

Sec. 10-6.696 [10-955 and 10-915]. Planned Unit Developments

1. Specific uses required by the Comprehensive Plan to be developed as planned developments or Planned Unit Developments.

(a) *Purpose and intent.* The purpose and intent of this subsection is to provide for the required review of the uses specifically identified in the Comprehensive Plan as uses to be developed as planned developments or Planned Unit Developments. These uses are ones which may have a potential adverse impact and therefore should be subject to additional review.

(b) *Allowable land uses.* Those uses specifically identified in the goals, objectives, and policies, the land use categories and the land development use matrix shall be allowed.

(c) *Development standards.* These uses shall be subject to review and approval by the Board of County Commissioners and any specific standards as shown in the Comprehensive Plan, these regulations, and other applicable codes or ordinances.

2. Planned Unit Development (PUD) zoning district requirements and procedures.

(a) *Purpose and intent of district.* The planned unit development (PUD) zoning district and associated concept plan may be used to establish types of development and arrangements of land uses that are consistent with the Comprehensive Plan, but which are not otherwise provided for or allowed in the zoning districts set out in this chapter. The range of uses and development intensities allowed within a particular PUD district, along with any corresponding development and design standards are established by an associated PUD concept plan. Subsequent development within the PUD district is implemented by the approval of one or more site and development plans, known as PUD final plans.

The standards for creating a new PUD district and its associated concept plan set out herein are intended to promote flexibility of design and permit planned diversification and integration of uses and structures. The process set out herein allows the Board of County Commissioners to evaluate applications to establish new PUD districts and their associated concept plans, to make modifications to adopted concept plans, and to render final determination as to whether applications should be approved, approved with conditions, or denied. In addition, the Board of County Commissioners may, through approval with conditions, establish such additional limitations and regulations as it deems necessary to protect the public health, safety, and general welfare. Specifically, the PUD district is intended to:

(1) Promote more efficient and economic uses of land.

(2) Provide flexibility to meet changing needs, technologies, economics, and consumer preferences.

- (3) Encourage uses of land which reduce transportation needs and which conserve energy and natural resources to the maximum extent possible.
- (4) Preserve to the greatest extent possible, and utilize in a harmonious fashion, existing landscape features and amenities.
- (5) Provide for more usable and suitably located recreational facilities, open spaces and scenic areas, either commonly owned or publicly owned, than would otherwise be provided under a conventional zoning district.
- (6) Lower development and building costs by permitting smaller networks of utilities and streets and the use of more economical building types and shared facilities.
- (7) Permit the combining and coordinating of land uses, building types, and building relationships within a planned development, which otherwise would not be provided under a conventional zoning district.

(b) Establishment of a new PUD district and adoption of an associated concept plan.

- (1) *Eligibility for application.* Applications for establishment of a new PUD zoning district shall demonstrate compliance with the following minimum eligibility criteria:
 - a. *Minimum area for a PUD zoning district.* The minimum area required for an application to a PUD district shall be five acres, except where the proposed use is required to be approved as a Planned Unit Development by the Comprehensive Plan wherein, there shall be no minimum area required.
 - b. *Configuration of the PUD zoning district.* The PUD zoning district shall consist of a single discrete area of land of sufficient width and depth to accommodate the proposed use.
 - c. *Unified control/ownership.* All properties included for the purpose of application to amend the Official Zoning Map to create a PUD district shall be under the ownership or control of the applicant.
- (2) *Review process.* The approval of a PUD Zoning Map amendment and associated concept plan application rests with the Board of County Commissioners. An application for a PUD zoning district shall include a PUD concept plan; a PUD zoning district shall not be established unless and until an associated implementing PUD concept plan is approved by the Board of County Commissioners. Review of an application for a PUD Zoning Map amendment and associated concept plan shall undergo the following sequence:
 - a. *Pre-application conference.* An application for a pre-application conference shall be submitted in accordance with established policies and procedures.

