

# **Planned Unit Development (PUD) Information & Filing Procedures**

**(Russellville Zone Code/Ordinance No. 1740)**

The purposes of this zone are to promote flexibility and innovation in the design of large-scale development and to encourage the use of vacant, in-fill parcels in the built up portion of the city. The zone also promotes the inclusion of open space into project design. The Planned Unit Development (PUD) is a superimposed description that provides wider latitude of design to achieve the goals stated above.

In concept, the PUD is a combination of zoning designation and development plan. A detailed development plan is required for permitting. Development must follow the development plan exactly. Failure in this respect will result in reversion of the property to the original zoning. Although design innovation is encouraged, and flexibility is allowed, the PUD may not be used simply as a method of avoiding zoning regulations. The Planning Commission shall consider a PUD proposal only if it meets **one** of the following threshold criteria.

1. The PUD will allow the development of an infill parcel in the developed portion of the city that could not be made productive under normal zoning regulations.
2. The PUD would further the city's goal of providing housing for all economic segments of the city and its Planning Area Boundary.
3. The PUD involves a large parcel in which flexibility would allow high quality or innovative urban design.
4. The PUD would aid in the elimination of slums and blight within the city and its Planning Area Boundary.
5. The PUD design results in a minimum of 30% of the total development's being reserved as permanent open space.

PUDs may be residential, commercial, industrial or mixed-use in nature. The development plan shall clearly depict the proposed land uses. There are no minimum lot size restrictions for PUDs; however, the Planning Commission will consider PUDs on less than one acre only under special circumstances.

### **APPLICATION PROCESS:**

The applicant for a Planned Unit Development permit shall be the owner(s) of the property or the party designated to act as agent for the owners(s). The responsibilities of the applicant are as follows:

1. Pre-application Conference – Each prospective applicant shall confer with the City Staff in connection with the preparation of the application prior to the submission. At this conference, the following information and data shall be considered.
  - a. The boundaries of the property.
  - b. Existing easements and covenants affecting the property.

- c. Physical characteristics such as drainage, topography, vegetation and existing structures.
  - d. Development characteristics such as surrounding land uses, existing streets and availability of utilities.
  - e. Elements of the proposed layout such as land uses, open spaces, community facilities, densities, traffic flow and estimated impact on traffic and adjacent land uses.
2. Development Plan Submittal – No less than 20 days prior to the Planning Commission meeting at which the proposed Planned Unit Development is to be reviewed, the applicant shall submit ten (10) copies (at least one (1) being 11 X 17) of the proposed development plan to the staff. The submittal shall include the following as a minimum.

\_\_\_\_\_ **\$50.00 Filing Fee.**                      \_\_\_\_\_ **Letter of Intent.**

\_\_\_\_\_ **Plan (as listed below):**

- a. A development plan drawn to scale on vellum accompanied by an electronic version of the same in a format compatible with AutoCAD® 2000 or more recent release. Survey information shall be prepared Professional Surveyor (P.S.). Drainage and utilities calculations shall be prepared by a Professional Engineer (P.E.). The stamps of the individuals responsible for the various elements shall be indicated on the drawing.
- b. Name of developer.
- c. Name and address of owner.
- d. Type of activity.
- e. Building footprints for the individual buildings to be included in the PUD.
- f. Topographic contours at two (2) foot intervals.
- g. All easements existing or proposed.
- h. Street rights-of-ways and street names.
- i. All drives, access-ways, alleys, parking lots and any streets proposed to be dedicated.
- j. Proposed landscaping.
- k. Open space and community facilities, if any proposed as part of the PUD.
- l. Location of all existing and proposed private and public utilities.
- m. Names of the owners of adjacent properties.
- n. Zoning classifications of adjoining properties.
- o. Construction drawings as necessary to support the proposals outlined in the development plan.
- p. Exterior lighting and speakers.

3. Uses Permitted: The PUD submittal will include a listing of the proposed land uses and the amount of land devoted to each.
4. Regulations:
  - a. Residential Lot Size: No minimum lot sizes are established, per se, so the housing can be clustered or otherwise concentrated or arranged in planned locations on the site to take advantage of its natural features.
  - b. Open Space Reservation: In any Planned Unit Development, the amount of land not used by buildings, accessory structures, and yards but required by the zoning of the site, shall be maintained open space for the purpose of providing parks, recreational facilities, ways for pedestrian movement and circulation, and conserving visually pleasing elements of the environment. Prior to the sale of any lot, site, home or other structure a bond of sufficient surety determined by the City Engineer shall be posted with the City for completion of said open space improvements prior to such sale. The development plan shall clearly depict the amount of land to be maintained as permanent open space.
  - c. Development Density: The development plan shall clearly depict the proposed density by land use category.
  - d. Property Owners' Association: As part of the plan proposed for any Planned Unit Development, the developer shall submit a set of covenants running with the land providing for an automatic membership in the Property Owners' Association, to be an incorporated nonprofit organization, operating under recorded land agreements, through which each property owner in the Planned Unit Development is automatically subject to a charge for an appropriate proportionate share of the expenses for maintaining the common property, open space and/or other activities of the Association. Once established, the covenants shall continue and remain in force during the entire existence of the PUD.
  - e. Responsibility for Open Space: Nothing in this Section of the Code shall be construed as a responsibility of the City of Russellville, either for maintenance or liability of the following, which shall include but not be limited to: any private open areas, parks, recreational facilities, and a hold harmless clause shall be incorporated in the covenants running with the land to this effect. It shall be provided further, however, that when an owner of a PUD desires to dedicate certain land areas to the City for

