

ARTICLE 16

PLANNED UNIT DEVELOPMENT (PUD)

SECTION 1600 – Intent

The purpose of this Article is to provide for an alternative zoning procedure for innovative developments that provide value to the community over the conventional zoning district and which is consistent with the Decatur County Comprehensive Plan and intent of the zoning ordinance. The Planned Unit Development (PUD) shall provide for unique, innovative and flexible approaches in the design and development of land in return for mixing of land uses and densities. A planned development shall encourage and promote a harmonious and appropriate mixture of uses; facilitate the adequate and economic provision of streets, utilities and public services; and preserve the natural, environmental, and scenic features of the site. In addition, the planned unit development shall encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features and mitigate site specific problems or conditions. The Planned Unit Development shall provide for and be compatible with surrounding areas and foster the creation of attractive, healthful, efficient, and stable environments for living, shopping, or working within the County.

The Planned Unit Development regulations and procedures may apply to the redevelopment of presently developed lands, the development of open or vacant lands, and parcels of varying sizes. Planned Unit Development regulations are intended to encourage innovations in land development techniques with greater flexibility and variety in type, design and layout of sites and buildings; and the conservation and more efficient use of open spaces and other amenities which generally enhance the quality of life, thus ensuring that the growing demands of the community may be met.

Density, open space, infrastructure, and other land use factors and impacts are significant in reviewing any Planned Unit Development. Where building density is increased on a particular portion of a Planned Unit Development, then the amount of open space, retention of existing vegetation, buffer areas, new landscape, public commons, community open space, and parks shall be evaluated for proportionate increase for the remainder of the Planned Unit Development. A Planned Unit Development may vary the height, use, organization, design, intensity, size or other features of the proposed development

The Planned Unit Development district shall promote, provide, and create:

1. A maximum choice of living environments by allowing a variety of housing and building types and permitting a reduction in lot dimensions, yards, building setbacks, and area requirements in exchange for development that demonstrates excellence in environmental design, the mitigation of land use factors or impacts, and the provision of amenities;
2. A more useful pattern of open space and recreation areas incorporated as part of the project and that is compatible with the immediate vicinity, and that coordinates commercial uses and services in a manner that is consistent and compatible with existing or planned infrastructure;

3. A development pattern, which preserves and utilizes natural topography, geologic features, scenic vistas, trees, and other vegetation, and prevents the disruption of natural drainage patterns;
4. More efficient use and development of land than is generally achieved through conventional regulations resulting in substantial savings through shorter utilities, streets, and other infrastructure;
5. A development pattern which is consistent with the adopted Comprehensive Plan and any other appropriate land use studies;
6. The materials and design of buildings, signs and the site should provide for a unified theme throughout the development and should be of a higher quality than that found within a conventional zoning district.

SECTION 1605 – Conflicting Provisions

Any provisions within this article, which may be in conflict with other provisions of this ordinance, shall be governed by this article because of the special characteristics of planned unit developments. Subjects, which are not addressed within this article, shall be governed by the provisions found elsewhere in this Ordinance.

SECTION 1610 - Permitted Uses

An applicant for a Planned Unit Development may propose any type or combination of uses for consideration in their request. However, any use or combination of uses proposed for the district shall not adversely affect adjacent property; the public health, safety, and general welfare; and the provisions of the adopted Comprehensive Plan.

SECTION 1615 – Density

The density for each use proposed within a PUD shall be determined by the conventional zoning which would permit the proposed use. For example, the conventional zoning for a PUD with a shopping center and a mixed use residential would be General Business and Residential. Therefore, the density could not exceed 30 additional percent of the maximum density permitted by the conventional zoning district.

SECTION 1620 - Minimum Size

There is no minimum district size required for a Planned Unit Development.

SECTION 1625 - Planned Unit Development Standards

In addition to the findings for a rezoning found in Article 5, Section 540, the Plan Commission, legislative unit or the Board of County Commissioners should use the following criteria which apply to evaluating the rezoning and proposed Concept Development Plan.

