

SECTION 17-26. "PUD" PLANNED UNIT DEVELOPMENT REGULATIONS

(a) **Purpose:** The purpose of a Planned Unit Development "PUD" is to accommodate planned associations of uses developed as integral land use units such as industrial parks or industrial districts, offices, commercial uses, service centers, shopping centers, residential developments of multiple or mixed housing, including multi-family dwellings, single family dwellings, townhouses or any appropriate combination of uses which may be planned, developed or operated as integral land use units whether by single owner or by a combination of owners. This zoning district shall be permitted for tracts of land not less than thirty (30) acres in area.

(b) **Procedure:** The stages or procedure for a Planned Unit Development shall be as follows:

- (1) The application for PUD Zoning (Section 26.03).
- (2) The submission of a Development Plan (Section 26.04).
- (3) The submission of a Project Plan (Section 26.05).

(c) **Zoning of PUD Districts:**

(1) **Submission of Application:** Any person or corporation or group of persons having a proprietary interest in any property of thirty (30) acres or more, may file an application for PUD Zoning.

(2) **Data to Accompany Application:** The application for PUD Zoning shall include a preliminary plat as well as the following:

- a. Metes and bounds description of the overall tract with topographic information necessary to project the natural terrain and environmental character of the site.
- b. A written description of the existing and allowable land use surrounding the proposed PUD District.
- c. A written description of planning assumptions and projections relating the PUD to the overall community growth and planning goals.
- d. A plan indicating location of major and secondary thoroughfares, as proposed within the City Master Thoroughfare Plan.
- e. A categorical listing of the total acreage for each land use related to current zoning district designations or the specific purpose. The designated usage will not be assumed to establish the area requirements as established within the zoning district. All setbacks, height, and coverage will be determined by the approved final development plan.
- f. Indication by acreage or percentage of total development, all major areas planned for public or private common open space.
- g. All applications with gross land area of one hundred (100) acres or less shall submit a graphic plan of proposed land use. Applications with gross land area of more than one hundred (100) acres shall have the option of filing either a graphic plan or a perimeter plan indicating land use to a depth of three hundred (300) feet around the exterior of the total site.
- h. A written indication of the maximum number of residential dwelling units to be constructed within the total PUD District.

(3) **Staff Review and Recommendations:** The Technical Staff shall, as soon as practical, issue a written report thereon to the Planning Commission, a copy of which shall be furnished to the applicant.

- (4) **Planning Commission Hearing:** The Planning Commission shall hold a public hearing on any application for PUD Zoning District prior to making its recommendation to the City Council in accordance with standard procedures for a change of zoning.
- (5) **PUD Open Space Policy:** All open space shall be provided at a minimum ratio of .01 acres for each residential unit. For single family use, the open space may be calculated including front setback areas. Private ownership of these areas is permitted, subject to the following conditions:
- a. All private park areas shall have grounds and equipment maintained in an attractive manner comparable with the neighborhood.
 - b. Private park areas must be committed to permanent open space by deed restrictions.
- (d) **Development Plan:**
- (1) **Submission of Development Plan:** After the granting of PUD Zoning, and as the applicant desires to develop the PUD District, or any portion thereof, he shall submit a Development Plan to the City. If the applicant so desires, separate development plans may be submitted at separate times for portions or sub-areas of the PUD.
- (2) **Contents:** The Development Plan shall include a final plat as well as the following information:
- a. A description of the area or sub-area included in the Development Plan by dimensions and bearings on an accurate survey with topography grades of not more than two (2) feet.
 - b. A general description of the surrounding area.
 - c. Provisions for public or private streets, alleys, storm sewers, sanitary sewers, setbacks and utility easements.
 - d. Percentage or acreage of project land uses either for the total area or sub-area consistent with the designated current zoning district categories or detailed land use as established in the Zoning Ordinance.
 - e. Designation and location of open space for total site or sub-area.
 - f. Maximum number and type of residential dwelling units to be constructed in said area or sub-area.
 - g. Anticipated development schedule.
 - h. Protective and restrictive covenants and homeowners' association charters, if any.
 - i. In those instances where development plans are submitted for sub-areas, applicant shall demonstrate that composite projected land uses and maximum number of dwelling units approved in the PUD Zoning have not been exceeded and that open space requirements are consistent with approved ordinance.
- (3) **Staff Review:** Upon submission of a development plan for PUD or a sub-area thereof, the Technical Staff shall confer and consult with the applicant and may make recommendations to the land owner for amplification, deletion or modification thereof. After a full opportunity for consultation between applicant and the Technical Staff, the development plan shall be submitted to the Planning Commission which will make its recommendation to the City Council. No advertised public hearing is required so long as both Staff and City Council believe there are no significant variances to the zoning requirements or restrictions as

determined by Section 26.03 of this Ordinance. No notice to the adjacent land owners shall be given so long as both Staff and the City Council believe the specific uses designated by the PUD Ordinance are not being substantially modified.

(e) Project Plan:

(1) Submission: After City Council approval of the development of a Planned Unit Development, the applicant shall submit a project plan showing or describing each project as it is to be built. No building permit shall be issued prior to approval of the project plan.

(2) Contents: The project plan for each development shall include an engineering site plan as well as the following information:

a. Detailed planned uses.

b. Actual location of all buildings to be constructed indicating the governing setback lines, if any.

c. Provisions for any additional public or private streets, alleys, or utility easements not previously reflected on appropriate development plan.

d. Protective and restrictive covenants applicable to the project, if any.

(3) Staff Review: Upon submission of a project plan to the City, the Technical Staff shall confer with the applicant and may make recommendations to the land owner for amplification, deletion or modification thereof. After a full opportunity for consultation, the Staff shall submit its recommendation to the Planning Commission for the project plan as submitted, or as may be modified, a copy of which shall be furnished to the applicant.

(4) Commission Approval: After the Technical Staff has submitted its recommendation to the Planning Commission, the applicant shall be notified to appear before the Planning Commission and present his project plan. The Commission will make its recommendation to the City Council. No advertised public hearing is contemplated, so long as there is no significant variance from the approved development plan or restrictions as determined by Section 26.03 of this Ordinance.

(f) Amendment of PUD Zoning: Any amendment supplement or change in any PUD Zoning may be granted upon application by any person, corporation or group of persons having a proprietary interest therein. Any application for such amendment, supplement or change must contain the data required for an initial application for PUD Zoning and follow the same procedure as for a zone change request. Such a request shall allow the City of Lewisville to review and amend as necessary any other portions of the PUD which may be impacted by the requested change.