

## Introduction

This document is summary of all of the PUD sections in a single document for review purposes. In ordinance version, some of these sections may be placed in separate articles of the UDC.

## ARTICLE XXX: SPECIAL DEVELOPMENTS

### Section XXX.XXX Planned Unit Development (PUD) Purpose

The purpose of the Planned Unit Development (PUD) is to encourage flexibility, innovation and variety in the development of land in order to promote its most appropriate use; to improve the design, character and quality of development; to facilitate the adequate and economic provision of streets, utilities and services; to achieve beneficial land use relationships with the surrounding area; to preserve the unique natural and scenic features of the landscape; and to preserve open space as development occurs.

All PUD development should meet the following criteria:

- A. Environmentally sensitive design that is of a higher quality than would be possible under the regulations otherwise applicable to the property.
- B. Diversification and variation of residential and non-residential uses, infrastructure, open spaces and lot developments.
- C. Functional and beneficial uses of open space areas.
- D. Preservation of natural features of a development site such as ponds, lakes, creeks, streams, wetlands, animal habitats, etc.
- E. Creation of a safe and desirable living environment for residential areas characterized by a planned building and site development program.
- F. Efficient and effective circulation for various means of transportation, both within and adjacent to the development site.
- G. Creation of a variety of architectural styles and housing types compatible with surrounding neighborhoods to provide greater housing choice.

### Section XX.XX. Planned Unit Development General Development Standards

- A. Permitted Districts
  1. PUD may be applied for as an overlay in the following zoning districts: RE, RS, RU, CN, CC, CG and UC.
  2. PUD shall not be allowed in the following districts: RR, BP, and I.
- B. Minimum Area

1. The minimum area for PUDs under this article shall be as follows:
  - a) In residential districts – Twenty-five (25) contiguous acres
  - b) In all other zoning districts – Ten (10) contiguous acres
2. If the proposed development site is located in multiple zoning district, the site must comply with the largest acreage standards.
- C. The site of the planned development must be under common ownership and/or unified control. If there are two (2) or more owners, the application for the planned development must be jointly filed by all owners.
- D. Every PUD developed under these provisions shall comply with all of the regulations established unless the regulations have been waived by the City Council or as otherwise stated in Section XX.XX.PUD Exemptions from District Regulations.

**Section XX.XX PUD Design Standards**

- A. Residential Uses
  1. Residential development shall comprise a maximum of sixty (60) percent of the overall developable area of the PUD, not including required open space. Live/work and residential mixed-use development are included in the sixty (60) percent.
  2. The PUD shall have a maximum residential density of ten (10) units per acre.
  3. Single-family residential shall be developed in accordance with the standards for RU single-family cluster development in Table X.XXX.
- B. Non-Residential Uses
  1. Non-Residential uses in the CC, CG, and UC districts may be located in the PUD, subject to the respective design standards for each use in the UDC.
  2. Permitted and Conditional Uses in the BP district may only be allowed by conditional use.
- C. Infrastructure
  1. The PUD site shall be accessible to public streets that are adequate to carry the traffic that will be generated by the proposed development. The circulation system within the proposed development shall be adequate to serve the uses within the development. The applicant is responsible for the cost and installation of any additional traffic controls and regulating devices that may be required.
  2. All PUDs shall provide for acceptable design and construction of all utilities, roadways, parking facilities, landscape, and other site improvements, in accordance with the requirements of this Ordinance and all other relevant ordinances of the City of Zachary.
  3. The pedestrian circulation system and its related walkways shall be located to provide for separation of pedestrian and vehicular movement and for maximum pedestrian safety.
  4. The PUD shall connect to the municipal sewer system.

D. Open Space

1. Required open space shall comprise at least thirty percent (40%) of the total area of the site.
2. All open space shall meet the standards for Open Space in Sec. 6.406 Open Spaces.

E. PUD Buffers

1. Where PUDs adjoin public streets or lands with a different zoning classification, the installation and maintenance of a Type C landscaped buffer area at such perimeter shall be required in accordance with the requirements of the UDC. The detailed landscape plan for any such buffer required shall be part of the landscape plan filed in conjunction with the final plan.

