

**169.30 PD PLANNED DEVELOPMENT DISTRICT.** The PD (planned development) overlay district is intended to provide flexibility in the design of planned projects, to encourage innovation in project design that incorporates open space and other amenities, and to ensure compatibility of developments with the surrounding urban environment. The PD (planned development) district is intended to promote developments that will be advantageous to the City and its urban form by permitting project design that will surpass the quality of development resulting from application of the regulations of conventional zoning districts. While the PD District may appear to deviate from a literal interpretation of the land development regulations, it is not intended to encourage deviations from the City's Comprehensive Plan or overall development objectives. The district shall not be used to secure approval for projects that do not conform to the City's Comprehensive Plan.

1. PD-1 District Established. In order to permit maximum applicability of the PD district, the PD-1 District is hereby created. The PD-1 (general planned development) District is intended to accommodate large, comprehensively planned developments that are likely to develop over a relatively long period of time. The PD-1 creates special guidelines and regulations to ensure that development over time conforms to an established master plan. The PD-1 also may establish the preliminary plat for those projects which require platting.
2. Criteria For Use. The PD (planned development) District is generally intended for use in the following urban contexts:
  - A. Vacant Land. Areas of substantial open space where the structure of conventional zoning may artificially limit or constrain good urban design, may restrict the achievement of the city's development objectives, or may not be appropriate to changes in technology or demand consistent with the best interests of the City.
  - B. Community Development Areas. Community development areas are areas of the City that are in need of rehabilitation or redevelopment, including areas that may be deficient in public facilities or services. In these situations, the PD District may encourage private investment by recognizing the need for flexibility that conventional zoning regulations do not provide.
  - C. Neighborhood Contexts. Neighborhood contexts are areas in which sensitive project design is critical to maintain and protect the value of surrounding residential neighborhoods and other sensitive or vulnerable urban settings.
  - D. Large Projects. Large projects are projects that have substantial effects on their urban and rural surroundings because of their size and scale.
  - E. Large Areas. Large areas are areas that may be zoned prior to development by the Commission and Council consistent with the Comprehensive Plan, but which require individual project approval as development occurs.
3. Permitted Land Uses. A planned development may include residential, office, commercial, industrial, or public land uses, subject to the requirements of the underlying zoning district.

4. PD-1 District Requirements; Application Procedure.
- A. Minimum Size. The minimum size of a PD-1 District shall be three acres.
- B. Pre-Application Concept Plan. Prior to filing an application for approval of a PD-1 District, the applicant shall meet with the administrative official for the purpose of submitting a pre-application concept plan. This plan shall illustrate the conceptual overall plan for the district and shall include at a minimum the information required in Table 1, subsection 6 of this section.
- C. Review and Comment On Plan. The administrative official shall review and comment on the proposed concept plan and shall provide the applicant with written comments within 30 days of submission of the concept plan.
- D. Criteria for Consideration. The review of the concept plan shall include consideration of the following criteria:
- (1) Land use intensity and density.
  - (2) Ability to provide a positive environment for intended uses, including schematic building configurations, arrangements, and general landscaping and site design.
  - (3) Use of open space.
  - (4) Impact on the surrounding natural and built environment.
  - (5) Adequacy of on- and off-site transportation and utility systems to serve the proposed project.
  - (6) Consistency with the City's Comprehensive Plan.
- E. Filing of Formal Application. Following review of the pre-application concept plan, the applicant may proceed with filing a formal application for approval of a PD-1 District. This plan shall illustrate the development master plan for the district and shall include at a minimum the information required in Table 1, subsection 6 of this section.
- F. Development Agreement. A PD-1 application shall include a development agreement establishing the development regulations for the district unless initiated by the Commission or Council. The development agreement shall specify the following regulations:
- (1) Location and quantities of various land uses.
  - (2) Maximum floor area ratios and residential densities.
  - (3) Maximum building and impervious coverage.
  - (4) Front, side, and rear yard setbacks.
  - (5) Maximum heights of proposed structures.
  - (6) Design standards applicable to the project.
  - (7) Incorporation of graphic development plans and drawings into the site development regulations.

G. Commission and Council Review. The Commission and Council shall review and evaluate each PD-1 District application. The Commission and Council may impose reasonable conditions, as deemed necessary to ensure that a PD shall be compatible with adjacent land uses, will not overburden public services and facilities and will not be detrimental to public health, safety and welfare.

H. Action of Commission. The Commission, after proper notice, shall consider and act upon each application. The Commission may recommend amendments to PD-1 District applications. The recommendation of the Commission shall be transmitted to the Council for final action.

I. Public Hearing by Council. The Council, after proper notice, shall hold a public hearing and act upon any ordinance establishing a PD-1 District. Proper notice shall mean the same notice established for any other zoning amendment.

J. Basis for Decisions. In their respective reviews of the PD-1 application, the Commission and Council shall base decisions on findings of fact as set forth in the criteria presented in Table 2, subsection 7 of this section.

K. Filing of Approved Plans. Upon approval by the Council, the development plan and agreement shall become a part of the ordinance creating or amending the PD District. All approved plans shall be filed with the City Clerk.

L. Issuance of Building Permits; Certificates of Occupancy. The City shall not issue a building permit, certificate of occupancy, or other permit for a building, structure, or use within a PD-1 District unless it is in compliance with the approved development plan or any approved amendments.

