

**Sec. 2-33. I-2, Reserved.****Sec. 2-34. Planned development districts.**

- (a) *Purpose.* These districts are established to implement planned development provisions of the city's comprehensive plan. The planned development districts provide a voluntary management framework for coordinating objectives of the development community which may be inconsistent with conventional zoning district provisions. The planned development districts incorporate a more flexible management structure for negotiating private sector development objectives, which reinforce and further sector goals, objectives and policies for the city's development and resource conservation.
- (b) *Intent.* The planned development districts are intended to encourage the accomplishment of a more complete living environment through the application of enlightened and imaginative approaches to community planning and design. The planned development alternative permits the introduction of a variety of architectural solutions; provides for historic preservation as well as the preservation of natural features in scenic areas; reduces land consumption by roads; separates vehicular and pedestrian circulation systems; fosters original approaches to meaningful integration of open space and recreation areas within the development; establishes neighborhood identity and focus; and ideally provides for the compatible coexistence of man with his environment. Regulations for planned developments are intended to accomplish the purposes of zoning, subdivision regulations and other applicable city regulations to the same degree as in instances where such city regulations are intended to control development on a lot-by-lot basis rather than on a unified development approach. In view of the substantial advantages of the planned development, it is the intent of the planned development regulations to promote and encourage development in this form. The uses and structures proposed are to be planned and developed as unified and coordinated developments. The purpose of a planned development is to:
- (1) Achieve innovative and creative design and a high level of amenities within residential and nonresidential developments;
  - (2) Promote efficient use of land by facilitating more cost effective and environmentally sensitive site planning, including the arrangement of buildings, circulation systems, land use and facilities;
  - (3) Stimulate opportunities for varied housing types and diversified economic opportunities;
  - (4) Conserve and protect the natural environment including wetlands, natural habitat, drainage corridors, floodprone lands, and other environmentally sensitive lands;
  - (5) Provide for more useable and suitably located open space and recreation facilities and other and common facilities than would otherwise be provided under conventional land development procedures; and
  - (6) Achieve harmonious building and site designs.

Although planned developments provide opportunities for unique concepts, planned developments shall comply with the community character as promoted by the city commission and shall be designed to limit impacts of the development internally within the confines of the planned development through compliance with the regulations established in the comprehensive plan and as stipulated in this Land Development Code.

**Sec. 2-35. PRD, Planned Residential Development District.**

- (a) *In general.* The purpose of the PRD, Planned Residential Development District classification is to provide more flexibility with regard to land use, density and dimensional standards, and other requirements of this Code, to encourage developments that incorporate innovative concepts of site planning, coordinated architectural and functional design, higher level of amenities, increased amounts of open space, recreation and landscaping, and a better living environment overall.
- (b) *Permitted uses.*
- (1) *Residential uses.*
    - a. Permitted uses within PRD districts include all permitted uses listed under the particular zoning district regulations of the district in which the planned development is located.
    - b. More intense uses (e.g., townhouses in a single-family district, or apartments in a townhouse district) may be allowed, provided that their visual and functional impact on neighboring districts is minimized by providing adequate buffering and screening, and all the requirements of this section are met.
    - c. Multifamily structures may also be allowed in PRD districts that are in single-family districts, provided that the multifamily structures and associated parking areas are not within two hundred feet (200') of any single-family district adjoining the planned development.
    - d. For those developments proposed within the SR district, the requirements of that district must also be met.
  - (2) *Other uses.* The following uses may be allowed in a PRD district, provided that the requirements of article IV of this chapter, conditional uses and special exceptions, and this section are complied with:
    - a. Clubs and recreation facilities to serve the residents of the project.
    - b. Daily needs retail and services.
    - c. Houses of worship.
    - d. Public schools and parks.
    - e. Public uses.

