

10.1 General Provisions

10.1.1 Purpose

The intent and purposes of the Planned Development District (PDD) are as follows:

- *To provide for planned residential, commercial, industrial and mobile home districts, containing a variety of structures and diversity of building arrangements, with complementary and compatible uses; and public and semi-public facilities developed in accordance with an approved development plan.*
- *To allow for diversification of uses, structures, and open spaces in a manner compatible with existing and permitted land uses on abutting properties.*
- *To reduce improvement and energy costs through a more efficient use of land design and smaller networks of utilities and streets than is possible through application of other zoning districts and subdivision requirements.*
- *To ensure that development will occur according to limitations of use, design, density, coverage, and phasing stipulated on an approved development plan.*
- *To preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of scenic and functional open areas.*
- *To encourage an increase in the amount and use of open space areas by permitting a more economical and concentrated use of building areas than would be possible through conventional zoning districts.*
- *To provide maximum opportunity for application of innovative concepts of site planning in the creation of aesthetically pleasing living, shopping and working environments on properties of adequate size, shape and location.*

10.1.2 Permitted Uses

The following uses shall be permitted in the planned development district if designated on an approved development plan:

A. Planned Residential Community.

Complementary and compatible commercial uses may be included if they are compatible and harmoniously designed into the total residential community within a Planned Development District.

B. Planned Mobile Home Community

Complementary and compatible residential and commercial uses may be included if they are compatibly and harmoniously designed into the total residential community within a Planned Development District.

C. Planned Commercial Development

Complementary and compatible residential and light industrial uses may be included if they are compatibly and harmoniously designed into the total commercial center within a Planned Development District.

D. Planned Industrial Development

Complementary and compatible commercial uses may be included if properly related to the total industrial park within a Planned Development District.

10.1.3 Approval Procedure

Approval of a proposed PDD shall be based upon the following criteria:

- Consistency with the City of Anderson Comprehensive Plan
- Compatibility with surrounding development
- Consistency with purpose of Planned Development Districts

The procedure for obtaining approval of a planned development shall be as follows:

A. Preapplication Conference

At the prospective applicant's request, a preapplication conference shall be scheduled by the Planning Director and Building Official. The prospective applicant shall submit one (1) copy of the concept plan to the Planning Director at least five (5) working days prior to the preapplication conference. During that time frame, the Planning Director, Building Official, and other staff as required, shall review the concept plan, and prepare for the preapplication conference. The purpose of this meeting will be to acquaint the staff with the proposed project and to provide the prospective applicant with preliminary review comments to identify major concerns or the need for additional support data. Within five (5) working days following the meeting, the Planning Director shall send a letter to the prospective applicant summarizing the major points of the meeting. The concept plan shall not be binding.

B. Planned Development Land Use Plan

The applicant shall submit to the Planning Department, after payment of application fees, ten (10) copies of the PD land use plan and support data. The Planning staff shall review the land use plan, and prepare a comprehensive staff report and recommendation for presentation to the Planning Commission at the next regularly scheduled meeting (as agenda deadlines dictate). The Planning Commission shall conduct a public review hearing, which may occur in conjunction with the regularly scheduled meeting. A copy of the staff report and recommendation shall be sent to the applicant at least five (5) days prior to the public review hearing. Public notice of the review hearing shall occur at least fifteen (15) days prior to the hearing date. The Planning Commission shall prepare a recommendation (which may include conditions of approval) to the City Council for official action.

C. Development Plan

After approval of the Land Use Plan by City Council, the applicant shall submit to the Planning Department, four (4) copies of the development plan and support materials.

1. The development plan may cover all or a portion of the approved land use plan. (For instance, if the PD is to be a phased project, there may be several development plans over time) The Planning staff shall review the plan to determine if all appropriate data and information has been properly provided.
2. The development plan shall be reviewed by the Planning Director in order to determine that:
 - It complies with the approved land use plan;
 - The phase of development can exist as a stable independent unit; and
 - Existing or proposed utility services and transportation systems are adequate for the uses proposed.
3. The Planning Director shall either approve the development plan (which may include technical conditions, consistent with applicable ordinances, regulations, and policies), or deny the plan based upon specific findings which shall be stated. The applicant may appeal the decision to the Board of Zoning Appeals.

