

## ARTICLE 8B

### PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS (PUD)

#### **(A) PURPOSE**

The purpose of this part is to:

- (1) Encourage a more desirable living environment;
- (2) Encourage a more efficient, desirable and aesthetic use of land through utilization of modern innovations in residential development;
- (3) Encourage the reservation of a greater proportion of land for common open areas;
- (4) Encourage the retention of natural slopes, waterways, and other natural features by utilizing such areas as open space;
- (5) Encourage more efficient use of these public facilities required in connection with such residential development and;
- (6) Insure compatibility with established residential areas.

These purposes may be achieved by following the City's residential ordinance requirements and development standards and guidelines, or be proposing alternate standards that demonstrate development techniques designed to achieve these purposes.

#### **(B) ESTABLISHMENT OF OVERLAY DISTRICT**

A Planned Unit Development Overlay District shall be established only in conjunction with a residential zone and shall be designated on the official zoning map with the symbol "PUD" in conjunction with the underlying zone classification, i.e. "R-1 PUD".

#### **(C) CRITERIA**

The following General Criteria are hereby established for use in the classification of land to the PUD Overlay District:

- (1) The District may be established on land that is zoned R-1, R-2, R-3, PCD, OR R-P and which is suitable for, and of sufficient size, to be planned and developed in a manner consistent with the purpose of this part.

- (2) Any application for PUD Overlay District shall be accompanied by a Development Plan for the entire area covered by the application.
- (3) All land in a proposed PUD Overlay District shall be held in one-ownership or under unified control or have the written consent or agreement of all owners of property proposed for inclusion in the PUD Overlay District.
- (4) The existing utilities systems (water, sewer drainage, electrical, gas, and communications facilities) are adequate or new systems shall be constructed to adequately serve the District.
- (5) Compliance with the General Plan shall be established.

**(D) APPLICATION**

An application for a PUD Overlay District shall be submitted by the owner, his authorized agent, or the purchaser of the land with the consent of the owner.

The applicant shall be accompanied by the following which should be prepared by a qualified professional team:

- (1) Environmental Review as required by the City.
- (2) Topographical maps of existing terrain drawn to a minimum five foot contour.
- (3) A generalized grading plan which indicates proposed earth movement and the results of such movement.
- (4) A utility map or statement reflecting a utility system which includes, but is not limited to sewer, water, and gas capable of serving the entire development.
  - a. All proposed improvements that are to be constructed on the land and their precise locations including but not limited to, all residential and non-residential structures, recreation facilities, walls and fences, trash areas, streets and walk areas.
  - b. Common and private open space showing size, grades, and function upon completion. Note: The minimum amount of open space provided shall be 1200 sq. Ft. per unit. Open space shall normally be gathered into larger functional parcels. No more than 50% of the minimum may be used for storm drains or retention basin purposes. In no case may the applicant request the minimum open space accepted in lieu of park fees, unless such open space is provided as

at least 5 acres per 1,000 population, and developed to City Park Standards.

- c. The location and dimension of all off-street parking facilities, public and private.
- d. The location and size of all public or quasi-public facilities such as schools, churches, and parks.
- e. A tabulation of the percentage of total building coverage of the development
- f. A tabulation of densities within each project area or sector.
- g. Building elevations of typical architectural styles to be constructed.
- h. A schematic landscaping plan indicating the type and size of plant material to be used and method of providing permanent maintenance to all planted areas and open spaces.
- i. Floor plans of typical dwelling units, the unit size in square feet, and the amount of private open space in square feet.
- j. A subdivision map or maps showing land division. The tentative and final subdivisions maps shall comply with the City subdivision Ordinance and the State Subdivision Map Act.
- k. A proposed construction schedule from ground breaking to occupancy. All common open space, as well as public and recreational facilities, shall be specifically included in the construction schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.
- l. Location and boundaries of the proposed District.
- m. The general type, character, and heights of all buildings or structures; e.g. single family houses, townhouses, cluster houses, or high-rise structures.
- n. Proposed densities of all areas scheduled for residential development.
- o. Proposed uses of all land in the District.