Compatible neighborhood commercial facilities and office uses may be permitted within PRDs having a minimum size of thirty (30) acres; however, no more than twenty percent

(20%) of the gross area shall be devoted to these uses, including parking. For the purpose of planned development review, the determination of compatible commercial shall be based on the architectural and spatial design of the proposed facility compared to that of the total development and the relationship of the proposed facility to the retail needs of the planned development residents. Such commercial uses are limited to those listed as principal permitted uses in the B-2, Neighborhood Commercial District. For those developments encompassing land already zoned commercial, a wider range of interpretation will be granted to permit and encourage compatible development. In addition to having adequate access to the thoroughfare system, such commercial area shall, when possible, have internal access to serve the residents of the planned development.

(c) *Density.*

- (1) *Allowable densities.* The maximum allowed gross density level of a planned residential development shall vary according to the land use classification assigned to the property on the city's adopted future land use map, subject to the provisions of this section. Where more than one (1) land use classification is included in the project, the least-dense classification shall apply.
- (2) *Density bonus.* Except within the SR district, any planned development may qualify for a density increase of up to twenty percent (20%) over the allowed density, as based on the adopted future land use map, provided that the increase will not create the following adverse situations:
  - a. Adverse impact on neighboring sites or subject site;
  - b. Traffic congestion in the streets which adjoin the development; or
  - c. An excessive burden on sewerage, water supply, parks, recreational areas or other facilities which are proposed to serve the development.
- (3) *Density and project phasing.* Where a PRD is proposed to be constructed in phases, at no point in the development of the project shall constructed density exceed the overall density per acre approved for the entire project.

(d) *Dimensional requirements.*

- (1) *Minimum parcel size.*
  - a. Five acres: SR, R-1, R-2, R-2.5, R-3.
  - b. One acre: R-4, R-5, R-6.
- (2) *Maximum building height.* The maximum building height for a proposed PRD district shall be based on the existing zoning district regulations in which the residential development is located, except that one (1) additional story may be allowed for structures located at least one hundred feet (100') from any development perimeter boundary line abutting a district having a lower height limit. In no case shall any building height exceed seventy-five feet (75') when measured from the average median lot elevation to the highest point of any structure and/or attached services.

- (3) *Setbacks.* All structures shall be set back a minimum of forty feet (40') from the project's perimeter boundaries unless natural or manmade features, such as lakes, creeks, wooded or conservation areas are present. Where a project abuts a collector or arterial street, the setback requirement may be increased if an effective buffering treatment cannot be provided between the street and residential use.
  - (4) *Minimum building spacing.* Building setbacks shall comply with the individual district requirements. Given the possibilities of innovative architectural design, the city commission may alter the minimum for specific designs, provided that the original intent of the spacing requirements is maintained.
- (e) *Interior road system.*
- (1) All single-family attached and detached dwelling units on individually platted lots shall have access to a street meeting all street standards, provided, however, that up to three (3) dwelling units may utilize a common driveway as long as spatial requirements for parking in chapter 3, article III of this Code are met.
  - (2) All streets shall meet all street standards for construction and size, including a commonly owned easement that meets the normal right-of-way requirements for a street. Some of these requirements may be waived or the right-of-way width may be reduced to forty feet (40') if the streets are proposed as private streets, or if the traffic volume in those streets is two hundred average daily trips (200 ADT) or less.
  - (3) When a planned development proposes a street which would be a logical extension of the city's collector or arterial street system, the city may require an increase in the right-of-way and/or pavement width and increased construction standards, as necessary.
- (f) *Off-street parking.* The off-street parking requirements of chapter 3, article IV of this Code shall be complied with except as follows:
- (1) *Single-family dwelling.*
    - a. The width of the driveway for an individual dwelling unit may be tapered to below the required width if it is clearly shown on the plan that each automobile may be easily maneuvered for ingress and egress without requiring the relocation of the other vehicle.
    - b. Up to three (3) single-family cluster-type dwelling units with two-car (2) garages may utilize a common access driveway, provided that the dwelling units shall meet the general parking requirements, and the common utilized portions of the driveway shall not be less than twenty feet (20') wide.
    - c. For each single-family dwelling located on a forty-foot (40') right-of-way street with a two-car (2) garage, one (1) guest parking space per four (4) dwellings shall be provided. For single-family dwellings with less than a two-car (2) garage, one (1) guest parking space per two (2) dwelling units shall be provided.

