

Chapter 24
PLANNED UNIT DEVELOPMENT OVERLAY

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24.010 PURPOSES

The purposes of the Planned Unit Development Overlay ("PUD") are as follows:

- A. Provide a regulatory framework that can be applied voluntarily to encourage superior, cohesive planned developments by allowing greater creativity in site design compared to the standard zoning and subdivision standards of the CDC. (The provisions of this Chapter are not intended as an alternative to the variance procedures provided in Chapter 75 of the CDC).
- B. To preserve, to the greatest extent possible, consistent with the applicable regulations, the existing natural and topographic features and amenities through the use of a plan that relates the type and design of the development to a particular site;
- C. Enable development that will provide a greater variety of housing types of a superior design that is in harmony with that of the surrounding area;

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- D. Utilize flexibility in site design, placement of buildings, and use of open spaces to optimize the potential of the site;
- E. Allow a mixture of densities between zoning districts and plan designations when more than one district or designation is included in the development;
- F. Promote sustainable development through the use of green building technologies, reduced building footprints, pedestrian friendly streets, low-impact development practices, and measures that reduce vehicle miles traveled;
- G. Produce development that is compatible with neighboring development in terms of architecture, massing, and scale.

24.020 APPLICABILITY AND APPROVAL PROCESS

- A. A PUD may be requested in a any-residential zoning district for sites of 3 or more gross acres;
- B. A PUD may include more than one zoning district;
- C. A PUD is not permitted for any property located in a City designated Historic District; and
- D. B. The application shall be processed as provided by CDC Chapter 99, Procedures for Decision-Making.

24.050 PHASED DEVELOPMENT

A PUD may include a maximum of three (3) phases. Phasing may not extend beyond 5 years from the original approval date. The phasing proposal shall include all improvement to be completed in each phase. Each phase shall include all facilitates and offsite improvements needed to address the impacts of that phase. Requests to phase the PUD shall only be approved by the approval authority after reviewing a PUD phasing plan making findings that the applicable provisions of this Chapter and CDC 99.125 have been met.

24.060 SUBMITTAL REQUIREMENTS

In addition to the submittal requirements and responses to the approval criteria for all other concurrent land use applications under review, the submittal for a PUD shall include the following:

- A. A narrative describing the proposed development and specifying how it satisfies each of the requirements in Section 24.080.
- B. Plans and a table showing how the proposed uses and densities will be distributed within the project site;
- C. A map delineating all Type I and II lands, Water Resource Areas; and other areas inventoried as Goal 5 resources on site and indicating acreage and type;

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- D. All code requirements proposed for modification;
- E. Any voluntary conditions of approval or covenants proposed to address the approval criteria; and
- F. If phasing of the PUD is proposed, a PUD phasing plan which delineates the extent of development proposed for each phase and includes a schedule of required public improvements and proposed community facilities for each phase of the development.
- G. The Planning Director may require additional information as part of the application subject to the provisions of CDC 99.035(A).

24.070 ALLOWABLE USES

- A. The permitted, accessory and conditional uses, and uses permitted under prescribed conditions in a PUD shall be the same as the underlying district. In addition, the following uses are permitted in all PUDs:
 - 1. Duplexes, attached housing and multiple-family housing;
 - 2. Community buildings scaled to serve the needs of the development;
 - 3. Indoor recreation facility, athletic club, fitness center, racquetball court, swimming pool, tennis court, or similar use scaled to serve the needs of the development;
 - 4. Outdoor recreation facility, golf course, swimming pool, tennis court, or similar use; and
 - 5. Recreation vehicle storage area.
- B. ~~Any PUD which proposes s~~Special needs housing shall be reviewed for its in-close proximity to existing or planned services that are necessary to serve that population, including shopping centers, medical centers, places of worship, parks, senior centers, and public transit.

24.080 APPROVAL CRITERIA

- A. PUDs must comply with the each of the following standards:
 - 1. Public Benefits. The PUD shall be developed so it achieves compatibility with the neighboring development in terms of appearance, massing, and scale. Any adverse impacts or undesirable effects of the proposed PUD must be clearly outweighed by specifically identified public benefits. The applicant shall substantiate how the proposed development will be superior to and provide a greater benefit to the public than a development approved under the standard CDC regulations. Examples of public benefits include, but are not limited to, the following:

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- a) *Community Facilities.* The proposed PUD provides community facilities beyond what the City requires without a PUD. The proposed facilities may be publically or privately owned and maintained provided that, if a facility is to be privately owned, the City finds that acceptable terms for the ongoing maintenance of the facility have been provided. Any facilities that are to be dedicated to the City must serve the public and be acceptable to the City. Community facilities may be located on or off-site. Examples of these facilities include, but are not limited to:
- 1) Parks or open spaces, recreational facilities such as tennis courts, active play areas and swimming pools;
 - 2) Infrastructure improvements that provide benefits for the community or region at-large, including storm water, utility, or other facilities;
 - 3) Transit facilities, bicycle/pedestrian pathway systems or other transportation improvements.
 - 4) Other facilities acceptable to the City.
- b) *Natural, cultural or historical resources.* The proposed PUD preserves, enhances or rehabilitates natural, cultural or historical features of the subject property beyond what the City requires without a PUD. Examples of these resources include, but are not limited to:
- 1) Significant natural areas, viewsheds, wildlife habitats or corridors; and
 - 2) Historical and cultural features;
 - 3) Other special features or resources acceptable to the City.
- c) For phased PUD's, the proposed benefit(s) required by this section shall be commensurate with the level of development for each phase, as determined by the approval authority. The community benefit shall be provided either concurrent with, or prior to, the development of each phase.
2. Superior site design. The proposed PUD provides a superior site design with elements that exceed what the City requires without a PUD. Examples of elements that represent superior site design include, but are not limited to:
- a) Site design that provides housing or building types to support an underserved population within the community;
 - b) Superior internal pedestrian, bicycle or vehicular circulation paths or patterns; and,

