

ARTICLE V

PLANNED UNIT DEVELOPMENT

5.1 Purpose.

The purpose of these regulations is to establish procedures and criteria to evaluate planned developments. It is intended to provide a relationship between buildings and between building and site that cannot be accomplished by the one building-one lot application of the land use provisions of this Ordinance. In order to encourage well designed building groups, this article provides for the development of more than one structure upon a single lot or tract as well as the integral development of one or more lots as a single tract. Planned unit developments (PUD's) are allowed for new projects on undeveloped land, redevelopment of previously built sites, or conversions of existing buildings and land. Planned unit developments shall be processed as conditional uses.

5.2 Application for a PUD.

The following documents must be submitted with a **PUD** application:

1. A site plan and/or plat for the project showing locations of property boundaries, surface water features, existing and proposed structures and other facilities, land alterations, sewage treatment and water supply systems (where public systems will not be provided), and topographic contours at two foot intervals or less. When a PUD is a combined commercial and residential development, the site plan and/or plat must indicate and distinguish which buildings and portions of the project are residential, commercial, or a combination of the two.
2. A property owners association agreement for residential PUD's with mandatory membership.
3. Deed restrictions, covenants, permanent easements or other instruments that:
 - A. properly address what vegetative and topographic alterations are allowed, what construction of additional buildings is allowed, how beaching of watercraft will be regulated, and if construction of commercial buildings is allowed;
 - B. ensure the long-term preservation and maintenance of open space;
 - C. protect wetlands from any future draining or filling;

- D. provide for third-party management of individual sewage treatment systems.
4. A master plan/drawing describing the project and the floor plan for all structures.
5. Those additional documents as requested by the City and the Planning Commission that are necessary to explain **PUD** design and function.

5.3 Criteria for Evaluation.

Before recommending the approval of the Preliminary Development Plan and Conditional Use Permit for a Planned Unit Development, the Planning Commission shall find that the following criteria are satisfied:

1. The Planned Unit Development shall generally conform to the regulations of the land use district in which it is proposed to be located, provided that any exceptions to the standard requirements of the land use and subdivision regulations are justified by the design of the development.
2. The planned development or unit thereof is of sufficient size, composition and arrangement that its construction, marketing and operation are feasible as a complete unit without dependence upon any subsequent unit.
3. The planned development will not create an excessive burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the planned development.
4. The minimum area of land to be included in the Planned Unit Development shall be as designated in the land use district in which it is proposed to be located.
5. All streets within the Planned Unit Development, whether public or private, shall be constructed to meet the specifications in this City of Longville Subdivision and Platting Ordinance.

5.4 Suitability.

The City must consider the following criteria in the examination of a parcel for suitability as a P.U.D.:

1. Existing recreational use of the surface waters and likely increases in use associated with planned unit developments;
2. Physical and aesthetic impacts of increased density;
3. Suitability of lands for the planned unit development approach;
4. Level of current development in the area; and
5. Amounts and types of ownership of undeveloped lands.
6. Size of the parcel and amount, if any, of shoreline.

5.5 Design Criteria for all new PUD'S

1. Minimum Size. Planned unit developments shall contain a minimum of three units or sites.
2. Buffer. A 50-foot vegetative buffer will be maintained or established along the boundary of the PUD. There shall be no units or impervious coverage within this buffer with the exception of access roads or utilities. The buffer will serve to screen the adjacent parcels and the lake, where applicable, from the units within the PUD. The screening will contain both low growing (e.g. brush) and high growing (e.g. trees) vegetation. Adjacent parcels and the lake, where applicable, shall be a minimum of 50% screened, as measured by the Zoning Administrator, from the adjacent parcel or the lake during leaf-on conditions. An earthen berm may be used where, in the opinion of the Planning Commission, the existing vegetation cannot be enhanced to meet the 50% screening criteria. Use of a berm shall not preclude the maintaining of a 50-foot buffer or the installation of screening as part of the berm.
3. Open Space. At least 25% of the total project area must be preserved in open space.
 - A. Open space shall be left in its natural state and shall be contiguous.
 - B. Dwelling units or sites, road right-of-way, land covered by road surfaces, parking areas, stormwater basins, collection and treatment areas, structures and landscaped areas which are routinely maintained are developed areas and shall not be included in the computation of minimum open space.
 - C. Open space shall include areas with physical characteristics unsuitable for development in their natural state, and areas containing significant historic sites or unplatted cemeteries.
 - D. The 50-foot buffer shall be included as open space, minus areas used as accesses.
 - E. Where a wildlife corridor is present, open space shall be designed to include the corridor.
 - F. The appearance of open space areas shall be preserved by use of restrictive deed covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means acceptable to the City.
 - G. At least 50% of the shore impact zone must be maintained as open space.