- b. *PUD concept plan application.* A PUD concept plan application shall be submitted in accordance with the submittal requirements set forth in subsection (3) of this section.
- c. *Public notification.* Public notice of the PUD concept plan shall be provided by publication in a newspaper of regular and general circulation. In addition, written notice shall be mailed to the current address of each owner of property located within 500 feet of the properties included in the application, based upon records of the Leon County Property Appraiser's office, and to registered neighborhood associations.
- d. *DRC meeting and recommendation.* The development review committee shall review the PUD concept plan application to evaluate consistency with the Comprehensive Plan and compliance with applicable land development regulations adopted by the county. The DRC shall prepare an itemized list of written findings of fact that support a recommendation of approval, approval with conditions, or denial of the PUD concept plan. The written findings of the DRC shall be forwarded to the Planning Commission.
- e. *Planning Commission public hearing and recommendation.* The Planning Commission shall conduct a public hearing on the PUD zoning map amendment and concept plan application and formulate findings supporting a recommendation to the Board of County Commissioners to approve, approve with conditions, or deny the application. The Planning Commission's recommendation shall be based upon the recommendation of the DRC, public testimony, and findings made on the record at the public hearing. Quasi-judicial proceedings may be invoked pursuant to the provisions of Article XI, Division 9 of this Code.
- f. *Board of County Commissioners public hearing and disposition.* The Board of County Commissioners shall conduct a public hearing on the PUD zoning map amendment and concept plan application. The Board's final action approve, approve with conditions, or deny the application shall be based upon the recommendations of the Planning Commission and the DRC, public testimony, and findings made on the record at the public hearing. The decision of the Board of County Commissioners shall be supported by written findings. The decision of the Board of County Commissioners shall be final.

(3) *Application Content and Submittal requirements.*

- (a) *PUD concept plan.* A PUD concept plan is a generalized plan that establishes the allowable land uses and the allowable development density or intensity ranges as well as any corresponding development and design standards for all lands within the PUD zoning district. A PUD concept plan may further establish separate subdistricts. The PUD concept plan may, for each subdistrict, establish a separate list of allowable uses and applicable standards, so long as those uses and standards are consistent with those established for the PUD district.

A PUD concept plan shall consist of the graphic and/or textual information itemized in 1. through 4. below. Adjustments to this information can be made at the pre-application conference.

1. A general plan for the use of all lands within the proposed PUD. Such plans shall indicate the general location of residential areas (including density and unit types), open space, parks, passive or scenic areas, and non-residential areas (including maximum building square footage and maximum height).
2. A plan of vehicular and pedestrian circulation showing the general locations and right-of-way widths of roads, sidewalks, the capacity of the system and access points to the external and internal thoroughfare network.
3. *A summary of allowable development.* The summary shall provide:
 - a. The total acreage of the PUD district, and each subdistrict, as may be proposed;
 - b. The acreage of areas proposed for specific land uses proposed to be allowed within the PUD district and PUD sub-districts proposed in the concept plan, as may be applicable;
 - c. The acreage of open space or conservation areas not to be developed within the PUD district and PUD sub-districts proposed in the concept plan;
 - d. The minimum and maximum allowable quantity of residential units to be allowed within the PUD district, and PUD sub-districts proposed in the concept plan, measured in residential dwelling units per acre;
 - e. The minimum and maximum allowable residential density to be allowed within the PUD district, and PUD sub-districts proposed in the concept plan, measured in residential dwelling units per acre;
 - f. The minimum and maximum allowable non-residential development intensity to be allowed within the PUD district, measured in gross building square footage; and,
 - g. The minimum and maximum allowable non-residential development intensity to be allowed within the PUD district, measured in floor area ratio.
4. Regulations and development standards for the PUD district and for each sub-district, including:
 - a. An itemized list of uses proposed to be allowed in each the PUD district, or sub-districts, if any.