**Section XX.XX. PUD Exemptions from District Regulations**

The ordinance authorizing a PUD may grant exceptions to the regulations contained in these regulations and in the UDC including, but not limited to, use, density, area, bulk, required yards, off-street parking and loading, and signage to achieve the objectives of the proposed planned development. Such exceptions shall be consistent with the procedures and standards of this section.

- A. Exceptions to UDC regulations may be granted when such exceptions do not negatively affect the value and enjoyment of surrounding property, the provision of municipal services, or vehicular and pedestrian circulation, subject to the following:
  1. No waiver or exception shall be granted for any non-residential uses that are allowed in the this section.
  2. **No waiver or exception shall be granted to exceed the maximum allowed residential development area or residential density as permitted in this section.**
- B. To be granted an exception, the applicant must demonstrate a substantial benefit to the City, which may include, but is not limited to, superior design characteristics, enhanced amenities within the development, and a commitment to the appropriate use of sustainable design techniques. The following design characteristics and amenities are provided as a guide for consideration as to whether to grant an exception to UDC requirements, but do not constitute an exclusive list of requirements. Additional design characteristics, public benefits and amenities not listed below may also be considered.
  1. Enhanced design characteristics including mixed-use development, circulations systems that utilize traffic calming techniques and pedestrian-oriented environments.
  2. Community amenities including plazas, public parks and other areas to congregate, outdoor seating, public art, and pedestrian amenities.
  3. The use of sustainable design and architecture, such as the use and/or incorporation of green roofs, white roofs, bio-swales, solar panels, wind turbines and other energy efficient

- design concepts, new building technologies, and/or Leadership in Energy Efficiency Design (LEED) or LEED-equivalent structures.
4. Preservation of natural areas.
  5. Historic preservation included the adaptive reuse of historic structures.
  6. Additional open space and recreational amenities such as ball fields, playgrounds, dog parks, natural water features and conservation areas.
  7. Additional public infrastructure improvements (in addition to the minimum requirements).
  8. Provision of accessible dwelling units with accessible features beyond what is required by the Americans with Disabilities Act (ADA) or any other applicable codes.
- C. Any exception approved for a PUD shall be considered as waiver and recorded and certified on the final subdivision plat and site plan (see Section X.XXX. Final PUD Plan Application).

### **Section XX.XX. PUD Application and Approval Summary**

- A. The PUD application and review process shall consist of three (3) processes: Conceptual Plan application and approval, Preliminary Plan application and approval, and Final Plan/Final Plat application and approval. This review and approval process does not substitute for any additional public review and/or approvals required by other parts of the City code, including the UDC. The following outlines the requirements for each stage of the PUD application:

### **Section XX.XX. PUD Conceptual Plan Application and Approval**

- A. PUD Conceptual Plan Pre-Application Conference: A pre-application conference is required before submission of a PUD Conceptual Plan application.
1. This stage of processing is to allow the exchange of information between the proposed developer, planning and zoning staff, and all other applicable City agencies.
  2. The general characteristics of the proposal, evidenced schematically by a conceptual plan, shall be considered during the Pre-Application Conference
  3. The Planning Director and other relevant City of Zachary officials shall furnish the applicant with written comments from the pre-application conference, including appropriate recommendations to inform and assist the applicant prior to preparing the components of the PUD application.
- B. Conceptual PUD Plan Application:
1. Upon completion of the Pre-Application Conference and after recommendations from the conference have been provided to the applicant by the City, a conceptual plan application may be filed for a PUD.