4. Common Space. At least 50% of the project must be included as common space.
 - A. Open space shall be counted as common space.
 - B. Common space may include any outdoor recreational facilities for use by owners of the dwelling units or sites, or the public.
 - C. Common space may include areas used for stormwater retention or management and areas used for sanitary sewer collection or disposal. Where common space includes sanitary sewage treatment systems, the use of the space shall be restricted where necessary to avoid adverse impacts on the systems.
 - D. All of the shore impact zones must be included as common space.
 - E. Common space must not include commercial facilities or uses, but may contain water-oriented facilities.
 - F. The appearance and use of common space areas, including topography, vegetation, and allowable uses, must be preserved by use of restrictive deed covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means acceptable to the City.

5. Stormwater Management.
 - A. All PUD's must develop and maintain a stormwater management plan indefinitely.
 - B. Capacities of existing drainage ways shall be maintained.
 - C. Unless specifically allowed by the City, inlets and outlets to adjacent parcels shall be maintained. Flows from outlets shall be maintained unless allowed by the City.
 - D. All PUD's shall contain the 10-year, 24-hour storm event within the development.
 - E. Runoff from the parcel shall not be concentrated unless part of a City stormwater management plan.

6. Sanitary sewer and water supply standards.
 - A. Residential planned unit developments must be connected to publicly owned water supply and sewer systems, when available.
 - B. On-site water supply and sewage treatment systems must be centralized and designed and installed to meet or exceed applicable standards or rules of the Minnesota Department of Health and the Minnesota Pollution Control Agency.
 - C. On-site sewage treatment systems must be located on the most

suitable areas of the development, and sufficient lawn area free of limiting factors must be provided for a replacement soil treatment system for each sewage system.

7. Erosion Control.
 - A. All PUD's must develop and maintain an erosion control throughout construction activities.
 - B. Temporary ground covers, sediment entrapment facilities, vegetated buffer strips, or other techniques must be used to minimize erosion.
 - C. Steps shall be taken to insure that disturbed ground is restored or stabilized as soon as possible after being disturbed.
8. Exterior lighting. All exterior lighting shall be directed downward. Lighting shall not illuminate adjacent parcels, either directly or indirectly.
9. Shore Recreation Facilities. Shore recreation facilities, including but not limited to swimming areas, docks and watercraft mooring areas and launching ramps, must be centralized and located in areas suitable for them. Evaluation of suitability must include consideration of land slope, water depth, vegetation, soils, depth to groundwater and bedrock, or other relevant factors. The number of spaces provided for continuous beaching, mooring or docking of watercraft must not exceed one for each allowable dwelling unit or site in the first tier. Launching ramp facilities, including a small dock for loading and unloading equipment, may be provided for use by occupants of dwelling units or sites located in other tiers.
10. Building standards. Units must be clustered in one or more groups and located on suitable areas of the development. All structures within a PUD must meet the minimum standards:
 - A. New multifamily dwellings of 4 units or larger shall be designed by an architect.
 - B. New multifamily building shall have two-hour fire rated party walls and floors.
 - C. New multi-family buildings shall have a 45-decibel rating between units.
 - D. Water systems must be winterized.
 - E. Parking and driving areas must be paved.
 - F. All buildings shall be earth tone in color and shall be designed, constructed and positioned to be compatible, in color, character and mass, with the surrounding land use.

5.6 Design Criteria for existing PUD's

1. All existing PUD's shall meet the design criteria for a new PUD, where possible.
2. Additional development within an existing PUD shall not bring the PUD further out of compliance with the basic design criteria.
3. Allowances for density increases shall only be made in existing PUD's where new development within the PUD meets the design criteria and specific density increase criteria and the new development serves to bring the entire PUD closer to conforming to the design criteria. \

5.7 Computing PUD Buildable Area.

Buildable area in a PUD is calculated using the following procedure:

1. The project parcel is divided into tiers by locating one or more lines approximately parallel to a line that identifies the ordinary high water level at the following intervals, proceeding landward:

<u>Shoreland Tier Dimensions</u>		
	Unsewered (feet)	Sewered (feet)
Gen develop lakes - first tier	200	200
Gen develop lakes - second and additional tiers,	267	267
Recreational Development	267	267
Natural Environment lakes	400	320

2. The area within each tier is next calculated, excluding all wetlands, bluffs, or land below the ordinary high water level of public waters. This area is then subjected to either the residential or commercial planned unit development density evaluation steps to arrive at an allowable base number of dwelling units or sites.

5.8 Residential Planned Unit Developments.

1. Base Density. To compute the base density, the buildable area within each tier is divided by the single residential lot size standard for the zoning district.

This shall yield a base density of dwelling units or sites for each tier.

