



ARTICLE V. - PLANNED DEVELOPMENT DISTRICTS

Sec. 50-155. - Purpose.

- (a) The planned development district allows for a development containing uses or a combination of uses in a design that would not otherwise comply with the regulations of the primary zoning districts, but does provide an overall design, increased open space, or other features or amenities that result in a superior development or offer special benefits to the community. A planned development district may not be used for the primary purpose of avoiding the zoning regulations applicable to the primary zoning districts. The use of planned development districts can increase compatibility and reduce negative impacts when procedures such as encouraging large-scale development, efficient use of land, innovative and imaginative site planning, greater open space, and economical land developments are utilized to the fullest.
- (b) Planned residential development should be designed in a manner that will produce more usable open space, better recreational opportunities, and safer and more attractive neighborhoods than under conventional zoning and development techniques.
- (c) Commercial developments should be designed so as to result in attractive, viable and safe centers and clusters, as opposed to strip patterns along thoroughfares. Control of vehicular access, architectural quality, landscaping and signs will be exercised to soften the impact on nearby residential neighborhoods, and to ensure minimum adverse affects on the street system and other services of the community.
- (d) Planned industrial developments should be designed to promote the establishment of industrial parks, to permit groups of industrial buildings with integrated design and coordinated physical plan, to buffer adjacent residential areas with landscaped open space.
- (e) Standards for the design, bulk and location of buildings and structures shall be as set forth in the regulations applicable to the planned development district; provided that, the planning and zoning commission and city council may, in the process of approving the general development plan, approve deviations as considered appropriate and compatible with surrounding and adjacent developments.

(Ord. No. 2000-09, exh. A, § 6(intro), 8-8-2000)

Sec. 50-156. - Minimum size.

A district containing only residential uses will not be created unless it contains at least five acres. A district containing both residential and nonresidential uses will not be created unless it contains at least ten acres of land. The planning and zoning commission may recommend approval of and the city council may approve a district with less land than specified in this section, if the developer clearly demonstrates that a smaller district would achieve the intent of the district.

(Ord. No. 2000-09, exh. A, § 6.A, 8-8-2000)

Sec. 50-157. - Submission of application and plan.

- (a) An application and fee for establishing a planned development district must be accompanied by a general development plan or a final development plan. The general development plan or final development plan must be submitted in the form and manner specified by the zoning official.

- (b) The general development plan, which does not contain the detail required of the final development plan, is intended to provide sufficient information for public comment and for the planning and zoning commission and city council to make a preliminary, but not final, determination on the merits of the development, without requiring the applicant to incur the expense of preparing a final development plan. In addition to any other information required by the zoning official, the general development plan must contain the following minimum information:
 - (1) A list of proposed land uses and the approximate acreage devoted to each type of use;
 - (2) A general site plan showing the approximate location of buildings, parking lots, and streets, the maximum building height, and the setbacks from all boundaries;
 - (3) The maximum densities for residential uses and the maximum floor area for nonresidential uses;
 - (4) Significant environmental features, including floodplains and watercourses;
 - (5) The areas devoted to common open space;
 - (6) A pedestrian circulation plan;
 - (7) A general landscape plan;
 - (8) Major signs; and
 - (9) Information relating to the transition between and buffering of differing land uses.
- (c) The final development plan is intended to provide all the detailed information of development, including all the regulations that will apply to the district. The final development plan submitted must include all the information required by the general development plan, but in specific detail, and all the information specified by the zoning official.

(Ord. No. 2000-09, exh. A, § 6.B, 8-8-2000)

Sec. 50-158. - Approval procedures.

- (a) A planned development district may be created by the city council approving by ordinance a general development plan or a final development plan. City approval of a general development plan does not give the owner any development rights on the premises; it only gives the owner the right to proceed with the submission of a final development plan. The creation of a planned development district is an amendment to the existing zoning district classification and will be considered by the planning and zoning commission and city council, after public notice and hearing, in the same manner as other changes in zoning district classification.
- (b) If a district is created upon approval of a general development plan, a final development plan must be submitted to the zoning official within one year of the date the general development plan was approved. If the final development plan submitted substantially complies with the approved general development plan, the zoning official shall submit the final development plan to the planning and zoning commission and city council for consideration with or without further public notice or hearing. If the final development plan submitted does not substantially comply with the general development plan approved for the district, the notice and hearing procedures applicable to a change in zoning classification apply to approval of the final development plan. The final development plan is not effective unless approved by ordinance of the city council.
- (c) If a final development plan is not submitted within the required time, the zoning official will initiate a rezoning of the land to an appropriate district. Upon the written request of the owner and for good

cause shown, the zoning official may extend the time for submitting a final development plan for up to one year. Any further extensions must be approved by the city council, upon the recommendation of the planning and zoning commission.

- (d) If development of the district has not been initiated by the issuance of a building permit for land within the district within two years of the date of the approval of the final development plan, the final development plan automatically expires. The city council may, prior to expiration of the final development plan, for good cause shown and upon written application of the owner, extend for up to one year the time for which the final development plan is valid. If the final development plan expires, the zoning official will initiate rezoning of the property.

(Ord. No. 2000-09, exh. A, § 6.C, 8-8-2000)

Sec. 50-159. - Development of a district.

Development or construction must not begin in a planned development district unless and until the city council has approved a final development plan for the district. A district must be constructed, developed and maintained in compliance with the approved final development plan. If the zoning regulations governing the height or setback of structures, building lot coverage, off-street parking requirements, signs or other regulations that apply to primary districts are omitted as part of the regulations governing any planned development district, the regulations for the most comparable primary zoning district, as determined by the zoning official, apply to the planned development district as though specifically contained in the ordinance governing the district.

(Ord. No. 2000-09, exh. A, § 6.D, 8-8-2000)

Sec. 50-160. - Plan amendments.

Except as provided herein, an amendment to a general development plan or final development plan must be processed in the same manner as required for the approval of the district. The zoning official may approve minor amendments to a final development plan to correct errors, make adjustments, or other minor revisions that do not:

- (1) Increase the density or intensity of development;
- (2) Substantially alter the arrangement of buildings, increase the number of buildings, change the use of building space, or reduce a required yard or setback;
- (3) Substantially alter the configuration of streets or lots;
- (4) Substantially alter the vehicular circulation or placement of parking lots;
- (5) Increase the height of buildings;
- (6) Reduce the effectiveness of open space or landscaped areas; or
- (7) Conflict with other regulations established for the district.

(Ord. No. 2000-09, exh. A, § 6.E, 8-8-2000)

Secs. 50-161—50-188. - Reserved.