10.1.4 Plan Requirements

A. Concept Plan Requirements

The concept plan shall consist of a generalized sketch which is drawn to scale (the proportion and locations of land uses may be generalized), and which shows or addresses (with supporting information) the following items and matters:

1. Boundary of the subject property, identified with a heavy line
2. Major natural features such as lakes, streams and conservation areas
3. Existing or proposed streets abutting the project and other major streets and intersections within five hundred (500) feet of access points to the subject property
4. Generalized location map and legal description, including acreage
5. Proposed land use types and locations (generalized)
6. Gross densities
7. Approximate minimum lot size
8. Approximate number of units
9. Approximate floor area for commercial or industrial uses
10. Adjacent zoning
11. Anticipated internal major road network
12. Anticipated maximum building height
13. Anticipated phasing plan
14. Proposed method of providing water (fire protection), sewage disposal, stormwater management, parks/recreation facilities, schools

B. Land Use Plan Requirements

The land use plan, consisting of properly identified maps, exhibits and support materials, shall clearly indicate the following:

1. The project name, legal description, total acreage and location map
2. Name of property owner
3. Name and license number of surveyor
4. Date prepared
5. North pointing arrow
6. Graphic scale
7. Existing topography at contours to be determined by the Building Official, based on the USGS topographic maps, and other natural features including lakes, watercourses and conservation area. On site soil (based on the soil conservation service classification system), flood hazard areas and generalized vegetation. All plans shall be drawn to scale, not to exceed one (1) inch equals two hundred (200) feet, unless otherwise permitted by the Building Official.
8. Existing and proposed land uses, with each phase of the total development identified as follows:
 - (a) Residential: Maximum gross density, total number of units, type of unit where feasible or necessary, minimum net lot size, minimum net living floor area, building heights, open space, and recreation areas.
 - (b) Commercial: Types of uses, gross floor area, floor area ratio, building height, setbacks and open space
 - (c) Mobile Homes: Maximum gross density, total number of units, type of unit where feasible or necessary, minimum net lot size, minimum net living floor area, open space, and recreation areas.
 - (d) Industrial: Types of uses, gross floor area, floor area ratio, building height, setbacks, open space and buffers.
9. The phasing of development and the manner in which each phase of development can exist as an independent stable unit.
10. The location of collector and arterial streets and highways proposed in the development, right-of-way widths, the location of access points to abutting streets and highways, and projected traffic generation based on established standards. (A traffic study may be required)
11. Identification of existing major street setbacks and planned right-of-way lines as required.
12. Proposed method of providing the following services:
 - (a) Water service (including fire flows and gallons per day requirements)
 - (b) Sewage disposal (including gallons per day generated)
 - (c) Stormwater management (per storm event)
 - (d) Schools (including school age population)
 - (e) Parks/recreation facilities

C. Development Plan Requirements

The development plan for the entire project or any phase, consisting of four (4) copies of properly identified exhibits and support materials, shall include:

1. Development project name and phase number
2. Legal description and gross acreage of the proposed development, including and identifying land and water bodies
3. A location map identifying the relationship of the development plan to the approved land use plan
4. Subdivision plan if the applicant proposes to subdivide the project
5. The development plan, drawn at an approximate scale of one (1) inch equals one hundred (100) feet with all dimensions provided, shall identify:
 - (a) Certified topography drawn at contour intervals to be determined by the Building Official, and showing all natural features
 - (b) Existing street intersections or rights-of-way within five hundred (500) feet of access points
 - (c) Surface improvements of primary streets serving the project
 - (d) Location of all proposed uses
 - (e) Number of dwelling units, density, minimum square footage of living area, minimum net lot area
 - (f) Total square footage of commercial, industrial or office space and floor area ratio
 - (g) Maximum building heights
 - (h) Acreage, types and percent of open space and recreation areas
 - (i) Pedestrian/bike path facilities
 - (j) Stormwater management plan, including direction of surface drainage flow (storm event design flow)
 - (k) On-site soils based upon the soil conservation service classification system
 - (l) On-site vegetation including that which is proposed to be removed during construction
 - (m) Method of providing the following support utilities:
 - Water service (including fire flows and gallons per day requirements)
 - Sewage disposal (including gallons per day generated)
 - Solid waste disposal/storage
 - (n) Existing or proposed easements
 - (o) Parking spaces and location in accordance with Article 11
 - (p) Exterior lighting
7. Recreation area plan
8. Landscape, tree planting and screening plan
9. Design elevations or renderings of structures
10. Sign plan, including scaled plans of proposed signs
11. Preliminary engineering plans for the provisions of road, water, sewer, and storm-water management for the proposed phase and relationship to the master infrastructure utilities plan
12. Proposed covenants, conditions, restrictions, agreements, and grants which govern the use maintenance and continued protection of building structures, drainage systems and landscaping within the planned development

13. Areas to be conveyed or dedicated and improved for roadways, parks, parkways, playgrounds, school sites, utilities, public buildings and other similar public and semi-public service uses. Improvement bonds for facilities to be owned and maintained by the City and not completed shall be posted before the issuance of building permits.
14. Identification of owners, developers and the consultants involved in the development plan

10.1.5 Amendments to the Land Use Plan and Development Plans

Amendments to the approved land use plan or development plan shall be classified as either significant or non-significant. The determination of significance or non-significance shall be made jointly by the Planning Director and the Building Official.

