adequate provision of open space, air, light and the exposure to sunshine is guaranteed to all units and shall state those yard standards to be applied. Zero lot line clusters and variations in building setbacks are encouraged. However, the following minimum standards shall apply:
  - A. Minimum setback of fifteen feet from all public streets shall be maintained in any zero lot line or cluster single-family area and a twenty-five foot minimum in any conventional single-family or multi-family area.
  - B. Minimum lot depth shall be 150 feet as measured by a perpendicular line extending from the front lot line to the rear lot line for the lots designated for single-family use in a Planned Neighborhood District.
- (3) Density. The maximum density shall be six units per net acre except as provided for in the development incentives section of the general site standards. Publicly dedicated street right-of-way shall not be included in the computation of area.
- (4) All single-family lots shall front on a publicly dedicated street.  
(Ord. 01-39. Passed 8-27-01.)

(b) Calculation of Density. The calculation of residential density shall include all land devoted to residential use, and shall further include easements for utilities except major facilities which do not serve individual dwellings. The calculation of residential density shall also include surface drainage facilities (detention areas and retention areas, if designed for recreational use or open space purposes in addition to stormwater management functions), recreation space and other areas provided as common open space including land dedicated to public use except required street rights-of-way. (1980 Code 150.104)

(c) Open Space.

- (1) The open space requirements set forth in Section 1179.07 shall apply to all areas designated for residential use in a Planned Unit Development District.
- (2) Unless otherwise justified by the development plans, commercial or industrial areas developed within the Planned Unit Development District shall provide a minimum of ten percent (10%) of the total area included within the respective commercial or industrial area as open space. The commercial/industrial open space may consist of landscaped areas, or areas reserved to protect natural site amenities as approved by the Planning Commission and City Council in conjunction with the PUD plan. (Ord. 94-104. Passed 2-27-95.)

(d) Arrangement of Areas. Areas of various densities within the Planned Unit Development District, in addition to achieving these development standards, shall be so arranged and distributed so that development of higher density shall be appropriately balanced by open space or low density development. When residential development at a density higher than that permitted on land in adjacent residential zoning districts, or other permitted uses is proposed, the development plan shall provide for building setbacks, landscaping and buffering along the common lot line of such zoning district boundary in order to accomplish an effective separation between the two areas. Transitions between commercial or industrial uses and adjacent residential uses shall be accomplished with screening, setbacks and design elements sensitive to the adjacent uses.

(e) Arrangement of Structures. The physical relationship of dwelling units and their minimum yard space shall be determined in accordance with the approved development plan. The burden shall be on the applicant to demonstrate that the proposed arrangement of structures will create a pleasing, functional and safe environment.

(f) Traffic.

(1) The PUD zoning development plan shall be accompanied by a preliminary analysis of traffic conditions which can be expected to result from the proposed development. Using existing data and formulas from the resources listed below, the analysis shall estimate the average daily traffic (ADT), the peak hours of traffic, and distribution of the same to the existing and proposed street system, together with a brief analysis of improvements which may be necessary to accommodate the additional traffic. The applicant shall state and document assumptions made regarding the projected traffic figures. The following standard techniques and references, or other references which may be acceptable to the City:

- A. Highway Capacity Manual (Special Report #87, 1965, National Academy of Sciences).
- B. Transportation Research Circular #212.
- C. "Trip Generation": Institute of Traffic Engineers (Current Edition). Traffic analysis shall be based on existing off-site conditions and known plans for the development of off-site areas.

- (2) The purpose of this brief traffic analysis is to roughly gauge the impacts and needs generated by the proposed development. Traffic expected to be generated by the proposed development should not cause any tributary street or highway facility to operate below a level of service "C", as defined in the current edition of the "Highway Capacity Manual" (see above reference).

(g) Access. Whenever multiple structures to be located in a Planned Unit Development District are located on a collector street or arterial street, as defined by the City Thoroughfare Plan, access onto the collector or arterial shall be via interior local streets or marginal access (frontage) roads or other means of access control as approved in the PUD development plan. All uses within the PUD shall derive their access from the interior streets within the PUD, unless specific exemptions are made as a part of the approved final zoning development plan.

(h) Parking. Off-street parking, loading and service areas shall be provided and arranged in accordance with Chapter 1133 and Sections 1141.01 and 1141.02.

(i) Screening. Screening shall consist of earth mounding, plantings, fencing or a combination of the same.

- (1) Plan required. A general screening and landscaping plan meeting the following requirements shall be prepared and submitted as a part of the preliminary zoning development plan. For purposes of preliminary zoning development plan submission, the screening concept proposed to meet the requirements of this section shall be submitted in map and text form.
  - A. A detailed screening and landscaping plan shall be prepared by a registered landscape architect and submitted as a part of the PUD zoning development plan submission. The plan shall show the placement, size, composition and type of fencing or other materials proposed.
  - B. Fencing utilized in providing screening shall be described and shall be designed to be compatible with the overall architectural design concept. Chain link fencing with inserted slats shall not be acceptable because of maintenance problems.
- (2) Abutting residential areas. Whenever a proposed PUD abuts a residential area, a landscape buffer shall be provided along the entire area of abutment in a manner that is aesthetically pleasing and so that it effectively buffers the residential areas from any proposed PUD commercial or industrial activities. Exceptions to landscaped buffer requirements may be made where:
  - A. Existing topographical or vegetative characteristics provide the necessary screening effect; or

- B. Where existing topographical conditions make it unfeasible to adequately screen the proposed use from adjacent properties. When the use cannot be adequately screened due to elevation differences between adjacent properties and the proposed site, setbacks and buffers shall be used to provide enough distance to effectively separate the PUD from adjacent uses. Slats in chain link fences are not considered acceptable screening.
- (3) Parking. All open off-street parking areas shall be screened from abutting residential uses. Curb barriers a minimum of twenty feet from the property line shall be provided. Grass, plantings or other acceptable surface material shall be provided for all areas bordering the parking area. When parking for more than twenty spaces is planned, landscaped islands or medians consisting of a minimum of five percent (5%) of the parking area shall be utilized to lessen negative visual impact and direct traffic flow.