- d. Guest parking shall be distributed throughout the development to adequately serve all dwelling units.
- (2) *Multifamily dwelling.*
- a. If garages are provided, the requirements of this section for single-family dwellings shall apply.
  - b. One (1) guest parking space shall be provided for each two (2) dwelling units, provided, however, if the deed restrictions and covenants prevent the assignment of more than one (1) parking space to each dwelling unit, one (1) guest parking space shall be provided for each four (4) dwelling units.
  - c. Common parking areas are only allowed in conjunction with multifamily structures or other developments under single or condominium ownership. The land for the common parking area shall not be subdivided from the land which contains the structures it serves. All common parking lots shall be built to the construction standards utilized for streets.
- (3) *Offices.*
- a. One (1) parking space for each of the following:
    - 1. Two hundred (200) square feet of gross floor area on the first floor;
    - 2. Two hundred-fifty (250) square feet of gross floor area on the second story; and
    - 3. Three hundred (300) square feet of gross floor area on additional stories; or
  - b. Vehicle parking deferral. To avoid requiring more parking spaces than is actually needed to serve a development, the city may defer the provision of some portion of the off-street parking spaces required by this Code if previous experience within the city for such a use or information supplied by the developer suggests that the required number of parking spaces may not be necessary. In such a case, the developer shall provide a deferred parking plan in accordance with the following criteria:
    - 1. Shall be designed to contain sufficient space to meet the full parking requirements of this Code, shall illustrate the layout for the full number of parking spaces, and shall designate which are to be deferred.
    - 2. Shall not assign deferred spaces to areas required for landscaping, transition zones, setbacks, or areas that would otherwise be unsuitable for parking spaces because of the physical characteristics of the land or other requirements of this Code.
    - 3. Shall describe how the area of deferred parking plan would remain and be maintained in its natural state, and shall include a landscaping plan for the deferred parking area.

4. Shall include a written agreement with the city that the deferred spaces will be converted to parking spaces that conform to this Code at the developer's expense should the city determine from experience that the additional parking spaces are needed.
5. Shall include a written agreement that the developer shall incur the expense of a traffic study to be undertaken by a registered transportation engineer to determine the advisability of providing the full parking requirement should the city determine from experience that the additional parking spaces are needed.

When presented with evidence that the parking is inadequate, the city shall request a study to determine the need of providing the full parking requirement to satisfy the proven demand for parking as discussed in subsection (f)(3)b.5 of this section. Based upon the study and the recommendations of the transportation engineer, the director of planning, the development review board, and the city commission shall determine if the deferred spaces by the developer or retained as deferred parking area. The developer may, at any time, request that the city approve a revised development plan to allow converting the deferred spaces to operable parking spaces.

(g) *Landscaping and utility lines.*

- (1) All common open space, parking lot islands, and all land not otherwise developed shall be landscaped in a manner that enhances the appearance of the project.
- (2) An underground irrigation system shall be installed in all landscaped areas of the planned development. After installation, the system shall be regularly used and maintained. Landscaped buffer areas shall be provided as required in chapter 3, article I of this Code, if applicable.

(h) *Recreational facilities.* Areas for passive and active recreation shall be provided. Such areas shall be designed and improved to serve their intended use and shall reflect the recreational needs of the residents of the development. Recreational areas shall meet the following minimum requirements:

- (1) They shall be located and designed with adequate access to encourage use by the residents;
- (2) Active indoor or outdoor recreation areas, such as swimming pools or community buildings, shall be designed to serve a maximum of three hundred (300) dwelling units;
- (3) Thirty (30) square feet of indoor recreation floor area, including exercise rooms, all-purpose space, dining areas and similar uses shall be provided for each dwelling unit, unless waived by the city commission and replaced at a minimum as follows:
  - a. Subdivisions of two hundred (200) dwelling units or less may provide, at a minimum, an additional thirty (30) square feet per unit of outdoor active recreation space in compliance with this section in lieu of the indoor recreation floor area requirement;