2. Transferability. Within the first five tiers, allowable base densities may be transferred from any tier to any other tier further from the shoreland water body or watercourse, but must not be transferred to any other tier closer.
3. Density increases. The City may allow some dwelling unit or site density increases for residential planned unit developments.
 - A. Where density increases are allowed, they shall be allowed only in conformance with the following table:

<u>Criteria</u>	<u>Density Increase, Tier 1</u>	<u>Density Increase, Tier 2</u>	<u>Density Increase, Tier 3 and Beyond</u>
Connection to City Sewer	20%	40%	50%
Setback from lake increased 50%	5%	10%	10%
Setback from lake increased 100%	10%	20% (not cumulative)	20% (not cumulative)
External vegetative buffer increased to an average of 75 feet	5%	20%	25%
External vegetative buffer increased to an average of 100 feet	10%	40% (not cumulative)	50% (not cumulative)
Screening increased to 75% effective	5%	20%	25%
Screening increased to 100% effective	10%	40% (not cumulative)	50% (not cumulative)
Open Space increased to 40% of total area	5%	20%	25%
Maintain 100-year, 24-hour storm event on site	10%	20%	25%
Restore and maintain shoreland in its original/natural state	10%	20%	20%

Increases are from the base density. Stepped increases do not result in cumulative density increases (e.g. A 75-foot buffer allows a 10% increase in Tier 1. A 100-foot buffer would allow an additional 10% increase in Tier 1 for a total of 20% as shown in the table).

- B. Increases in unit or site densities shall not exceed the following

maximums:

<u>Tier</u>	<u>Maximum Density Increase</u>
First	50%
Second	100%
Third and each subsequent tier	200%

4. Administration and any maintenance requirements. Prior to final approval of any residential planned unit developments, the City will require adequate provisions developed for preservation and maintenance in perpetuity of open spaced and for the continued existence and functioning of the development as a community.
 - A. Membership must be mandatory for each dwelling unit or site purchaser and any successive purchasers.
 - B. Each member must pay a pro rata share of the association's expenses, and unpaid assessments can become liens on units or sites.
 - C. Assessments must be adjustable to accommodate changing conditions.
 - D. The association must be responsible for insurance, taxes and maintenance of all commonly owned property and facilities.
 - E. Changes to owner's association must be approved by the City.

5.9 Commercial Planned Unit Developments.

1. Base density. Base density is determined through the following steps:
 - A. Determine the average inside living area size of dwelling units or sites within each tier, including both existing and proposed units and sites. Computation of inside living area sizes need not include decks, patios, stoops, steps, garages, or porches and basements, unless they are habitable space.
 - B. Select the appropriate floor area ratio from the following table:

Average Unit floor area (Square Feet)	Sewered general development lakes; first tier on unsewered general development lakes	Second and additional tiers on unsewered general development lakes; recreational development lakes	Natural Environment lakes & streams
200	0.040	0.020	0.010
300	0.048	0.024	0.012
400	0.056	0.028	0.014
500	0.065	0.032	0.016
600	0.072	0.038	0.019
700	0.082	0.042	0.021
800	0.091	0.046	0.023
900	0.099	0.050	0.025
1,000	0.108	0.054	0.027
1,100	0.116	0.058	0.029
1,200	0.125	0.064	0.032
1,300	0.133	0.068	0.034
1,400	0.142	0.072	0.036
1,500	0.150	0.075	0.038

* For average unit floor areas less than shown, use the floor area ratios listed for 200 square feet. For areas greater than shown, use the ratios listed for 1,500 square feet. For recreational camping areas, use the ratios listed at 1,000 square feet. Manufactured home sites in recreational camping areas shall use a ratio equal to the size of the manufactured home, a minimum of the ratio listed for 1,000 square feet.

- C. Multiply the useable area within each tier by the floor area ratio to yield total floor area for each tier allowed to be used for dwelling units or sites.
 - D. Divide the area computed in subitem (3) by the average determined in subitem (1). This yields a base number of dwelling units or sites for each tier. Use 1,000 square feet minimum for a RV or manufactured home.
2. Transferability. Within the first five tiers, allowable base densities may be transferred from any tier to any other tier further from the shoreland water body or watercourse, but must not be transferred to any other tier

closer.

3. Density increases. The City may allow some dwelling unit or site density increases for residential planned unit developments.

A. Where density increases are allowed, they shall be allowed only in conformance with the following table:

<u>Criteria</u>	<u>Density Increase, Tier 1</u>	<u>Density Increase, Tier 2</u>	<u>Density Increase, Tier 3 and Beyond</u>
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Setback from lake increased 100%	10%	20% (not cumulative)	20% (not cumulative)
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External vegetative buffer increased to an average of 100 feet	10%	40% (not cumulative)	50% (not cumulative)
Screening increased to 75% effective	5%	20%	25%
Screening increased to 100% effective	10%	40% (not cumulative)	50% (not cumulative)
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Maintain 100-year, 24-hour storm event on site	10%	20%	25%
Restore and maintain shoreland in its original/natural state	10%	20%	20%

Increases are from the base density. Stepped increases do not result in cumulative density increases (e.g. A 75-foot buffer allows a 10% increase in Tier 1. A 100-foot buffer would allow an additional 10% increase in Tier 1 for a total of 20% as shown in the table).

B. Increases in unit or site densities shall not exceed the following maximums:

<u>Tier</u>	<u>Maximum Density Increase</u>
First	50%
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Third and each subsequent tier	200%
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