2. The application for the PUD Conceptual Plan Preliminary Plan shall include all of the required information for a Standard Subdivision in the City of Zachary.
  3. Additionally, a site and development plan with the following information is required:
    - a) A narrative explaining and tabulating the land uses by net acre, number of dwelling units by housing type, residential density, open space acreage, square footage of non-residential uses per net acre, and the relationship of the proposed development to existing development in the area and other related development features.
    - b) A concept plan schematically showing major streets, major utilities, land uses, access to existing streets, major open space and a conceptual drainage plan
    - c) All other required information for standard subdivision such as Drainage Impact Study and Traffic Impact Study.
  4. Review by Planning Director: The Planning Director may refer the application to other City Officials and affected or interested agencies for review and comment.
  5. Public Hearing and Review by the Technical Advisory Committee before the Planning and Zoning Public Hearing.
- C. Public Hearing and Recommendation by Planning and Zoning Commission on PUD Conceptual Plan
1. Within sixty (60) days of the start of the official public hearing, the Planning and Zoning Commission shall consider the comments and recommendations of the Planning Director, City Engineer, and other relevant public officials, relevant comments of all interested parties, the PUD development criteria in Section XX.XX and the review criteria for a PUD Conceptual Plan in Section XX.XXX, and recommend approval, approval with conditions, or denial the application.
  2. An extension of the sixty (60) day consideration period may be granted by the Planning and Zoning Commission at the request of the applicant, however granting additional consideration time shall not preclude the Planning and Zoning Commission from making a recommendation on the application.
- D. Public Hearing and Decision by City Council on PUD Conceptual Plan
1. Within sixty (60) days of the start of the official public hearing on the recommendation on the application by the Planning and Zoning Commission, the City Council shall consider the official recommendation of the Planning and Zoning Commission, the comments and recommendation of the Planning Director, City Engineer, and other relevant public officials, relevant comments of all interested parties, the PUD development criteria in Section XX.XX and the review criteria for a PUD Conceptual Plan in Section XX.XXX, and approve, approve with conditions, or deny the application.
    - a) Approval of the application: Applicant authorized to submit PUD Preliminary Plan.

- b) Deny the Application: The City Council shall state the reason for the denial of the application in the official record.
- 2. An extension of the sixty (60) day consideration period may be granted by the City Council at the request of the applicant, however granting additional consideration time shall not preclude the City Council from making a final decision on the application.
- E. Appeal of City Council decision on a PUD Conceptual Plan: A final decision by the City Council on a PUD Conceptual Plan may be appealed to the East Baton Rouge Parish Civil District Court.
- F. Review Criteria for PUD Conceptual: The Planning Director shall consider the following criteria in reviewing a PUD Conceptual Plan.
  - a) Compliance with the requirements contained in this ordinance.
  - b) The proposed development is consistent with the pertinent elements of the Zachary Comprehensive Plan.
  - c) The proposed development will reinforce the existing or planned character of the neighborhood and the City.
  - d) The site is appropriate for the development proposed in the concept plan.
  - e) The proposed development demonstrates a higher quality of site design than is possible under other available zoning districts, and is not used solely to avoid the requirements of the base zoning district.
  - f) Public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply, stormwater management, police and fire are adequate for the development allowed in the proposed concept plan.
  - g) The proposed development will not substantially or permanently injure the appropriate use of adjacent conforming properties.
- G. Approval of the PUD Conceptual Plan shall lapse, unless a preliminary plan plan of at least the first phase of the development based thereon is submitted within two (2) years from the date of such approval, unless an extension of time is applied for and granted by the Planning and Zoning Commission. Future phases of development that extend beyond the two (2) year limit shall be subject to review by the Planning Director and the City Engineer to determine if specifications and design standards meet current regulations.

### **Section XX.XX PUD Preliminary Plan Application and Approval**

- A. PUD Preliminary Plan Pre-Application Conference: A pre-application conference is required before submission of a PUD Preliminary Plan application.
  - 1. This stage of processing is to allow the exchange of information between the proposed developer, planning and zoning staff, and all other applicable City agencies.
  - 2. The general characteristics of the proposal, evidenced schematically by a conceptual plan, shall be considered during the Pre-Application Conference.

