

ARTICLE IX. PLANNED DEVELOPMENT OVERLAY DISTRICT**SECTION 30-33 PLANNED DEVELOPMENT DISTRICTS****(A) Purpose and Intent****(1) Purpose**

- (a) It is the purpose of this Section to provide a method which will facilitate a more flexible mixture and pattern of development, the grouping of open spaces, and arrangement of living patterns in accordance with good planning principles while providing adequate safeguards to protect the community.
- (b) It is anticipated that development within this district will offer one (1) or more of the following advantages:
 - (i) Designs which reflect the City's development and planning policies for residential neighborhoods or nonresidential areas in which the district is to be located, as set forth in the City's Comprehensive Plan.
 - (ii) Designs which provide substantial buffers and transitions between areas of different land uses and development densities.
 - (iii) Designs which enhance the appearance of developments and the surrounding area by conserving areas of natural beauty and natural green space.
 - (iv) Designs which lessen congestion on streets, and contribute to improvements in pedestrian and vehicular circulation.
 - (v) Designs which promote architectural compatibility between adjacent structures.
 - (vi) Designs which will positively contribute to the physical appearance and functional arrangement of land uses and buildings in the area.
 - (vii) Designs which will buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing development.
- (c) Areas that may be deemed appropriate for a Planned Development Overlay District include:
 - (i) Transitional Areas: which involve locations with a mix of different land uses, where new development is proposed in an area of older uses and buildings, and where the older uses may be allowed with lesser zoning standards than appropriate for new development.
 - (ii) Infill areas: which involve parcels bypassed during the normal course of urbanization in the community.
 - (iii) Redevelopment Areas: which relate to locations appropriate for redevelopment, either public or private, where first or subsequent uses and/or buildings are replaced by new uses and/or structures.
 - (iv) Large Commercial areas: which include shopping centers with a number of occupancies and/or structures, together with outlots, or

locations encompassing multiple centers or multiple large scale commercial developments.

- (v) Special Areas: which include locations that were identified as Special areas in the City's Comprehensive Plan.
- (vi) Large Scale and/or Mixed Use Areas: which encompass locations at least twenty (20) acres in size, where base zoning standards may not be appropriate and/or needed, and where the developer and community could benefit from a greater level of flexibility in the application of land use controls.

(2) Exceptions

The City may permit in any Planned District (PD) even greater flexibility in the type of uses, the area and yard requirements, the off-street parking and other regulations set forth in this Section, subject to demonstration of appropriateness for the area under consideration.

(3) Zoning Classification

The Planned Development (PD) District shall be applied as an overlay zoning district. When applied to a specific geographic area, the PD shall have the effect of allowing development to be designed, reviewed, approved, constructed and managed according to the provisions of this Section, rather than is required by the underlying zoning district. However, the underlying zoning district shall prevail in determining permitted and conditional uses of land within the PD as well as the maximum permitted project density or intensity of land use, except as otherwise provided herein.

(4) Benefit

- (a) It is not intended that the City will automatically grant exceptions for a Planned Development Overlay District, but it is expected the City shall grant only such exceptions which are deemed consistent with benefits accruing to the City as a result of the planned development. The City may require as a condition of approval any reasonable condition, limitation, or design factor which will promote development in the Planned Development Overlay District consistent with the intent of this Section.

(B) Planned Residential District

(1) Permitted Uses

- (a) Any uses permitted in the underlying residential zone, including the allowed accessory structures.
- (b) Commercial uses permitted in the C-1 Light Commercial District, not to exceed five (5) percent of the area of the Planned District.

(2) Standards

- (a) Each Planned District shall have an area of at least one and one-half (1 ½) acres.
- (b) Not less than fifteen (15) percent of the total area of the Planned District shall be devoted to open space.

(C) Planned Commercial District

(1) Permitted Uses

Any uses permitted in the underlying commercial zone, including the allowed accessory structures.

(2) Standards

- (a) Each Planned District shall have an area of at least one and one-half (1 ½) acres.
- (b) Not less than ten (10) percent of the total area of the District shall be devoted to landscaped open space.
- (c) The commercial units of the Planned District shall not exceed the standard density of the underlying zoned area.

(D) Planned Industrial District(1) Permitted Uses

- (a) Any uses permitted in the underlying industrial zone, including the allowed accessory structures.
- (b) Appropriate and compatible commercial uses.

(2) Standards

- (a) Each planned district shall have an area of at least one and one-half (1 ½) acres.
- (b) Not less than ten (10) percent of the total area of the district shall be devoted to landscaped open space.

(E) Administrative Process

- (1) Informal review of proposal by the Department of Community Development.
- (2) Applications for rezoning to a Planned Development Overlay District shall include at least one of the advantages as stated in Section 30-33(A)(1)(b) and identify the characteristics of the District per Section 30-33(A)(1)(c).
- (3) Conditional use permit request for development plan review and approval.
 - (a) The development plan shall include an architect's drawing showing:
 - (i) The location of all structures or recreational facilities.
 - (ii) The location of all drives, entrances and sidewalks.
 - (iii) The location, size, number and screening of all parking spaces.
 - (iv) Drainage and grading plan.
 - (v) A detailed proposal including covenants, agreements, or other documents showing the ownership and method of assuring perpetual maintenance of land to be used for common purposes.
 - (b) Review Criteria
In reviewing the development plan, the following criteria shall be used:
 - (i) Conformance with applicable standards of the base zoning district and the provisions of this chapter, except as may be modified under Section 30-33 and Section 30-11.
 - (ii) Suitability of the site for the proposed development.
 - (iii) Compatibility of the proposed development with adjacent and nearby existing or planned development in terms of scale, mass, height, bulk, uses, activities, traffic, design, structure placement, privacy, views and similar concerns.

- (iv) Utilization of site planning principles common to high quality development.
 - (v) Effective mitigation of any potential negative impacts of the proposed development either on the site itself or off the site.
 - (vi) Conformance with the Comprehensive Plan, or other adopted City plans.
- (c) The Plan Commission, in making its recommendation to the Common Council, shall consider said criteria and take into consideration the recommendations of the Department of Community Development, and comments received at the Plan Commission meeting at which the item is reviewed.
- (4) Recording of Plats
In addition to the requirements of the Subdivision Regulations, plats located in a Planned District shall include statements indicating:
- (a) That the land is a portion of a Planned District.
 - (b) That no substantive changes may be made without submission of a revised final plan, with subsequent approval by both the Plan Commission and Common Council.