

**SECTION 21
"PD" PLANNED DEVELOPMENT DISTRICT**

A. PURPOSE

The purpose of this district, generally identified as a suffix to one of the other districts, is to permit flexibility and encourage a more creative, efficient and aesthetically desirable design and placement of buildings, open spaces, circulation patterns and to best utilize special site features such as topography, size and shape. It is intended that the flexibility permitted by this zoning category extends to discretionary approval, through site plan review, of items such as parking space requirements, building line setbacks, square footage of buildings and structures, protective screening, or sign placement and specifications in order to achieve the purposes and objectives stated in conformance with good planning practices.

This district may also be used, either alone or as a suffix to another district, to accommodate planned associations of uses developed as integral land use units, including mixed uses, which may be planned, developed and operated either by a single owner or a combination of owners.

For purposes of this district, the following definitions shall apply.

Residential Planned Developments

- Dwelling units grouped into clusters, allowing an appreciable amount of land for open space.
- Part of the land uses for non-residential purposes, such as shopping or employment centers.
- For areas exhibiting environmentally sensitive natural features which should be considered for preservation and/or enhancement.

Non-residential Planned Development

- Commercial or industrial uses grouped into clusters, allowing an appreciable amount of the land for open space or joint use such as parking and storage.
- Commercial or industrial projects with part of the land uses for residential purposes.
- Single purpose commercial or industrial uses of innovative land utilization.

B. DEVELOPMENT REGULATIONS

Height Regulations: The maximum height requirement for permissible uses in this district shall conform to the maximum height requirements that would be applicable to such uses if the same were situated in the most restrictive district in which such uses are permitted. However, the Planning and Zoning Commission may establish specific heights after consideration of the building height on the surrounding and adjacent property.

Area Regulations: The minimum dimensions of lots and yards of any lot shall conform to the minimum lot and yard requirements that would be applicable to such uses if the same were situated in the most restrictive districts in which such uses are permitted.

However, the Planning and Zoning Commission may establish specific lot, yard and area requirements after consideration of density, building coverage, relationship of proposed buildings and relationship to surrounding and adjacent property. The area requirements for the applicable zoning district to which the "PD" District is to be applied shall be in effect in these regulations.

C. PARKING REGULATIONS

1. All parking and vehicle use areas shall be paved with an all-weather surface.
2. Off-street parking facilities shall be provided at locations designated on the approved development plan.
3. Minimum off-street parking requirements shall be established in the approved development plan. Any deviation less than the minimum requirements specified in Section 24 shall require specific approval from the Planning and Zoning Commission.
4. Parking area and numbers of spaces for the applicable district shall apply to these regulations.

D. APPLICATION AND PROCESS PROCEDURES

Application: An application for a Planned Development District may be made to the Planning and Zoning Commission and City Council in the same manner that an application for zoning change is made. Application for approval of a Planned Development District shall be processed in accordance with Section 24 and the procedures specified herein and a development site plan and related data shall be submitted for approval in accordance with the requirements outlined below.

1. An application for a Planned Development District shall be accompanied by a development site plan meeting the requirements set forth in this ordinance.
2. Upon receipt of an application, the Planning Director shall make notification of a public hearing as set forth in the zoning ordinance.
3. The Planning Director shall prepare a written report analyzing the development site plan and such report shall be given to the Planning and Zoning Commission and applicant at least three (3) working days prior to the public hearing.

E. REQUIRED DEVELOPMENT SITE PLAN AND/OR SUPPLEMENTAL DEVELOPMENT REGULATIONS

An application for a Planned Development District shall be accompanied by a development site plan or a list of supplemental development regulations which will become a part of the amending ordinance and be referenced on the Zoning District Map. Changes in the development site plan or supplemental development regulations shall be considered the same as changes in the Zoning District Map. The proposed application and site plan shall be processed as required except that minor changes which do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, floor-area ratio, height or coverage of the site, or which do not decrease the off-street parking ratio, or reduce the yards provided at the boundary of the site as indicated on the approved ordinance and associated development regulations or site plan may be authorized by the Planning Director or referred to the Planning and Zoning Commission.

