

SEC. 420.05 - SIMPLE PLANNED UNIT DEVELOPMENTS

(Ord. No. O-1718-14 – December 28, 2017)

1. General Description. The Simple Planned Unit Development referred to as SPUD, is a special zoning district that provides an alternate approach to the conventional land use controls and to a PUD, Planned Unit Development to maximize the unique physical features of a particular site and produce unique, creative, progressive, or quality land developments.

The SPUD may be used for particular tracts or parcels of land that are to be developed, according to a SPUD Narrative and a Development Plan Map and contains less than five (5) acres.

The SPUD is subject to review procedures by Planning Commission and adoption by City Council.

2. Statement of Purpose. It is the intent of this section to encourage developments with a superior built environment brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of comprehensive plan of record. In addition the SPUD provides for the following:

Encourage efficient, innovative use of land in the placement and/or clustering of buildings in a development and protect the health, safety and welfare of the community.

Contribute to the revitalization and/or redevelopment of areas where decline of any type has occurred. Promote infill development that is compatible and harmonious with adjacent uses and would otherwise not be an area that could physically be redeveloped under conventional zoning.

Maintain consistency with the City's Zoning Ordinance, and other applicable plans, policies, standards and regulations on record.

Approval of a zone change to a SPUD adopts the Master Plan prepared by the applicant and reviewed as a part of the application. The SPUD establishes new and specific requirements for the amount and type of land use, residential densities, if appropriate, development regulations and location of specific elements of the development, such as open space and screening.

3. Uses Permitted. In addition to zoning districts established elsewhere in this chapter, a Simple Planned Unit Development zoning district is established and shall be designated on the Zoning District Map, upon application of the landowner and approval by the City Council. There are no specifically prescribed uses which are permitted within the boundaries of a Simple Planned Unit Development. The developer shall be responsible for preparation of a list of permitted uses within the specific Simple Planned Unit Development requested.

4. Master Plan.

- (a) The basis for review and approval of a SPUD application shall be the SPUD Narrative and SPUD Development Plan Map, which shall be adopted as a part of the ordinance for rezoning in conformance with the requirements described in the regulations.
- (b) The SPUD Master Plan shall consist of two (2) elements:

SPUD Narrative, and

The Site Development Plan Map

The SPUD Narrative and Development Plan Map establishes residential densities, if appropriate, as well as the amount, type and general location of all land uses; the SPUD Narrative and Development Plan Map shall serve at the basis for review and approval of all subdivision plats and building permits within the SPUD.

5. Criteria for Review and Approval. The applicant should be prepared to provide amenities and services that may not be required or possible under the current conventional zoning. Review and approval of a SPUD is therefore a process of negotiation between the city government and the applicant to achieve the intent and purpose of the regulations of the comprehensive plan of record while maintaining/establishing compatible uses abutting one another.

The following factors should be specifically included as review criteria for the evaluation of a SPUD application. Other factors not listed herein may also be considered in the review process in order to respond to specific design and land use proposals.

- (a) The proposed SPUD shall be designed to provide for the unified development of the area in accordance with the spirit and purpose of the adopted comprehensive plan of record and the land uses and zoning districts adjacent to said proposal.
- (b) Density, land use, and intensity will be based on the SPUD Narrative and Development Plan Map and be in conformance with the comprehensive plan of record.
- (c) Location and type of housing shall be established in a general pattern and shown on the Development Plan Map and outlined in the Narrative as supporting documentation.
- (d) Minimum design and construction standards for streets and alleys shall meet the requirements adopted in the Subdivision Regulations or other policies on record.