M. Changes or Modifications To Development Plans. The administrative official is authorized at his/her discretion to approve amendments to an approved development plan; provided, that:

(1) A written request is filed with the administrative official, along with information specifying the exact nature of the proposed amendment.

(2) The amendment is consistent with the provisions of this section.

(3) The amendment does not alter the approved site regulations of the development plan and does not materially alter other aspects of the plan, including traffic circulation, land uses or land use intensity, mixture of use types, and physical design.

(4) Any amendment not conforming to these provisions shall be submitted to the Commission and Council for action.

N. Termination of PD-1 District. If no substantial development has taken place in a planned development district for three years following approval of the district, the Commission shall reconsider the zoning of the property and may, on its own motion, initiate an application for rezoning the property.

5. Commission- or Council-Initiated PD-1 District. In some situations, the Planning and Zoning Commission and/or City Council may initiate or approve a rezoning of an area to a PD-1 District without submission of a detailed development plan. This action establishes the land uses permitted in an area consistent with the comprehensive development plan, but requires subsequent approval of specific projects through the normal PD-1 submission or approval procedures. An application for creation of such a PD-1 District shall include the following, prepared by the administrative official or the applicant:

A. Statement. A statement describing the special characteristics of the district and the reason for its creation.

B. Map. A map indicating the boundaries of the proposed district.

C. Plan. A generalized area development plan for the proposed district, including:

(1) A land use component, identifying proposed uses and the extent and location of each use.

(2) A transportation element, identifying any relevant vehicular, pedestrian, or bicycle transportation improvements necessary to ultimate development of the area.

(3) A utility service statement, identifying any necessary utility or infrastructure improvements necessary to the ultimate development of the area.

(4) An urban design element, if applicable, describing design frameworks, building scale and relationships, siting, landscape design, and other guidelines relating to the specific physical or urban environment of the proposed district.

**Table 1, Application Requirements:**

<b>Application Requirement</b>	<b>PD-1 Concept Plan</b>	<b>PD-1 Application</b>
Location, size, legal description of site	X	
Existing topography at two-foot intervals	X	
Location and description of major site features, including tree masses, drainageways, wetlands, soils	X	
Location of 100-year flood plains	X	
Generalized land use plan	X	
Proposed types and densities of development	X	
Generalized internal and external transportation and circulation system, including pedestrian and bicycle system	X	
Location of driveways or access points adjacent to the project	X	
General location and size of buildings or building footprints	X	
Site master plan, including general envelopes of buildings, parking, open space, and other site features		X
Description and location of all use types included in the project, including maximum floor areas devoted to each use		X
Location and design of vehicular, bicycle, and pedestrian circulation systems, including relationship to external transportation system		X
Schematic location and development standards for open space, including conceptual landscape plan		X
Building design standards, including height, materials, sections, and other information required to describe the project		X
Location of existing and proposed utilities, sanitary sewers, storm water facilities, and water, gas, and electrical distribution systems		X
Proposed site development regulations, including maximum FAR or other density regulators, building and impervious coverage, setbacks, maximum heights, and other design standards specific to the project		X
Proposed public and private ownership boundaries, including proposed private lots and common ownership areas		X
Preliminary plat if applicable		X
Final plat if applicable		X
Schedule indicating proposed phasing and scheduling of development		X
Deed restrictions, covenants, agreements, association bylaws, and other documents controlling the use of property, type of construction, or development or activities of future residents		If required
Application checklist on a form provided by the City		X

**Table 2: Review Criteria and Standards For Findings of Fact:**

<b>Criteria For Findings of Fact</b>	
<b>Building Design:</b>	
Architectural quality	Architectural design and building materials should be compatible with surrounding areas or reflect the specific design objectives of a new development area.
<b>Comprehensive Plan:</b>	
Consistency with development objectives	Project must be consistent with the City’s Comprehensive Plan, including applicable special area or specific plans. Project design should be consistent with the development standards and objectives of these plans.
<b>Public Facilities:</b>	
Public safety	Project can be adequately served with police and fire protection.
Storm drainage	Project should handle storm water adequately to prevent overloading of public storm water management system.
	Project should not inhibit development of other properties or create adverse effects on other sites.
	Development should not increase probability of erosion, flooding, landslides, or other runoff related effects.
	Project should maximize preservation and enhancement of natural drainage features on site and should facilitate storm water storage techniques consistent with the policies of the City.
Utility service	Project is adequately served by public utilities and infrastructure.
<b>Site Development:</b>	
Landscaping	Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Project design should preserve features of environmental importance to the greatest degree possible. These features include mature trees and woodlands, wetlands, steep slopes, waterways, and bodies of water.
Open space	Open spaces should contribute to the quality of the overall project and should provide supporting amenities for residential development. Open spaces should contribute to the design of the project and, when appropriate, provide locations for project related activities.
Streetscape	Projects should relate to surrounding public streets and contribute to the quality of the street environment.
<b>Transportation:</b>	
Alternative modes	Project should make appropriate accommodations for access by public transportation, bicycles, and pedestrians.
Street network and continuity	Project should maintain the continuity of the City’s street network or should provide opportunities for local traffic flow away from major arterials.
Traffic capacity	Project should not reduce the existing level of traffic service on adjacent streets. Compensating improvements should be included to mitigate impact on street system operations.

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