(j) Plantings. When mounding is utilized in conjunction with plantings, the plant materials shall be of a size and species suitable which together will produce a minimum five-foot high screen within a two-year period. When plant material without mounding is utilized, the plant materials shall be a minimum three feet in height when planted and be of such species that will produce a dense five-foot visual screen within a two-year period. All screen plantings shall be maintained permanently, and any plant material which does not survive shall be replaced within one year with material meeting the specifications of the original planting. Maintenance responsibilities for the screen plantings shall be addressed in the final zoning development plan.

(k) Minimum Opacity. All screens shall provide a minimum opaqueness of seventy-five percent (75%) or more.

(l) Landscaping. Landscaping shall mean the improvement of the natural beauty of the land by grading, clearing and decorative planting of natural material to create a pleasant and functional environment. Landscaping of a lot shall be installed within six months after the month in which the building is completed. Any portion of a lot upon which a building or parking area is not to be constructed per the final zoning development plan, shall be landscaped. All landscaping shall be maintained and all replacement material shall meet the specifications of the original planting. All shrubs, trees, grass and ground covers shall be free from trash and other unsightly material or debris.

(m) Sidewalks. Safe and convenient sidewalks and other pedestrian circulation systems shall be provided within all Planned Unit Development residential and commercial areas. Sidewalks shall be four feet wide and located one foot outside of the right-of-way line of the abutting public street. When deemed necessary by the Planning Commission, grade separated crossings shall be provided in the vicinity of schools, playgrounds, shopping areas or other pedestrian traffic

generators. Proposed ownership and responsibility for the pedestrian ways shall be indicated in the PUD zoning development plan. Sidewalks and other pedestrian ways shall meet the minimum construction standards of the Subdivision Regulations.

(n) Stormwater Drainage. Drainage and runoff from the proposed development shall not cause property damage. Stormwater management techniques shall be designed in conformance with the requirements of the Subdivision Regulations.

(o) Sewage Disposal and Water Supply. Information regarding the adequacy of sewage disposal and water supply to be utilized shall be included in the preliminary zoning development text. Letters affirming adequate capacity from pertinent local, State and, if applicable, private agencies shall be submitted.

(p) Architectural Design.

- (1) Architectural renderings of typical structures and improvements sufficient to relay the basic architectural intent of the proposed improvements shall be submitted. The preliminary development plan shall indicate general exterior design and potential materials. All buildings shall be constructed with materials compatible with the surrounding environment, and consistent with the design character for each building on all sides.
- (2) When available, private deed restrictions pertaining to design character and location of buildings should be included for review along with the zoning development plan.
- (3) No parcel or lot shall have constructed thereon any building which shall have a ground level floor coverage of greater than fifty percent (50%) of the lot or parcel upon which such building is constructed.
- (4) Building height shall not exceed thirty-five feet unless otherwise indicated and approved as a part of the PUD zoning development plan as appropriate to the specific site and neighborhood character.
- (5) No outside storage of materials shall be permitted within a PUD. All trash collection sites shall contain an appropriate receptacle. All loading areas shall be screened to prevent visibility from any adjacent street or lot.
- (6) All utilities shall be placed underground.
- (7) All below ground storage facilities not under the ground floor of structures shall be illustrated on the PUD zoning development plan.

(q) Nuisances. All land uses within the Planned Unit Development District shall be operated so that all performance requirements of the City Zoning Code are maintained, including:

- (1) Smoke. No smoke from an industrial or commercial process shall be emitted from any structure in the PUD.
- (2) Odor. No use shall emit odorous gases or other odorous matter in such quantities as to be detectable at any point on or beyond the PUD boundary.
- (3) Noise. No commercial, service or industrial use shall emit greater than fifty-five decibels at the lot line.  
(1980 Code 150.104)

(r) Graphics. The PUD zoning development plan shall establish details illustrating the criterion proposed for a unified graphics theme for the proposed Planned Unit Development. At a minimum, all graphics shall conform to Chapter 1327 of the Building Code. All graphics permits within a Planned Unit Development District shall be approved by the Planning and Zoning Commission. For purposes of the PUD zoning development plan, the applicant shall describe the types, limitations and controls to be utilized along with descriptions, examples or sufficient detailed information on the proposed graphics to be utilized within the PUD District.  
(1980 Code 150.104; Ord. 05-17. Passed 4-11-05.)

- (s) Lighting.
- (1) The PUD zoning development plan shall include general information regarding the exterior lighting scheme to be utilized.
  - (2) Light sources outside the public rights-of-way shall be located and arranged to provide good visibility and reflect the light away from the adjacent residential properties or streets.
  - (3) Street lights shall be installed by the developer.
  - (4) When available, private deed restrictions pertaining to lighting should be included with the final zoning development plan.  
(1980 Code 150.104)