6. Standards of Development.

- (a) The Site Development Plan shall include the following: north arrow, all property lines, all adjacent street and alley rights-of-way, show the centerline of each and any street names, the location of driveway approaches both on-site and across the street.
 - (1) Identify the uses to be allowed in the district
 - (2) Maximum height of all buildings
 - (3) Maximum number of buildings
 - (4) Designating on the Development Plan the front, side and rear of the lot(s), with setbacks (if any)
 - (5) Description of the sight-proof screening requirements
 - (6) Description of all outdoor/exterior lighting to be regulated on site
 - (7) Master sign plan for the site is required
 - (8) The applicant must show how drainage/storm water management methods will be addressed so as to not impact adjacent property owners

- (9) A description of the architecture of all buildings including exterior building materials
- (10) A statement indicating the percentage of open space for the site
- (11) A detail of the parking area must be shown on the Site Development Plan

7. General Design and Development Guidelines.

- (a) Amenities. Amenities should be considered as an important justification for development and city approval of a SPUD. The applicant should be prepared to provide amenities and services that may not be required or possible in a conventional development such as additional landscaping, usable open space fencing, limiting curb cuts, limits of no access, sidewalks and pedestrian ways where it is necessary to provide for public safety, minimal signage to provide development compatible with adjacent developments and neighborhoods.
- (b) Land Area. The land area allowed under a SPUD is less than five (5) acres in size.
- (c) Off-Street Parking, Loading and Access. All uses should contain adequate parking on private property to provide parking, loading and maneuvering of vehicles in accordance with the regulations established in Section 431.5 – Off-Street Parking Requirements of the Zoning Ordinance. The applicant may request a parking variance within the SPUD Narrative.
- (d) Relationship to Abutting Uses. The Master Development Plan Map should show graphically the treatment, what will be employed to separate the SPUD uses from abutting properties, including commitments to landscaping, screening, earthen berms or similar techniques.

It is appropriate to specifically establish areas with height limitations where a transition to more intense uses is proposed or where a higher intensity development is proposed to abut a lower intensive area.

The applicant may request a variance to the landscaping requirements established in Section 431.8 – Landscaping Requirements for Off-Street Parking Facilities within the SPUD Narrative.

- (e) Common Access. In office, commercial or industrial developments, the SPUD Development Plan should establish specific standards and locations for common access driveways both within the development and abutting arterial streets.

8. Application Procedures. The application procedures for the SPUD shall follow the procedures listed in Section 420(4) of this Ordinance.

9. Submission Requirements. The submission requirements for the SPUD shall follow the requirements listed in Section 420(5) of this Ordinance.

10. Revocation. The revocation of a SPUD shall follow the procedure listed in Section 420(6) of this Ordinance.

11. Administration. The Planning Director shall be permitted to approve minor amendments and adjustments to the SPUD Narrative or Site Development Plan Map, provided the following conditions are satisfied:

- (a) The project boundaries are not altered.
- (b) Uses other than those specifically approved in the SPUD are not added. Percentage of area devoted to specific uses may not be increased or decreased by more than 20 percent of the area devoted to the specific use. Uses may be deleted, but not to the extent that the character of the project is substantially altered.
- (c) The allocation of land to particular uses, or the relationship of uses within the project, is not substantially altered.
- (d) The density of housing is not increased by more than 20 percent or decreased by more than 20 percent.
- (e) The land area allocated to non-residential uses is not increased or decreased by more than 20 percent.
- (f) Floor area, if prescribed, is not increased or decreased by more than 20 percent.
- (g) Floor area ratios, if prescribed, are not increased.
- (h) Open space areas or ratios, if prescribed, are not decreased.
- (i) Screening and fencing requirements, provided amendments shall not substantially alter the SPUD.
- (j) Height restrictions, yard requirements, lot coverage restrictions, and other area, height and bulk requirements prescribed in the SPUD are not altered by more than 20 percent.
- (k) The circulation system is not substantially altered in design, configuration or location, and has the approval of the Public Works Department.
- (l) The design and location of access points to the project are not substantially altered, either in design or capacity and have the approval of the Public Works Department.

The Director shall determine if proposed amendments to an approved SPUD satisfy the above criteria. If the Director finds that these criteria are not satisfied, an amended SPUD shall be submitted for full review and approval by Planning Commission and City Council.