
Sec. 158.172. Standards for District Establishment.

In reaching recommendations and decisions as to rezoning land to PUD classification, the Planning and Zoning Board and the City Council shall apply the following standards in addition to the standards and procedures of sections 158.315 through 158.322 applicable to the rezoning of land generally:

- (A) **Area Requirement.** In general, the area of a proposed planned unit development district will have to be of substantial size to permit its design and development as a cohesive unit fulfilling the stated purpose and objectives of these regulations and to establish the district as a meaningful segment of the larger community. Each proposed district shall therefore be evaluated as to its adequacy in size with respect to both the nature and character of its internal design and to its specific location within the City. The minimum size of a PUD district to be considered for establishment shall be two (2) acres.
- (B) **Relation to Major Transportation Facilities.** PUD districts shall be so located with respect to arterial or major streets, highways, collector streets, or other transportation facilities as to provide suitable access to those districts without creating or generating traffic along minor streets in residential areas or districts outside the PUD districts.
 - (1) The minimum number of residential development access points are outlined below, or as determined by a traffic study, or the Fire Marshall, whichever is more stringent. Additional access points may be required as determined by the Site Plan Review Committee.
 - a. One to 99 units. Site must provide a minimum of two access points. One access may operate as an emergency only and may utilize a stabilized, pervious surface approved by the City Engineer and Fire Marshall. The secondary access point shall be located on different public roadway than the primary access and on different sides of the development where feasible. Installation of a secondary access point shall be completed prior to 50 percent of building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.
 - b. 100 or more units. Site must provide a minimum of two access points with impervious surfaces suitable for all users and shall be located on public roadways independent of one another and on different sides of the development where feasible. Installation of the secondary access point shall be completed prior to the 75th building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.
- (C) **Relation to Utilities, Public Facilities, and Services.** PUD districts shall be required to obtain developers agreements regarding provision of utilities, to meet the requirements of the Comprehensive Plan regarding levels of service (LOS) for public facilities and to meet the requirements of Chapter 160, Concurrency Management System.
- (D) **Physical Character of the Site.** The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of soil, ground water level, drainage, and topography shall be appropriate to both kind and pattern of use intended.
- (E) **Consistency with the City Comprehensive Plan.** To be eligible for consideration, a PUD rezoning proposal must be found to be consistent with all applicable elements of the City's adopted

Comprehensive Plan with respect to both its proposed internal design and its relationship to adjacent areas and the City as a whole.

(Ord. No. 98-84, § 1, 3-22-99)