3. The Planning Director and other relevant City of Zachary officials shall furnish the applicant with written comments from the pre-application conference, including appropriate recommendations to inform and assist the applicant prior to preparing the components of the PUD application.
- B. Preliminary PUD Plan Application:
4. Upon completion of the Pre-Application Conference and after recommendations from the conference have been provided to the applicant by the City, a preliminary application may be filed for a PUD.
  5. The application for the PUD Preliminary Plan shall include all of the required information for a Standard Subdivision in the City of Zachary.
  6. Additionally, a site and development plan with the following information is required:
    - a) A detailed description of any proposed exceptions to these regulations and/or the UDC.
    - b) A detailed narrative of the proposed development plan for the PUD including any future phases of development.
    - c) Proposed lot lines.
    - d) Proposed location and floor area of all existing and proposed buildings, structures and other improvements, including maximum building heights.
    - e) Density of residential uses.
    - f) Location and size in acres or square feet of all areas to be conveyed, dedicated, reserved, or otherwise used as common open space, public park, recreational areas, schools sites, and similar public and semi-public uses.
    - g) Existing and proposed circulation system of streets and pedestrian ways, including off-street parking areas, service areas, loading zones, major points of access to public rights-of-way, and ingress and egress to the development. Street standards shall be consistent with the minimum street standards for the City.
    - h) General landscape plan for all areas.
    - i) Vicinity map of the area surrounding the site within a distance of at least one (1) mile, at a scale of not less than 1"=500'.
    - j) Proposed treatment of the perimeter of the PUD, including materials and techniques used (i.e. fences, walls, and other landscaping)
    - k) Adequate drainage facilities for storm water, including storm sewers, gutters, paving, and the proper design of finished grades.
    - l) Any additional fiscal, traffic, or environmental information as required by the City to evaluate the character and impacts of the PUD.
- C. Review by Planning Director: The Planning Director may refer the application to other City Officials and affected or interested agencies for review and comment.
- D. Public Hearing and Review by the Technical Advisory Committee before the Planning and Zoning Public Hearing.

- E. Public Hearing and Recommendation by Planning Commission on PUD Preliminary Plan
  - 1. Within sixty (60) days of the start of the official public hearing, the Planning and Zoning Commission shall consider the comments and recommendations of the Planning Director, City Engineer, and other relevant public officials, relevant comments of all interested parties, the PUD development criteria in Section XX.XX and the review criteria for a PUD Preliminary Plat in Section 6.6.G, and recommend approval, approval with conditions, or denial the application.
  - 2. An extension of the sixty (60) day consideration period may be granted by the Planning and Zoning Commission at the request of the applicant, however granting additional consideration time shall not preclude the Planning and Zoning Commission from making a recommendation on the application.
- F. Public Hearing and Decision by City Council on PUD Preliminary Plan
  - 3. Within sixty (60) days of the start of the official public hearing on the recommendation on the application by the Planning and Zoning Commission, the City Council shall consider the official recommendation of the Planning and Zoning Commission, the comments and recommendation of the Planning Director, City Engineer, and other relevant public officials, relevant comments of all interested parties, the PUD development criteria in Section XX.XX and the review criteria for a PUD Preliminary Plat in Section XX.XX, and approve, approve with conditions, or deny the application.
    - m) Approve the application with no conditions: Applicant authorized to submit Construction/Engineering Plans and a Public Improvements Plan and to proceed with development of the Final PUD Plan.
    - n) Approval with conditions:
      - i. In the case of a conditional approval requiring amendment of the Preliminary PUD Plan, the applicant shall resubmit the required number of copies of the application documents with the amendments required for approval by the City Council prior to submission of the PUD Final Plan application.
      - ii. Failure to submit amended documents sufficient to meet the conditional approval requirements of the City Council in the time period prescribed by the City Council shall constitute a failure to meet the conditions of approval and shall cause the application to be denied.
    - o) Deny the Application: The City Council shall state the reason for the denial of the application in the official record.
  - 4. An extension of the sixty (60) day consideration period may be granted by the City Council at the request of the applicant, however granting additional consideration time shall not preclude the City Council from making a final decision on the application.



