

## **VII. PLANNED UNIT DEVELOPMENTS**

### **VII-A. Intent**

The intent of this section is to provide flexibility in certain provisions of the Design and Improvement Standards in Section V, allowing the subdivider creativity in subdivision design. Planned Unit Developments (PUD) cluster development, are planned with creative and exemplary subdivision design; provide economies in the supply of public services; enhance and preserve open space and unique natural features; and enable the planning of a tract for a single use or for a harmonious combination of uses that include efficient pedestrian and vehicular circulation.

### **VII-B. Procedures and Submittal**

The requirements of these Regulations shall be followed, with the addition of the following information:

#### **Pre-application Plan**

A layout plan showing the proposed location and use of lots and structures and the location and number of parking spaces, if appropriate.

Pedestrian and vehicular traffic circulation plan.

A description of measures to be taken to assure permanence and maintenance of open space and other facilities to be under common ownership.

A description of all proposed waivers or modifications from the Design and Improvement Standards. Waivers shall not endanger the public health and safety.

#### **Preliminary Plat**

A schedule showing the time when improvements required by these Regulations will be completed where a plan calls for a development time of 18 months or more for improvements

The subdivider shall establish a Property Owners' Association and submit a draft of all covenants and legal documents which will govern the association.

A description of all proposed waivers or modifications from the Design and Improvement Standards.

Any additional information found to be necessary during the Pre-application Plan review.

PUDs must comply with the standards contained in Section V Design and Improvement Standards. However, the Commission may provide a waiver and modify the design and improvement standards contained in Section V-A-8 Lots, Section V-A-9 Blocks, Section V-A-10 Streets and Roads, and Section V-A-20 Park Land Dedication upon request of the subdivider when the plan for a PUD meets all the criteria in VII-C. In such cases, no application for a variance under Section VIII-B Variances of these regulations is necessary. Waivers shall not endanger the public health and safety.

### **VII-C. Criteria**

The Commission may establish or approve a PUD and waive or modify the Design and Improvement Standards for lots, blocks, roads, and parks if the following criteria are met or exceeded.

General. The plan shall conform to the intended purposes of these Regulations, the special intent of this Section, and one or more of the following:

Preserve to the maximum extent possible the natural characteristics of the land, including topography, vegetation, streams or other bodies of water.

Preserve productive agricultural land.

Protect important historic sites or structures or areas of important wildlife habitat.

Site Size and Building Envelopes. The total site size, as measured by the boundary perimeter of the PUD, shall be appropriate in size to the proposed use and design. All PUD's shall designate building envelopes for all structures.

Open Space. Each PUD shall provide an area for dedicated park or common open space appropriate in size to the proposed development and design; however, such area such area shall not be less than the amount of land required to be dedicated under these Regulations for the area of the subdivision, exclusive of all other dedications. Open space may not be sold, transferred, altered or hanged without filing an amended plat and receiving approval of the Commission.

Landscaping. Landscaping may be required between buildings or on the PUD perimeter where the Commission deems it necessary to provide buffer screening between different land uses.

Parking Area. Adequate parking area shall be required for the proposed uses of the development, as determined appropriate by the Commission.

Pedestrian Access. Sidewalks, walkways, trails, or other forms of pedestrian access shall be required for the proposed uses of the development, as determined appropriate by the Commission.

Watercourse Enhancement. Watercourses and wetlands shall be protected and enhanced, as determined appropriate by the Commission.

Roads.

Roads designed to furnish access to adjacent areas shall include a public right-of way easement.

Adequate responsibility for the improvement and maintenance of all roads is assumed by the Property Owners' Association.

Property Owners' Association. A Property Owners' Association shall be established and shall be responsible for maintenance of all roadways, pedestrian facilities, openspaces, watercourses, parks, and landscaping of all commonly owned areas.

Other Regulations. Where there are other regulations which require compliance to the PUD or other minimum standards, this Section does not authorize the Commission to waive or modify such regulations.

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