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- c) Site Design that contributes to the existing surrounding natural features and is respectful of views both into and outside of the site.
3. Superior architectural design. The proposed PUD provides architectural features that exceed what the City requires without a PUD. Examples of elements that represent superior architectural design include, but are not limited to:
- a) High quality materials, finishes and textures;
 - b) Facades that include horizontal and vertical variations in the building silhouette;
 - c) Contextual design in terms of building orientation, materials, articulation, scale and roof form. Alternative designs may be appropriate when no predominant style exists, or when unique or exceptional benefits are derived under the proposed style.
4. Sustainable design. The proposed PUD includes sustainable design features or methods that exceed what the City requires without a PUD. Examples of sustainable design features or methods include, but are not limited to:
- a) Appropriate siting and orientation of buildings, windows and landscaping, with regard to solar, shade and wind impacts;
 - b) Incorporation of universal design features, such as flat entrances or wider doors;
 - c) Onsite generation of renewable energy for heating and/or cooling such as passive or active solar, wind, or biomass;
 - d) Use of high efficiency windows and insulation;
 - e) Transportation demand management ("TDM") strategies, or transportation management systems ("TMS");
 - f) Minimal use of impervious surface area and materials; ~~or,~~
 - h) Use of "green streets" or "low impact development" where acceptable to the City; and
 - g) Other acceptable designs or features that create resource efficiencies and decrease the impact of the development on the -environment.

5. Compatibility with surrounding uses~~Perimeter transitions.~~

- a) Because the provisions of this chapter allow for density transfers within the site, modifications to certain development regulations and a variety of housing types, limitations on uses along the perimeter or the property, or transitions between surrounding uses ~~uses~~ shall be provided as follows:

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- 1) Active recreational facilities, such as hard surface athletic courts or swimming pools, shall be located internal to the development where possible. Upon demonstration by the applicant that this is not possible, such facilities located along the perimeter of the development shall be buffered and/or screened to minimize adverse impact to neighbors.
 - 2) When more than two attached housing units (e.g., a triplex) are proposed adjacent to and visible from existing dwellings within 120 feet or directly across the street and visible from an existing single-family dwelling, the multifamily structures shall include architectural design elements, such as building modulation and roof styles, that mimic those of single family dwellings.
 - 3) All parking and access serving multi-family units shall be set back a minimum of 20 feet from the abutting property line, unless the approval authority, based upon the City Engineer's recommendation, approves a joint access between adjoining properties.
- b) The type and extent of transitions required shall be determined by the Planning Commission. The following examples may be considered by the Planning Commission as a means to satisfy the requirement for a transition, although other transitions may be proposed by the applicant for consideration:
- 1) An intervening street or driveway that is existing, platted or specifically proposed in the Transportation Master Plan and has a minimum width of 24 feet;
 - 2) Natural topography, such as a drainageway or wetland, provides a horizontal separation of at least 50 feet, or a cliff or embankment that provides adequate vertical separation which shall be defined as having the PUD site at least 10 feet below the abutting non-PUD site, and which includes adequate screening. The natural topography may be on an adjoining parcel; and
 - 3) Manmade berms of at least five feet in height with landscaping for adequate screening a 40-foot minimum in width. This transition shall be on the subject parcel unless an easement for such purpose is provided on the adjoining parcel.
- c) The transition provisions of this subsection shall not apply if the proposed residential units are setback at least 100 feet from the perimeter of the PUD.

24.090 ALTERNATIVE DEVELOPMENT STANDARDS

The applicant may propose alternatives to certain development regulations of the underlying district. In a PUD, the Floor Areas Ratio and lot coverage requirements of the underlying district may be applied to the total project area rather than on a lot by lot basis. The approval authority

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may authorize modifications to the lot size, building setbacks, and lot dimensions of the underlying district upon demonstration that all of the requirements in Section 24.080 are satisfied. However, the lot sizes along the perimeter of the PUD that abut existing single-family homes shall not be reduced to less than 75 percent of the minimum lot size permitted for a single-family dwelling on the abutting lot outside the PUD. No other modifications are permitted except as provided for elsewhere in this Code. Any modifications to the development regulations shall be shown on the approved plans, specified in the conditions of approval, and where applicable, shall be noted on the final plat or site plan.

24.110 DENSITY TRANSFER

The PUD allows residential density to be transferred between zoning districts within the overall project site, subject to the requirements of this chapter. The total number of dwelling units permitted is subject to the underlying zoning districts and the applicable provisions of the CDC.