

Sec. 117-171. - Common open space.

There shall be reserved, within the tract to be developed, a minimum percentage of land area of the entire tract for use as common open space. The Metropolitan Area Planning Commission and city council may require additional common open space as warranted by the individual development plan. This minimum percentage of land shall be as follows:

Planned Development Common Open Space Requirements

PD district	Common open space requirement
PD-R/RM	20% common open space for planned developments with all residential dwelling units.
PD-C	15% common open space for all planned developments
PD-I	15% common open space for all planned developments
PD-M	20% common open space for all planned developments

- (1) Required common open space shall not consist of isolated or fragmented pieces of land that will serve no useful purpose or which will present maintenance difficulties if maintenance is required.
- (2) Required common open space may include pedestrian walkways, parkland, open areas, bridle paths, drainageways and detention basins, swimming pools, clubhouses, tennis courts, golf courses, parking areas for any of these, and other lands of essentially open or undisturbed or improved character, exclusive of off-street parking areas and street rights-of-way.
- (3) Ownership of common open space.
 - a. Ownership of common open space in a PD-R and PD-RM shall be transferred by the developer to a legally established homeowner's association, or if accepted, to the city council, or other public or quasi-public agency.

- b. Common open space that includes a clubhouse, golf course or other recreational facilities may remain in private ownership, subject to size and special conditions applied by the Metropolitan Area Planning Commission and city council.
- c. Common open space in a PD-C, PD-I, or PD-M may also be dedicated to the city or other public or quasi-public agency pursuant to the requirements of this section or remain in private ownership, provided that a public easement, as determined necessary by the Metropolitan Area Planning Commission and city council, is granted and officially recorded on the plat.

(Zoning Ord., § 14.20.04.7; Ord. No. 07-13, § 1, 5-1-2007)

Sec. 117-172. - Planned developments require a district change.

- (a) Planned development district review establishes the development review procedure for a planned development district which will result in a zoning map amendment. Therefore, in addition to all of the specific review procedures and provisions of section 117-34, all proposed PD districts are also subject to the approval criteria set forth in section 117-34(2)e.
- (b) The preliminary development plan shall be submitted at the time a zoning map amendment is requested from the original zoning district to the new planned development district.

(Zoning Ord., § 14.20.04.8; Ord. No. 07-13, § 1, 5-1-2007)

Sec. 117-173. - Planned development (PD) initiation.

- (a) Planned developments may be initiated by the property owner or an agent of the property owner.
- (b) In cases where there are multiple property owners involved in the planned development, the application shall include a consent to rezone letter from all property owners. Additionally, there shall be a single contact or agent for the property owners who will be responsible for contact with the city.

(Zoning Ord., § 14.20.04.9; Ord. No. 07-13, § 1, 5-1-2007)