public parks and recreational facilities, and the City approves the nature and location of such lands, and accepts the dedicated areas, the City shall be responsible for the operation and maintenance of these lands and properties.

- f. Common Open Spaces: The size, shape, dimension and location of the common open spaces shall be determined by the Planning Commission in conjunction with the developer or subdivider with consideration being given to the size and extend of the proposed development and the physical characteristics of the land being developed. Consideration should also be given in providing parks, recreational facilities, both active and passive, and pedestrian walkways.

Common open space shall be guaranteed by a restrictive covenant describing the open space and its maintenance and improvements running with the land for the benefit of the residents of the planned unit development. The developer shall file, at the time the approved final plat is filed, legal documents that will produce the aforesaid guarantees and, in particular, will provide for restricting the use of common open spaces for the designated purpose.

- g. Landscaping Plan: In order to minimize the disturbance of the natural environment, a general landscaping plan shall be required at the time of development plan submission showing the spacing, sizes, and specific types of landscaping material. The Planning Commission shall review the landscaping plan in conjunction with the review of the development plan.

The preservation of the natural amenities within the PUD shall be given due consideration which shall include topography, trees, and ground cover, natural bodies of water, and other significant natural features. Existing trees shall be preserved wherever possible. The location of trees shall be considered when planning the common open space, location of buildings, underground services, walks, paved areas, playgrounds, parking areas, and finished grade levels. The Planning Commission shall inquire into the means whereby trees and other natural features will be protected during construction. Excessive site clearing of top soil, trees and natural features before the commencement of building operations shall be discouraged by the Planning Commission.

- h. Transportation: The vehicular circulation system shall be designed so as to permit smooth traffic flow with minimum

hazards to pedestrian traffic. Minor streets within PUD shall not be connected to streets outside the development in such a way as to encourage their use by through traffic.

The pedestrian circulation system and its related walkways shall be insulated as reasonably as possible from the vehicular movements. This shall include, when deemed to be necessary by the Planning Commission, pedestrian underpass or overpass in the vicinity of schools, playgrounds, local shopping areas, and other neighborhood uses that generate a considerable amount of pedestrian traffic.

- i. Land Subdivision: In the construction and installation of all subdivision improvements in the planned unit development, said improvements shall conform to all requirements and standards as set forth in the City's Subdivision Regulations, unless exception to the requirements is recommended by the Planning Commission and approved by the City Council.

If the owners in the future should request that the private streets be changed to public streets, the owners do fully agree that, before the acceptance of such streets by the City, the owners will bear full expense of reconstruction or any other action necessary to make the streets fully conform to the requirements applicable to public streets, prior to dedication and acceptance. The owners also shall agree that these streets shall be dedicated to public use without compensation to the owners.

5. Review Process: The Planning Commission shall review the proposed PUD after property submittal of all documents and review by the appropriate city staff. The following criteria will govern the approval or disapproval of the PUD application by the Planning Commission.
  - a. The PUD shall provide public benefits that would not be achievable through the normal zoning regulations.
  - b. The PUD shall not create undue or unmitigated negative traffic impacts.
  - c. The PUD shall be compatible with surrounding developments.
  - d. The PUD shall be compatible with the city's comprehensive plan.
  - e. The PUD shall not endanger the public health, welfare or safety, nor shall it substantially diminish or impair property values in the neighborhood in which it is located.
  - f. The PUD must be of a character and contain such uses that are needed in the area of the proposed project.

6. City Council Approval – Planned Unit Developments represent zoning districts and must be approved by the City Council. However, the development shall be in accordance with the approved development plan. The Planning Commission must approve any contemplated deviation from the approved development plan. Upon approval by the Planning Commission, all recommendations shall be submitted to the Russellville City Council for approval. The Russellville City Council has the authority to require reasonable plan changes for the PUD as a prerequisite to approval. Any dedications of streets or easements to the city must be included in the ordinance approving the PUD.

If you have any questions about the application or procedures, please do not hesitate to contact City Planner David Harris or Administrative Assistant Lequitta A. Jones at Russellville City Hall, Planning Department, 203 South Commerce, Russellville, AR 72801. (479) 968-2098.

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