- b. Subdivisions that do not provide indoor recreational facilities are not eligible for park and recreation impact fee credits;
  - c. The open space and/or additional outdoor facilities must be compatible with adjacent properties and the recreational facilities must be consistent with the needs of the project;
  - d. The development review board and city commission determine, after reviewing the proposed development plan, that the preservation of natural resources and/or provision of additional recreation facilities is appropriate and that indoor recreational facilities can be waived;
- (4) 60 square feet of outdoor active recreation space (exclusive of parking, landscaping, retention/detention ponds and other site features), including pools, pool decks, shuffleboard courts, tennis courts and fishing piers and similar uses, shall be provided for each dwelling unit. Impact fee credits for any specific outdoor recreation site shall be limited to three hundred (300) dwelling units;
- (5) Recreation sites which include indoor and outdoor activities shall comply with all general site plan design and construction standards with regard to buffer areas, landscaping, interior landscaping, parking arrangement, lighting, signing, and drainage. Up to fifty percent (50%) of the required parking may be designed as overflow spaces;
- (6) The minimum parcel size of any single active recreational area shall be eight thousand (8,000) square feet in area and no less than eighty feet (80') in its smallest dimension. No designated active recreation area shall be closer than thirty feet (30') to a dwelling unit within the development at its closest point and shall be adequately buffered to reduce noise, glare and visual impacts on adjoining homesites. Active recreation facilities shall not be located in any required buffer area;
- (7) Thirty (30) square feet of common accessible, open space shall be provided for each dwelling unit as follows:
- a. Common open space shall be available to all the residents of the development. At the option of the developer, subject to the approval of the city commission, common open space may be dedicated to the use of the general;
  - b. Common open space must be adequately landscaped and irrigated;
  - c. Natural features worthy of preservation shall be left in a natural state;
  - d. Water bodies may be utilized to meet twenty-five percent (25%) of the available open space requirement, provided significant recreational use of the waterbody can be demonstrated. Water retention and wetlands areas may not be included in this calculation;
- (8) Twenty percent (20%) of the project shall be left in a natural state. This may include designated conservation areas within lots or common areas, but shall not include classified wetlands and required upland buffers;

- (9) One (1) on-site parking space shall be provided for each two hundred-fifty (250) square feet of indoor recreation area and one (1) such space for each four hundred (400) square feet of active outdoor recreation area. If both types of recreation areas are located on the same site, only the indoor requirement must be met. Applicants requesting a waiver of indoor recreation facilities may request approval of an alternative parking plan as part of the planned residential development application. Alternative parking plans shall be reviewed for consistency with the city's comprehensive plan, this Land Development Code, the Americans with Disabilities Act (ADA) and other applicable regulations.
- (i) *Supplemental requirements.*
- (1) *Fences.*
- a. If fences are not prohibited in the deed restrictions and covenants of the project, a schematic fencing plan shall be incorporated in the development plan.
  - b. The fencing plans shall clearly illustrate the types of fencing to be allowed and the locations of gates to provide access for safety personnel.
  - c. Provision to ensure adequate maintenance of fencing shall be incorporated into the homeowners' association documents.
- (2) *Lighting.* Where necessary, additional lighting may be required to supplement street lighting. Where required, such lighting shall be shown on the development plan.
- (3) *Deed restrictions and covenants.* No amendment to the deed restrictions and covenants which would alter the design or use of the property and structures shall be made without the written permission of the city.
- (4) *Unity of title.* All land included within a PRD shall be under the control of the applicant, whether that applicant is an individual, partnership, or corporation, or group of individuals, partnerships or corporations. Applicants shall present evidence, at the time of application, of unified control of the entire area within the proposed development. The applicant shall provide:
- a. An agreement to proceed with the proposed development according to all of the provision of these regulations;
  - b. Agreements, contracts, deed restrictions and sureties acceptable to the city commission for completion of the development, or each approved phase of the development, according to the approved plans;
  - c. Agreements, through the establishment of a homeowners' association, for the continuing operation and maintenance of all such areas, functions, and facilities which are not to be provided, operated or maintained at expense, acceptable to the city commission;
  - d. An agreement to notify the city, at the same time the development owners are notified, of any proposed amendments to the homeowners' association; and

- e. Assurance that binds the applicant's successors in title to any commitments made under subsections (i)(4)b, c and d of this section.

