

Sec. 117-164. - Generally.

- (a) *General description.* It is the intent of this division to encourage development with superior living environments brought about through unified development, and to provide for the application of design ingenuity in such developments, while protecting existing and future surrounding areas in achieving the goals of the comprehensive plan for development of the city. The PD provisions herein established, are intended to provide for greater flexibility in the design of buildings, yards, courts, circulation and open space than would otherwise be possible through the strict application of other district regulations and to produce:
- (1) A maximum choice in the type of environment and living units available to the public;
 - (2) Open space and recreation areas, active and passive;
 - (3) A pattern of development which preserves natural features, prevents soil erosion, and protects water quality;
 - (4) A creative approach to the use of land and related physical development;
 - (5) An efficient use of land resulting in smaller networks of utilities and streets, and thereby lowering costs; and
 - (6) An environment of stable character. The PD regulations are designed to provide for small- and large-scale developments incorporating a single type or a variety of residential, commercial, and related uses which are planned and developed as a unit. Such development may consist of individual lots or it may have common building sites. Private or public common land and open space should be an essential and major element of the plan which is related to and affects the longterm value of the homes and other development. A planned unit shall be a separate entity with a distinct character.
- (b) *Standards of development.*
- (1) *Ownership control.* The land in a planned unit development district shall be owned, leased, or otherwise controlled by a person, firm, group of individuals, partnership, corporation, or trust, provided assurances are given through the procedures contained herein that the project can be successfully completed.
 - (2) *Minimum district area.* The minimum area for a PD district shall be three acres. In calculating the minimum area for a PD district, the measurements shall include the area of all dedicated streets entirely within the boundary of the proposed PD, and one-half of the area of all boundary or perimeter streets.
 - (3) *Uses permitted.*
 - a. In order to increase creativity and flexibility in the development of areas suitable for a planned unit development, there are no specifically prescribed uses which are permitted within the boundaries of a planned development. The developer shall be responsible for preparation of a list of permitted uses within the specific planned development requested. The development list shall take into account the nature and purpose of the PD area, and such uses and locations shall be appropriate with the surrounding development.
 - b. At the time of the preapplication plan and conference, the applicant shall generally describe the nature and types of land uses to be located within the boundaries of the PD district. At the time of zoning application and consideration of the preliminary plat, a specific written list of uses to be permitted by right shall be submitted for review by the planning commission. Following approval by the planning commission and city council, the list of specific uses permitted by right shall serve as the control list in issuance of building permits and certificates of occupancy.
 - c. In addition to the permitted uses in subsections (b)(3)a and (b)(3)b of this section that are established by right, certain other uses may be prescribed by the developer in accordance with the restrictions included herein and said uses are designated as conditional uses. These uses more intensely dominate the area in which they are located than do other uses which might be permitted in the PD district and, as such, they require special considerations and restrictions. If the developer and/or planning commission agree that certain conditional uses should be included within the PD district, the applicant shall precisely indicate the specific use, its location, area to be included, maximum building square footage, and such other information as required by the planning commission to properly and comprehensively evaluate the nature and impact of such conditional uses. When such conditional uses are approved at the time of rezoning, they shall not be subsequently changed to any other use until and unless they are changed to another use that is permitted by right, or the new proposed use if not permitted by right in a PD district, is resubmitted for rezoning approval.
 - (4) *Parking and off-street loading.* All uses established with a planned development district shall comply with the off-street parking and loading requirements as established in this chapter. However, the requirements for individual structures or lots may be met through either provision of adequate parking on the lot on which such structure is so located, or upon adjacent property which is under the control of a property owners association, to which said lot is an automatic participant. In no case, however, shall the cumulative requirements of all parking and off-street loading requirements be less than if said uses were individually established and located in any other zoning district within the city.

- (5) *Perimeter requirements.* In order to assure compatibility with surrounding development, the developer shall submit specific information as to the setbacks, building height, coverage factors and other elements necessary for all perimeter lots that are adjacent to the boundary of the PD district or adjacent to any boundary or perimeter street right-of-way. While no specific setback requirements are herein established, the planning commission shall consider the nature, extent and character of the adjacent development and shall take into consideration the types of area regulations applicable to adjacent properties.
- (6) *Residential density standards.* The maximum number of dwelling units permitted within a PD district is dependent upon both the type and number of each type of residential units intended to be included in the PD district. Densities within certain areas of the PD may be beyond the overall limits through a transfer of density. However, overall project densities shall not be exceeded in accordance with the following schedule:
- a. Eight dwelling units per net residential acre for single-family attached and detached houses and duplexes.
 - b. Fifteen dwelling units per net residential acre for triplexes, fourplexes, and row or terrace housing.
 - c. Eighteen dwelling units per net residential acre for two story, and 27 units per net residential acre for three-story apartments.
 - d. Forty dwelling units per net residential acre for high-rise, four stories or more, apartments.
- (7) *Common open space.* For purposes of calculating densities, net residential acres are defined as gross acres of the PD site minus all public rights-of-way, and less the area of all parcels or lots devoted to commercial, industrial, or institutional uses not of a residential nature. Common open space that is owned and maintained by a property owners' association shall be included in calculating the net residential acres available for all dwelling units that automatically belong to such an association. Where more than one property owners' association is to be created, then each common open space can only be attributed to the lot or dwellings which have automatic membership for that specific common open area.

(Zoning Ord., § 14.20.04; Ord. No. 07-13, § 1, 5-1-2007)