1. *Compatibility of Uses*: Uses within a planned unit development shall be compatible within the development as well as to any adjacent sites. Compatibility of uses may be accomplished through the provisions of buffer zones, common open space areas, landscape features, transitional land uses, or a mixed-use development in which no specific type of land use is dominant. Compatibility/mitigation measures shall exceed the usual minimum standards of this order, when needed, to address impacts of the proposed development.
2. *Open Space*: Useable open space(s) shall be provided in an amount over and above setback areas and open areas required by the underlying zone. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space.
3. *Transportation System*: Planned developments shall incorporate transportation elements, which allow for connections to existing developments or undeveloped land both within and outside the planned unit development. These transportation elements should provide for improvements through street connections, road designs, ingress and egress to the existing transportation network depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Transportation elements shall provide for the creation of a system, if applicable, which encourages multi-modal transportation, to include provisions for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc.
4. *Preservation of Existing Site Features*: Existing topography, significant tree cover, water courses, and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article.
5. *Landscaping*: Substantial landscaping shall be provided in a planned unit development with emphasis given to streetscape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas and quantity and quality of landscape materials) within the developed portions of the site. The use of landscape design guidelines is required for multi-phased projects.
6. *Architecture*: A planned development shall incorporate a consistent architectural theme which is unique to the specific site and surrounding community through the use of materials, signage and design. Generic corporate architecture and big box designs are strongly discouraged. The Area Plan Commission shall have the option to require any large corporate architecture or big box design to implement unique and appealing architectural features so as to minimize the visual impact of the structure. Uses should be designed according to the limitation of the site rather than the removal of the limitations. Specific design details such as roof parapets, architectural details, varying roof heights, roof pitches, materials, and building colors should be addressed. The use of architectural guidelines is required for large multi-phased projects.

7. *Historic and Prehistoric Features:* Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
8. *Signage:* A consistent signage theme shall be provided within a planned unit development. Building mounted signs shall be the predominant signage on the project site. Freestanding signs shall be monument style and of a limited size and height. The use of signage design guidelines is required for multi-phased projects.
9. *Conformance with Comprehensive Plan:* All planned unit developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations on existing or planned infrastructure.

Concept Development Plan proposals within areas that are subject to a specific land use or corridor study shall be evaluated against the criteria or requirements of such study as well as the criteria in this section.

SECTION 1630 - Pre-Application Meeting

Any applicant or property owner proposing a Planned Unit Development district shall be required to meet with the planning staff of the Plan Commission prior to the submission of the application and Concept Development Plan. The purpose of the meeting will be to informally discuss the purpose and effect of this order, the criteria and standards which may apply, and to familiarize the applicant/owner(s) with the objectives of the Comprehensive Plan, its elements, this order, and this article.

SECTION 1635 – Public Hearing Procedure

Because a PUD is a rezoning, the public hearing and findings of fact shall follow the same procedure as outlined within Article 5, Sections 530-570. The Concept Development Plan shall follow the minimum and optional guidelines as outlined in Article 5, Section 520.

SECTION 1640 – Change of Approved Concept Development Plan

Any change proposed to a previously approved Concept Development Plan shall be considered by the Planning Director to determine if the changes are considered minor or major in scope. Minor amendments that do not involve substantive changes in the development concept, uses, density, supplemental conditions of approval, or do not change the overall concept previously approved shall be handled administratively. Major amendments to an approved Concept Development Plan that involve substantive changes in the development concept, uses, density, supplemental conditions of approval shall require approval as outlined in the public hearing process of this Article.

SECTION 1645 - Subdivision and Site Plan Approvals

After approval of the Concept Development Plan by the legislative unit with jurisdiction, the developer of the property is required to follow the applicable subdivision procedures found within the Decatur County Subdivision Ordinance and site plan review as outlined within this ordinance.

SECTION 1650 – Designation on Zoning Map

Property that is rezoned under the procedures of this article shall be designated on the Official Decatur County Zoning Map as a Planned Unit Development (PUD).