All such agreements and evidence of unified control shall be examined by the city Attorney and no approval shall be granted without a certificate by the city attorney that such agreements and evidence of unified control meet the requirements of this section.

(j) *Application and review.*

- (1) A written application, consistent with the requirements of article IV of this chapter for PRD shall be made to the planning department, using the application form provided by the city. The application shall be processed as required in chapter 1, article II, administration and enforcement.
- (2) Applications shall include the following:
  - a. Complete site plan submittal per chapter 4, article I of this Code, except that final engineering and construction drawings may be withheld pending the issuance of a development order by the city commission.
  - b. Documentation, including written explanations, drawings and illustrations, demonstrating conformance with subsection (j)(4) of this section.
  - c. Special studies including, but not limited to traffic impact study, environmental assessment report, and holding capacity analysis as required by this Land Development Code.
- (3) Following approval of rezoning to PRD and issuance of development order, the applicant may submit final site plan drawings or make application for preliminary plat approval in accordance with chapter 4, article II of this Code.
- (4) In considering an application for a PRD, the planning board may recommend approval, approval with conditions, or disapproval and the city commission may base its conditions of approval or denial of the issuance of a development order on the extent to which the development offers site amenities above that normally found for permitted uses in the district with regard to the following:
  - a. Innovative site design.
  - b. Coordinated architectural design.
  - c. Open space, recreation, common areas.
  - d. Coordinated streetscape elements.
- (k) *Adoption/amendments/expiration.* The PRD development order shall be adopted by the city commission in accordance with the provisions of chapter 1, article II of this Code.
- (l) *Exceptions.* A PRD application involving land in the R-4, R-5 and R-6 zoning districts shall be subject to the following in lieu of the standards contained in this section:
  - (1) *Recreational standard.* None.

- (2) *Parking standard.* In lieu of the general parking standards and subsection (f) of this section, the number of dwellings is limited by the requirement of one and one-half (1½) spaces per unit. If located on a transit route, the parking standard may be reduced to one (1) space per unit.
- (3) *Setback standard.* Shall be based upon the underlying zoning district.

**Sec. 2-36. PBD, Planned Business Development District.**

- (a) *Purpose.* The objective of the PBD, Planned Business Development District Zoning District is to establish regulatory standards for controlling the location of comprehensively planned business centers accessible to arterial roadways. The PBD is intended to incorporate a flexible management policy which incorporates urban design amenities, including streetscape improvements, and fosters innovative master planning in the design and development of commercial centers. The PBD district provides a diversified mix of permitted, conditional, and special land uses and higher standards of land planning and site design than are available under conventional zoning categories. All planned business developments shall be designed and administered consistent with the criteria and administrative procedures in this Land Development Code.
  - (1) Promote innovative site and building design and a high level of amenities, including traditional neighborhood developments.
  - (2) Provide efficient location and utilization of infrastructure through orderly and economical development, including a fully integrated network of streets and pedestrian/bicycle facilities.
  - (3) Establish open area set aside for the preservation of natural resources, significant natural features and vistas, and listed species habitats.
  - (4) Create usable and suitable located civic spaces, recreational facilities, open spaces and scenic areas; than would otherwise be provided within conventional zoning districts.
  - (5) Provide for a coherent and visually attractive physical environment through the creation of focal points and vistas, as well as coordination and consistency of architectural styles, landscaping designs and other elements of the building environment.
  - (6) Provide for other limitations, restrictions and requirements as deemed necessary by the city to ensure compatibility with adjacent neighborhoods and effectively reduce potential adverse impacts.
- (b) *Land use mix.* The specific land use mix within a PBD district development shall be determined by the underlying comprehensive plan future land use map designations.
- (c) *Permitted uses.* A PBD may incorporate any commercial or residential development allowed as permitted uses in the underlying zoning district designation, as well as any commercial or residential uses allowed under the Code for any district, provided the following findings are made:
  - (1) The use is specifically shown on the site plan and includes a list of all proposed uses not permitted in the underlying zoning district (to the maximum extent known at the