1. Site Plan

The application for a Planned Development District shall include a site plan that provides as much detail as possible including, but not necessarily limited to:

- a. A scale drawing showing all proposed public or private streets and alleys; building sites, or building lots; any areas proposed for dedication, or reserved as parks, parkways, playgrounds, utility and garbage easements, school sites, street widening, street changes; the points of ingress and egress from existing public streets on an accurate survey of the boundary of the tract and existing and proposed finished grades with contour intervals of not less than two feet (2'), or spot grades where the relief is limited.
- b. A land use plan delineating the specific areas to be devoted to various uses shall be required where multiple types of land uses are proposed.
- c. The site plan shall show the location of each building and the distances between buildings, and between buildings and the property line, street line and/or alley line shall be submitted. For buildings more than one (1) story in height, except single-family and two-family residences, elevations and/or perspective drawings may be required in order that the relationship of the buildings to adjacent property, open spaces and to other features of the development plan may be determined. Such drawings need only indicate the height, number of floors and exposures for access, light, and air.
- d. The site plan shall indicate data for and the arrangement and provisions of off-street parking and off-street loading where required. Such a plan may be presented as a ratio of off-street parking and off-street loading area to building area when accompanied by a typical example indicating the feasibility of the arrangements proposed and when the areas where the example would be applied are dimensioned on the drawing of the entire site. Any special traffic regulation facilities proposed or required to assure the safe function of the circulation plan shall also be shown. All streets shall be constructed to the adopted street design standards and section design.
- e. A designation of the maximum building coverage of the site shall be indicated upon the site plan.
- f. For development projects influenced by, impacting on flood prone areas, or containing major drainageways or containing areas flood prone by definition of the City Engineer, preliminary drainage plan shall be a part of the development site plan. This requirement may be waived only by the recommendation of the City Engineer.
- g. The site plan shall show north arrows, true scale, name(s) and address(es) of developer, licensed engineer or architect preparing site plan and a land description by reference to name of subdivision or survey tract in which it is located.
- h. A screening and landscaping plan shall be required in accordance with Section 27 of this Ordinance, where such treatment is essential to the proper arrangement of the development in relation to adjacent property. When required, Such plan shall include screening walls, planting,

wooded areas to be retained, and lawns if such are determined to be necessary by the Planning Commission.

- i. The location of existing and proposed fire hydrants.
- j. The location of all outside facilities for waste disposal; location and orientation for all external illumination facilities; the location, size, height and orientation of all signs.
- k. All pedestrian walks, malls, and open area for use by tenants or the public; the types of surfacing such as paving, or turf to be used at all locations on the site.
- l. Any or all of the required features may be incorporated on a single drawing if such drawing is clear and may be evaluated by the Planning Director, the Planning and Zoning Commission, City Council and interpretation by the Building Official.

2. **Supplemental Development Regulations**

An application for a Planned Development District may include supplemental development regulations in lieu of a detailed site plan. When supplemental development regulations are proposed, the application shall include:

- a. A specific listing of land uses that may be allowed or that shall be excluded from the proposed planned development district.
- b. Regulations that address the minimum or maximum size of lots, minimum and maximum separation between structures, minimum or maximum setbacks from existing and/or proposed lot lines, parking regulations, maximum building coverage or floor-area ratios, building orientation standards, architectural standards, landscaping standards, sign regulations, and any other pertinent development restrictions.

On property that has been zoned Planned Development with the use of supplemental regulations, or in those cases where property was previously-zoned Planned Development without a site plan or supplemental development regulations, a site plan complying with the requirements above shall be submitted to and approved by the Planning and Zoning Commission prior to any development or building construction. The purpose of the site plan shall be to assure conformance with the supplemental development regulations and other applicable city regulations to protect the health, safety and welfare of the neighboring property and the community at large. Such site plan approval shall be made by the Planning and Zoning Commission, following a public hearing conforming to the public notification requirements in Section 34.

