

## **903.10 Planned Unit Development (PUD)**

### Subd.1 - Purpose

The purpose of the Planned Unit Development (PUD) District is to offer an alternative zone to permit multiple uses within a single use district, which are at variance with the area zoning requirements. This section is intended to permit flexibility of site design, architecture for the conservation of land and open space through clustering of buildings and activities and as an incentive to developers to plan creatively by providing density bonuses. This flexibility can be achieved by waiving provisions of this Ordinance including uses, setbacks, heights and similar regulations. Planned Unit Developments are characterized by central management, integrated planning and architecture, joint or common use of parking, open space and other facilities, and a harmonious selection and efficient distribution of uses.

### Subd.2 - Definition

Planned Unit Developments shall include all development having two or more principal uses or structures on a single parcel of land; and may include town homes, apartments involving more than one building, residential subdivision submitted under cluster zoning provisions, multi-use structures such as an apartment building with retail at ground floor level, commercial development, industrial development, mixed residential and commercial development and similar projects.

### Subd.3 - General Requirements and Standards

- a) Ownership: All owners of the land must file an application for PUD approval included in a proposed development. In the case of multiple ownership, the Approved Final Plan shall be binding on all parcels involved. The developer shall have a property interest in the site, which shall consist of a fee simple title, or an option to acquire fee simple title within a specified time period, or a leasehold interest in excess of thirty years.
- b) Comprehensive Plan Consistency: A proposed PUD shall be consistent with the City comprehensive Plan and the intent and purpose of the City Code provisions related to land use and development.
- c) Common Open Space: Common open space at least sufficient to equal the minimum density requirements established in the City Zoning Code shall be provided within the area of the PUD.
- d) Operating and Maintenance Requirements of PUD Common Open Space Facilities: Whenever joint common open space or service facilities for individual owners or users are provided with the PUD, the PUD plan shall provide reasonable assurance of adequate operation and maintenance of such open space and service facilities.
- e) Development Stage: Whenever any PUD is to be developed in stages, no such stage shall, when averaged with all previously completed stages, have a residential density that exceeds one hundred twenty-five percent (125%) of the proposed residential density of the entire PUD.
- f) Urban Development and Availability of Public Service: All development shall be carefully phased so as to ensure that it will not cause a deleterious impact upon the natural environment.
- g) Density: Single purpose Planned Unit Development. The density and intensity of use shall conform to the District in which the land and project are located subject to Subdivision code.

- A. Mixed Use Unique Purpose Planned Unit Developments. The density and intensity of use shall be determined and regulated by the Planned Unit Development agreement approved by the City council.
- B. For purposes of density calculations the lot area shall not include road right-of-way or that area of the lot, which is below the normal water level of an adjacent lake. At the discretion of the City, some or all portions of storm water detention basins and wetland area may be used for density calculations.
- h) Site Improvement: All improvements and all engineering and design standards required by the City Subdivision code and all other regulations applicable to the development of land shall be applicable to Planned Unit Developments.
- i) Public Hearings Review and Approval Process: The public hearing, review and approval process for Planned Unit Development projects shall be as required for Conditional Use Permits in section below, except that a 4/5 (four-fifths) vote of the City Council is required for approval of both the Preliminary Development Plan and the Final Development Plan.

#### Subd.4 - Permitted Uses

The permitted uses may include:

1. Any combination of dwelling units in single family, two-family, town or row houses and apartments.
2. Any non-residential use, to the extent such non-residential use is designed and intended to serve the residents of the Planned Unit Development.
3. Other uses in the zoning district in which the Planned Unit Development is located.

#### Subd.5 - Special Requirements and Standards

1. Required frontage and minimum project size. The tract of land for which a project is proposed and a permit is requested shall not have less than two hundred feet of frontage on the public right-of-way and a minimum area of five acres.
2. Yards:
  1. The front and side yard restrictions at the periphery of the Planned Unit Development site at a minimum shall be the same, as those required in the Zoning Districts.
  2. No building shall be nearer than its building height to the rear or side property line.
    - a) No building shall be located less than fifteen from the back of the curb line along those roadways that are part of the internal street pattern.
    - b) No building within the project shall be nearer to another building than one-half the sum of the building heights of the two buildings.
3. Landscaping. Screening and surfacing
  1. The entire site other than that taken up by structures or landscaping shall be surfaced with a material to control dust and drainage.
  2. Non-residential developments abutting a Residential Use District shall be screened and landscaped as required by this Ordinance.

#### Subd.6 - Preliminary Development Plan Specifications

An applicant shall submit to the City Clerk, prior to the setting of a public hearing, the preliminary development plan that shall be composed of drawings and a written statement.

- A. The drawings may be in schematic form and must contain the following:
  1. The location, size of site and the proposed land uses of the land to be developed, along with the density of land use to be allocated to the several parts of the site to be developed.
  2. The location and size of all useable open space and all common space and the form of organization that will own and maintain such space.
  3. The use, height, bulk and approximate location of buildings and other structures.
  4. The plans for the distribution of sanitary wastes, storm water and the provisions for other utilities.
  5. The plans for parking of vehicles and the location and width of proposed streets, curb, gutter and landscaping.
  6. A schedule showing the proposed times within which application for final approval for all sections of the Planned Unit Development are intended to be filed.
  7. A topographic map prepared by a Registered Civil Engineer or Registered Land Surveyor covering the entire tract proposed for development.
  8. The written statement must include the following:
    - a) A narrative explanation of the general character of the Planned Unit Development, its integration with the surrounding land uses and justification for any requested density bonuses.
    - b) A statement identifying the final ownership and describing maintenance of all parts of the development including streets, structures, common spaces and useable open space.
    - c) The total anticipated population of the Planned Unit Development, with breakdown as to the estimated number of school age children, adults and families.

#### Subd.7 - Final Development Plan Specifications

The Final Development Plan filed with the City Clerk shall contain in final form all of the information required in the preliminary development plan. Within six months following the approval of the preliminary development plan by the Planning Commission and the City Council, the applicant shall file with the City Clerk a Final Development Plan containing in final form the information required in the preliminary plan. The Final Development Plan must be approved by the Planning Commission and the City Council. The City Council at its discretion may extend for six months the period for filing of the Final Development Plan.

#### Subd.8 - Findings Required

The written City Council findings necessary for approval of the Preliminary and Final Development Plans shall be based on the following and shall describe in what respects the plan would or would not be in the public interest:

- A. The Plan is consistent with the Carlton Comprehensive Plan.
- B. The Plan is designed to form a desirable and unified development with its boundaries.
- C. The proposed uses will not be detrimental to present and future land uses in the surrounding area.

- D. Any exceptions to the standard requirements of the zoning and Subdivision Codes are justified by the design of the development.
- E. The plan will not create an excessive burden on parks, schools, streets and other public facilities and utilities that serve or are proposed to serve the Planned Unit Development.
- F. The Planned Unit Development will not have an undue and adverse impact on the reasonable use and enjoyment of neighboring property.

Subd.9 – Landscaping

Refer to 903.17 for additional landscaping requirements.