- G. Appeal of City Council decision on a PUD Preliminary Plan: A final decision by the City Council on a PUD Preliminary Plan may be appealed to the East Baton Rouge Parish Civil District Court.
- H. Review Criteria for PUD Preliminary Plan: The Planning Director shall consider the following criteria in reviewing a PUD Preliminary Plan.
  - p) Compliance with the requirements contained in this ordinance.
  - q) Potential adverse environmental impacts or effects on neighboring properties.
  - r) The subdivision is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
  - s) The plan conforms to any additional conditions which shall be deemed necessary by the Planning Commission and/or the City Council.
- I. Approval of the PUD Preliminary Plan shall lapse, unless a final plan of at least the first phase of the development based thereon is submitted within two (2) years from the date of such approval, unless an extension of time is applied for and granted by the Planning Commission. Future phases of development that extend beyond the two (2) year limit shall be subject to review by the Planning Director and the City Engineer to determine if specifications and design standards meet current regulations.

**Section XX.XX. PUD Construction**

Construction of the planned development shall be in accordance with the provisions and standards of Section XX.XX. Subdivision Construction.

**Section XX.XXX. PUD Final Plan Application and Approval**

- A. PUD Final Plan Application
  - 1. After approval of the PUD Preliminary Plan, application may be made for approval of the PUD Final Plan. Application for the PUD Final Plan shall not be made until substantial completion of the requirements of the approved PUD Preliminary Plan has occurred, provided the final plan does not violate any provision of this section and does not substantially deviate from the approved PUD Preliminary Plan.
  - 2. If the PUD Final Plan is not in substantial compliance with the approved PUD Preliminary Plan, the revisions shall require the same review and public hearing process required for approval of the PUD Preliminary Plan.
  - 3. Final Site Plan --The final site plan shall also serve as the official subdivision final plat and shall meet all of the requirements of a Major Subdivision Final Plat. This plat must conform to the subdivision ordinance and the UDC of the City of Zachary except where exceptions have been approved by the City Council as part of the approved PUD Preliminary Plan. The plat shall contain proper dedications for public streets, utility easements, and all other

public rights required by the PUD Preliminary Plan. In addition to the requirements of a Standard Subdivision Final Plat, the final site plan shall also contain the following:

- a) Zoning designations of planned development.
  - b) Description of all uses in the planned development.
  - c) Location and floor area of all existing and proposed buildings, structures, and other improvements, including maximum building heights, types of dwellings, and density per building type. All buildings shall be dimensioned with distances shown from clear reference points.
  - d) Final design of circulation system of streets and pedestrian ways, including off-street parking areas, service areas, loading zones, major points of access to public rights-of-way, and ingress and egress to the development.
  - e) Location and size in acres or square feet of all areas to be conveyed, dedicated, reserved, or otherwise used as common open space, public park, recreational areas, schools sites, and similar public and semi-public uses.
  - f) Final landscape plan shall be submitted, and no certificates of occupancy shall be issued until the landscaping is in place for all non-residential areas.
  - g) Detailed utility plans for sewer, water, electrical, street improvements, and other public improvements must be submitted and approved by the Planning Director and City Engineer. The developer shall execute an agreement in proper form providing for the installation of such improvements prior to submission of the final plan to the City Council. All utilities shall be placed underground.
  - h) Adequate drainage facilities for surface water, including storm sewers, gutters, paving, and the proper design of finished grades.
  - i) Documentation of all waivers and exceptions granted by the City Council during approval of the PUD Preliminary Plan.
- B. Final PUD Plan Approval – Approval by the Planning and Zoning Commission of the final PUD plan and plat shall be required before filing the plat with East Baton Rouge Parish Clerk of Court. Final PUD Plan approval will comply with the standards and procedures of Section XX.XXX. Standard Subdivision Final Plat Approval.

### **Section XX.XX. PUD Amendments**

- A. Minor changes to the final, approved PUD such as: location, sizing, height, and siting of buildings and structures may be approved by the Planning and Zoning Commission.
- B. Any change to the final, approved PUD considered a major or significant amendment to the planned development shall require public hearings by the Planning Commission and the City Council in accordance with the provisions of this Article.
- C. Any change to any exception or waiver approved as part of the final, approved PUD shall be considered a major or significant amendment.