A. Significant Amendments

The following criteria shall be used to identify a significant amendment:

1. A change which would include a land use not previously permitted under the approved PD.
2. A change which would alter the land use type adjacent to a property boundary.
3. A change which would require an amendment to the conditions placed on the project by the City Council.
4. A change which would increase the land use intensity within any development phase without a corresponding decrease in some other portion of the overall PD.
5. An amendment to the phasing which would propose a land use in advance of the development it was designed to support.
6. Any other change which would cause a significant impact on the surrounding properties.

Amendments to the land use plan which are determined to be significant, must submit plans and support data (following land use plan requirements) for review by the Planning Commission, a public review hearing, and final action by the City Council.

B. Non-Significant Amendments

The following criteria shall be used to identify a non-significant amendment:

1. A change which would reduce the number of units or floor area in one (1) phase of the project, and increase the number of units or floor area in another phase, and which does not adversely affect any conditions of the PD.
2. A change which would increase the overall amenity space or open space within the PD.

Amendments to the land use plan which are determined to be non-significant, must submit plans and support data (following land use plan requirements) to the Planning Department.

10.1.6 Control of Development

Upon the approval of the development plan or any phase thereof, the use of land and the construction or modification of any buildings or structures within the PD shall be in accordance with the approved development plan, rather than with the other provisions of this Ordinance; however, all other ordinances, policies and resolutions shall apply to the project.

The Planning Director shall be responsible for certifying that all aspects of the PD, including conditions of approval (applicable to the subject portion of the project) have been satisfactorily completed prior to the issuance of a certificate of completion for the project or phase.

10.1.7 Other Requirements

At the time of development, the PD or any phase proposed for development shall comply with all regulations and ordinances in force at the time of plan approval.

10.2 PLANNED DEVELOPMENT STANDARDS

10.2.1 Purpose

Site development standards are established for planned development to insure adequate levels of light, air, and density, to maintain and promote functional compatibility of uses, to promote the safe and efficient circulation of pedestrian and vehicular traffic, to provide for orderly phasing of development, and to otherwise protect the public health, safety and general welfare.

10.2.2 Variances

Variances from the minimum standards set forth in this section may be granted for hardship by the Board of Zoning Appeals. However, such variances must be specified in conjunction with the land use plan, otherwise all standards shall apply. Variance requests shall be identified in the public hearing notice. Variances requested after approval of the land use plan, may be approved by the Board of Zoning Appeals only after a public hearing has been conducted. Abutting property owners shall be notified.

10.2.3 Preservation of Natural Features and Vegetation

The natural topography, soils, and vegetation should be preserved and utilized, where possible, through the careful location and design of circulation ways, buildings and structures, parking areas, recreation areas, open space, and drainage facilities.

10.2.4 Circulation, Access, and Sidewalks

All streets shall meet minimum City standards with appropriate design widths of pavement surfaces to accommodate projected traffic with free movement, safety, and efficient use within the development. Provisions should be made for the continuation of all arterial streets and highways where applicable. Local/minor streets shall provide access to each parcel/lot of land within the development in a manner which will discourage through traffic.

A system of walkways between buildings (commercial and residential), common open spaces, recreation areas, community facilities and parking areas should be distinctly designed and adequately lighted for nighttime use. Each PD shall be serviced by sidewalks with a minimum width of thirty (30) inches in the public right-of-way, to be located parallel to the front yard lines of each lot in the PD. Said sidewalks shall be installed by the PD developer.

10.2.5 Parking Facilities

Prior to Planning Commission approval of the PD Land Use Plan and/or Development Plan, the Planning Director shall review and approve an overall parking scheme for the PD, in accordance with the requirements set forth in Article 11 of this Ordinance.

10.2.6 Stormwater Management

The design and construction of stormwater management systems shall be in accordance with the subdivision regulations and applicable codes, ordinances, resolutions, rules, and regulations.