- p. Natural features that are to be retained; i.e., stands of trees, rock outcroppings, canyons, natural slopes, etc.
- q. The location and width of public and private streets which shall be consistent with the Master Plan of streets.
- r. Floor plans and elevations proposed for construction, including a detailed materials list, roof pitch, square footage, etc.
- s. One or more subdivision maps necessary to implement the PUD.

**(E) DESIGN CRITERIA**

The following design criteria are hereby established.

- (1) The overall plan shall achieve an integrated land and building relationship.
- (2) Open spaces, pedestrian and vehicular circulation facilities, parking facilities, and other pertinent amenities shall be an integral part of the landscape and particular attention shall be given to the retention of natural landscape features of the site.
- (3) The layout of structures and other facilities shall effect conservation in street and utility improvements.
- (4) Recreational areas, active and passive, shall be provided and generally dispersed throughout the development and shall be easily accessible from all dwelling units.
- (5) Architectural unity and harmony within the development and with the surrounding properties shall be attained.

**(F) APPLICATION FEE**

An application for a PUD Overlay District shall be accompanied by a fee as prescribed in Ordinance 934, Exhibit A.

**(G) PROCEDURE**

Upon receipt of an application for a PUD Overlay District, the Planning Commission shall hold a public hearing on such application. If it finds the criteria set forth herein have been met, it may establish the Overlay District subject to such conditions as it deems necessary. The Planning Commission may deny the application if it finds any of the criteria have not been met or that the approval of the application would be detrimental to the public peace, health, safety, or welfare.

Upon the approval of the Planning Commission, the application shall be considered by the City Council at a public hearing at the soonest feasible time. After reviewing the Planning Commission recommendation and hearing testimony, the City Council may either, approve the Development Plan as recommended by the Planning Commission, amend the Development Plan, or deny the application based on the same findings listed above. Should the City Council approve the Development Plan they shall also concurrently approve a zone change establishing the Planned Unit Development Overlay.

**(H) PUBLIC HEARING AND APPEAL PROCEDURE**

Public hearing and appeal procedure shall be as prescribed in Article 17.

**(I) TERMINATION OF PUD OVERLAY DISTRICT**

A PUD and its associated Development Plan shall be good for a period of three (3) years from the date of approval, or life of an associated Tentative Tract Map, if any. A request for an extension time for the Tentative Tract Map, filed prior to the date of expiration, shall be considered to include the associated PUD and its Development Plan. If not Tentative Tract Map is involved, an applicant may apply for an extension of time for the PUD not to exceed one (1) year.

**(J) REVISION TO THE DEVELOPMENT PLAN**

Prior to the expiration of a PUD and its associated Development Plan, the applicant may propose an amendment to the plan related to floor plans, elevations, square footage of the units, and materials only. Such application shall be considered by the Planning Commission at a public hearing and may be approved, approved with conditions, or denied. The City Council shall be advised of the Planning Commission's action, and may call the matter up for their consideration at a subsequent public hearing.

No extension of time is granted as a result of a revision. In the event the applicant decided to submit a land use designation that results in higher densities or less space, the revised plan must be processed through the original hearing process as though it were an original development plan. However, no extension of time shall be granted as a result of the revised application.

**(K) COMMON OPEN SPACE**

All common open space shall be preserved for that purpose as shown in the Development Plan. The developer shall choose one or a combination of the following two methods of administering common open space.

- (1) Dedication of common open space to the City, which is subject to formal acceptance, and available revenue sources to maintain the space. The option is only available if the open space is part of the City's Park or Open Space Master Plan.
- (2) Establishment of an association or non-profit corporation of all property owners or corporation within the project area to insure perpetual maintenance of all common open space. Appropriate land use restrictions shall be contained in all deeds to insure that the common open space is permanently preserved according to the Development Plan. Said deed restriction shall run with the land and be for the benefit of present as well as future property owners, and shall contain a prohibition against partition of common open space.

**(L) DEVELOPMENT STANDARDS**

Repealed by Ordinance 06-07

ORDINANCE NO 1044, ADOPTED 12-17-97  
ORDINANCE NO 06-07, ADOPTED 05-18-06