F. NATURAL FEATURE REQUIREMENT

In those areas that contain certain natural features causing an area to be unique and worthy of preservation and denoted as a Natural Feature Area and so designated on the Zoning Map, a "PD" Site Plan is not required unless specifically requested by City Council. However, the following features and requirements shall be met and shown on the Building Permit Plot Plan required:

- 1. There shall be a building line or setback line for the construction of residences located no less than twenty feet (20') from the upper bank of the Trinity River.

Outbuildings or accessory buildings may be erected and maintained between the twenty foot (20') setback line and the upper bank of the Trinity River in the same manner and under the same conditions as is permitted in the rear yards under the applicable land use zoning classification of the area. Except, however, vegetation must be preserved as set forth in the following paragraph.

2. No trees or other natural vegetation having a trunk diameter of four inches (4") (diameter at breast height) or more may be cut or removed within ten feet (10') of the top of the river bank (as determined by the City Engineer) without Zoning Board of Adjustment approval. Outbuildings or accessory buildings may be located between the aforementioned ten feet (10') vegetation setback line and the upper bank of the Trinity River in the same manner and under the same conditions as permitted in the rear yards under the applicable land use zoning classification of the area provided that no trees or other natural vegetation having a truck diameter of four inches (4") or more need be cut or removed in order to erect and maintain any such outbuilding or accessory building or structure.
3. Individual building permit plot plan conformance for each lot or tract involved shall be reviewed by the City Building Inspection Department and in addition to the standard plot plan requirements shall show the top of the bank (as determined by the City Engineer) of the Trinity River and the ten feet (10') and twenty feet (20') setback lines.
4. The City Council may by specific action require a natural feature site plan to be submitted.

G. DEVELOPMENT SCHEDULE

An application for a Planned Development District shall be accompanied by a development schedule indicating the approximate date on which construction is expected to begin, the rate of anticipated development and the date of completion. The development schedule, if adopted and approved by the City Council, shall become part of the development site plan and shall be adhered to by the owner, developer, and his successors in interest.

Annually, the Building Inspector shall confirm a report provided by the developer to the Planning and Zoning Commission of the actual development accomplished in the various Planned Development Districts as compared with development schedules.

If the Planning and Zoning Commission determines that the owner or owners of property are failing or have failed to meet the approved schedule, the Commission may initiate proceedings to amend the Zoning District Map or the Planned Development District by removing all or part of the Planned Development District from the Zoning District Map and placing the area involved in another appropriate zoning district. Upon the recommendation of the Planning and Zoning Commission and for good cause shown by the owner and developer, the City Council may also extend the development schedule or adopt such new development schedule as may be indicated by the facts and conditions of the case.

H. SPECIAL CONDITIONS

The permanent character of common space lands shall be insured by private reservation for the use and benefit of residents, by dedication to public use, or by a combination thereof. Common open spaces not dedicated to public use shall be maintained by the owner thereof. Land required for common open space shall not include the following:

1. Areas reserved for the exclusive use and benefit of an individual tenant or owner.
2. Dedicated streets, alleys, or other public right-of-ways.
3. Vehicular driveways, private streets or parking, loading or storage areas.

When homeowners associations are to be established for the purpose of ownership and/or management of common open spaces, all such associations shall meet the recommended guidelines as established by the Department of Housing and Urban Development (H.U.D.).

I. APPROVAL

Every Planned Development District approved under the provisions of this ordinance shall be considered as an amendment to the zoning ordinance as applicable to the property involved. In carrying out the development of a Planned Development District, the development conditions and the development schedule shall be complied with and such conditions as are specified for the development of a Planned Development District shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be construed as conditions precedent to the granting of a certificate of occupancy and compliance.

J. EXPIRATION

A PD Site Plan or Condition that is not implemented within two years of approval or completion of the schedule in paragraph G above, shall expire unless specifically extended by the Planning and Zoning Commission. Upon expiration, the zoning remains PD but a new site plan or new set of development regulations must be adopted prior to any future construction.