10.2.7 Impervious Surface Area

The maximum impervious surface area shall be not more than sixty (60) percent of the gross land area for planned residential communities and not more than seventy (70) percent for planned commercial and industrial developments.

10.2.8 Signage

Signs shall be regulated in accordance with Article 12 of this Ordinance. The Planning Commission shall recommend and Council shall approve, based upon the type and intensity of development, which level of signage regulation shall be used for each use type in the PD.

10.2.9 Utilities Systems

Water systems, sewerage systems, utility lines, and easements shall be provided in accordance with the appropriate sections of the subdivision regulations and applicable codes, ordinances, resolutions, rules, and regulations. All utilities shall be supplied through underground networks.

10.2.10 Landscaping

Prior to Planning Commission approval of the PD Land Use Plan and/or Development Plan, the Planning Director shall review and approve an overall landscaping and buffering scheme for the PD, in accordance with an appropriate level of landscaping requirements set forth in Article 13 of this Ordinance, based upon the type and intensity of development.

10.2.11 Minimum Area Required

Type of Development	Minimum Area Required (acres)
Planned Residential Development	5 acres
Planned Mobile Home Development	5 acres
Planned Commercial Development	10 acres
Planned Industrial Development	25 acres

10.2.12 Ownership

The land to be used in a planned development district shall be under single ownership by an individual, corporation or other legal entity at the time of approval, and proper assurances shall be provided that the project can be successfully completed, as deemed necessary by City Council. Individual properties in a PD may be sold after a final plat has been recorded, with the properties subject to private deed covenants that ensure the continuance of the PD.

10.2.13 General Private Deed Covenants

The entire PD shall be included within private deed covenants running with the land to ensure the continuance of the PD in accordance with the approved land use plan and development plan. Covenants shall be recorded and presented to the Planning Department after plan approval, but prior to issuance of building permits.

10.2.14 Delay in Construction

In the event that construction is not begun within two (2) years from the date of approval by the City Council, the district shall revert to its previous zoning classification, and all regulations of that district shall thereupon be in full force and effect.

10.2.15 Common Open Space and Amenity Requirements

Common open space or amenity areas shall be provided within all planned developments in order to enhance the living and working environment.

- A. Open space areas are defined as areas serving any one of the following four (4) basic functions:
 - [1]. Landscaping, screening, greenbelts, buffers, or similar areas which help define and delineate urban boundaries on a large scale (i.e. forest, water impoundment, open pasture);
 - [2] Outdoor recreation (passive or active);
 - [3] Conservation of areas with unique natural qualities or physical benefits which need protection or preservation from man-built developments; or
 - [4] Agricultural production.

- B. Open/amenity space shall be provided within the planned development based on the following:

Type of Planned Development	Percentage of the gross land area
Single-Family Residential (excluding lot area)	10%
Multi-Family Residential	25%
Office	20%
Commercial	20%
Industrial	15%

- [1] Not more than thirty (30) percent of the common open space may lie in a floodplain.
- [2] The required yards, parking areas, and buffers shall not be credited toward the minimum open space requirements.
- [3] The required open space and amenities shall be developed and landscaped in accordance with the approved land use and development plan prior to the issuance of more than fifty (50) percent of the occupancy permits.

10.2.16 Density

The applicant shall propose, and the planning staff shall review using the following criteria, and recommend to the Planning Commission, the density standards for each PD:

- A. Existing density requirements.
- B. Existing density of surrounding development.
- C. Location of the planned development in relation to current and anticipated growth patterns in the region.
- D. Preservation of natural features of the site.
- E. Provision of landscaped common open space for the leisure and recreational use of residents and/or employees.
- F. Adequacy of public utilities, services, and facilities to serve development.

10.2.17 Minimum Lot Width, Minimum Setback Requirements, Maximum Lot Coverage, and Maximum Height of Structures

No structure shall be erected within twenty-five (25) feet of any external PD property line. Minimum lot width, minimum setback requirements, maximum lot coverage, and maximum height are not otherwise regulated within PD districts, provided, however, that the Planning Commission ensure that the characteristics of building siting design shall be appropriate as related to overall compatibility with adjacent uses, properties, and districts in keeping with the intent of this Ordinance.

10.2.18 Special Requirements for Planned Mobile Home Developments

All mobile home planned developments shall comply with the following special requirements:

- A. Mobile homes shall be placed no closer than twenty (20) feet to one another or any other structure on the premises.
- B. Shall be emplaced according to the standards set forth in Section 14.15 of this Ordinance