- b. The minimum and maximum residential densities for the PUD district and for any sub-districts.
 - c. The minimum and maximum non-residential gross square footage and floor area ratios for the PUD district and for any sub-districts.
 - d. Development and design standards governing the development of the PUD district and any sub-districts which shall, at a minimum, address: lot dimensions and size; building setbacks; building heights; dimensions of internal streets, sidewalks, and other transportation facilities (such standards may be conveyed through annotated diagrams); open space provision; off-street parking, buffering, and landscaping.
 - e. The PUD Concept Plan may establish, for the PUD district or any sub-district therein, additional development and design standards for other development and design characteristics and elements, etc., so long as these standards are consistent with the Comprehensive Plan. The PUD Concept Plan may establish proprietary standards to regulate a particular development or design characteristic or element. In those instances where development or design standards are not specifically provided in the PUD Concept Plan, the standards set out in the Land Development Code shall remain in force.
- (b) A site conditions map that includes:
- (i) A legal description of the properties included in the application with an associated boundary survey signed and sealed by a registered Florida land surveyor.
 - (ii) Name of the PUD; the owners of all properties included in the PUD district; the agent for the PUD application, and address and phone number of the agent; and, date of drawing and of any subsequent revision.
 - (iii) Scale, north arrow, and general location map showing relationship of the site to external uses, structures, and features.
- (c) A Natural Features Inventory approved by the Department of Growth and Environmental Management.
- (d) A preliminary Certificate of Concurrency or appropriate documentation issued by the county Growth and Environmental Management Department.
- (4) *Review criteria.* In order to be approved, a proposed PUD Zoning Map amendment and Concept Plan application shall demonstrate satisfaction of the following criteria:
- (i) *Consistency with the Comprehensive Plan.* The proposed PUD district shall be consistent with the Comprehensive Plan.

(ii) *Consistency with other ordinances.* The proposed PUD district shall be consistent with all other ordinances adopted by the county, including but not limited to the applicable environmental and concurrency management ordinances.

(iii) *Consistency with purpose and intent of PUD district.* An application for a PUD district shall include a narrative indicating how the proposed PUD district meets the purpose and intent of the PUD district, as set forth in subsection (a) of this section. The narrative shall specifically address the seven statements itemized in subsection (a).

(c) *Previously approved PUD districts and concept plans.*

(1) *Status of previously approved PUDs.* Any PUD district approved prior to the effective date of this ordinance shall continue to be governed by the approved PUD plan and any agreements, terms, and conditions to which the approval may be subject and shall be designated PUD on the official zoning map.

(2) *Amendments to a PUD concept plan or PUD zoning districts.* Whenever any application is made to substantially modify an approved PUD, or to undertake a new development on part or all of the property, the application shall be made under the terms and procedures of the PUD district set forth herein. Notwithstanding this provision, the County Administrator or designee may approve amendments to the PUD concept plan during the review of a PUD final development plan if said amendments are substantially minor in nature and do not affect the overall character of the PUD concept plan. The criteria that the County Administrator or designee shall use to determine if the proposed changes are not substantially minor in nature and effect the overall character of the PUD include, but are not limited to: a change in the overall number of residential dwelling units of 10% or greater; a change in density of 15% or more; an increase of non-residential building square footage; a substantial decrease in the amount of acres devoted to common open space and/or natural area; a substantial change in the general location of the proposed land uses, including the common open space and/or natural areas; a substantial change in the location, design, or function of associated transportation facilities; and, a substantial change in the location, design, type, or function of associated infrastructures.

(3) *Eligibility for application for modification of a PUD concept plan or district.*

(a) *Minimum area for modification to an existing PUD zoning district or concept plan amendment.* The minimum area required to be included in an application for amendment to a PUD district shall be the entire PUD zoning district; however, the County Administrator or designee, may allow an amendment of the Official Zoning Map or the Concept Plan that affects or applies to only a portion of the land area included in the PUD district upon a finding that such amendment would not adversely impact the remainder of the district.

- (b) *Control/ownership.* 1) All properties included for the purpose of application for modification to an existing PUD zoning district or concept plan amendment shall be under the ownership or control of the applicant; or, 2) an application may be made by the Board of County Commissioners.
- (d) *PUD final plan.* The PUD final plan is a site and development plan consistent with and intended to implement a PUD concept plan. The final plan may pertain to an entire PUD district or some portion of the land area included within that district. The appropriate level of site and development plan review for the PUD final plan, applicable submittal requirements, and procedural standards, including level of review, are those set forth in the site plan procedures of Division 4 of Article VII of Chapter 10.
- (e) *Joint concept and final PUD plan application.* At the option of the applicant, a PUD concept plan may be reviewed simultaneously with a PUD final development plan. The submittal requirements of such a review shall be determined at the pre-application conference.