
**ARTICLE 6
RESIDENTIAL ZONING DISTRICTS**

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**CHAPTER 6.1
UR-12, URBAN HIGH-DENSITY RESIDENTIAL DISTRICT**

Section 6.1.1.	Purpose and Intent.
Section 6.1.2.	Applicability.
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Section 6.1.1. Purpose and Intent.

UR-12 districts are intended to establish high-density urban residential neighborhoods comprised of different dwelling types (not including mobile or manufactured homes) but predominantly multi-family. These districts are served by public water and sanitary sewer service.

Section 6.1.2. Applicability.

This zoning district is compatible with the Urban High-Density Residential land use classification of the comprehensive plan's future land use map.

Section 6.1.3. Permitted and Conditional Uses.

Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses for Residential Zoning Districts."

Section 6.1.4. Dimensional Requirements.

Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements for Residential Zoning Districts."

CHAPTER 6.2
MHP, MANUFACTURED HOME PARK DISTRICT

Section 6.2.1.	Purpose and Intent.
Section 6.2.2.	Applicability.
Section 6.2.3.	Permitted and Conditional Uses.
Section 6.2.4.	Dimensional Requirements.
Section 6.2.5.	General Development Requirements.
Section 6.2.6.	Manufactured Home Space Requirements.

Section 6.2.1. Purpose and Intent.

MHP districts are intended to establish high-density land-leased communities comprised of manufactured homes. These districts are served by public water and sanitary sewer service.

Section 6.2.2. Applicability.

This zoning district is compatible with the Urban High-Density Residential land use classification of the comprehensive plan's future land use map.

Section 6.2.3. Permitted and Conditional Uses.

Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses for Residential Zoning Districts."

Section 6.2.4. Dimensional Requirements.

Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements for Residential Zoning Districts."

Section 6.2.5. General Development Requirements.

The standards in this section shall apply to all manufactured home parks.

- (a) *Site conditions.* Planned manufactured home parks shall be sited on land that is not subject to hazards such as flooding, erosion, land subsidence, and areas with possible insect or rodent infestation. The condition of the soil, ground water level, drainage, rock formations, and topography must be appropriate for the use, to ensure that no hazards to the property or to the health and safety of the occupants occur.
- (b) *Site planning.* Planning for manufactured home parks should be adapted to individual site conditions and the type of use or uses served, reflect advances in site planning techniques, and be adapted to the trends in the design of the manufactured home itself. Site planning and improvements shall provide for facilities and amenities appropriate to the needs of the occupants, safe, comfortable and sanitary use by the occupants under all weather conditions, and practical and efficient operation and maintenance of all facilities at reasonable costs. The street and block pattern for the park shall be designed to attain proper sizes and shapes of manufactured home spaces so as to provide desirable areas

and to reduce excessive length of street construction without impairing convenient circulation and access.

- (c) *Minimum site area, site frontage, access, and minimum width.* Manufactured home parks shall contain a minimum area of five acres. Properties containing manufactured home parks shall have a minimum of two hundred (200) feet of property frontage on a public street, and directly access the public street with a minimum of two hundred (200) feet of property frontage. Manufactured home parks shall have a minimum lot width of two hundred (200) feet throughout the entire depth of the developed portion of the property.
- (d) *Perimeter buffer or landscape screen.* A minimum twenty (20) foot wide buffer, where natural vegetation exists and provides a more or less opaque screen, or where no natural vegetation forming an opaque screen exists, a minimum twenty (20) foot wide landscape strip with evergreen trees that will grow to a height of at least six (6) feet within three years, shall be installed and maintained around the entire perimeter of the manufactured home park, except for approved access and utility crossings.
- (e) *Open space and recreational areas.* A manufactured home park serving 20 or more dwellings, shall have a minimum of twenty (20) percent of the site area dedicated to open space and passive or active recreation, including the required perimeter buffer or landscape screen.
- (f) *Community services.* As part of the development plan review process, the developer may propose and the city may approve one or more other structures for manufactured home park occupants, such as laundries, storage, garages, and a park leasing or management office. Any structure that draws its trade from outside the park boundaries is prohibited.
- (g) *Interior access roads, addresses, and signs.* The road system within the manufactured home park shall be designed to meet the requirements of the city Fire Chief and the traveling public to include the following. All interior roads shall be private but constructed to provide fire apparatus access. Roads within manufactured home parks shall be paved. Signs shall be installed as required by the city and approved in the development plan review process.
- (h) *Road specifications.* One-way interior roads shall be constructed with a minimum surface width of twelve (12) feet, with three (3) feet of shoulder on each side, and shall be designated "no parking." The right-of-way for said one-way interior roads shall be 24 feet. Two-way interior roads shall be constructed with a minimum surface width of twenty (20) feet, with three (3) feet of shoulder on each side, and shall be designated "no parking." The right-of-way for said two-way interior roads shall be 40 feet. Interior roads shall be clearly marked at each intersection with signs to identify traffic directions and space numbers served by the road. Driveways shall be provided on the site where necessary for convenient access to service entrances of buildings, to delivery and collection points for refuse disposal, and elsewhere as needed. Street lighting may be required.
- (i) *Guest parking.* In addition to on-site parking, guest parking spaces shall be provided as part of the development, at a ratio of one parking space per each two manufactured

homes in a manufactured home park. Guest parking spaces shall be grouped and distributed evenly throughout the park.

- (j) *Utilities.* All manufactured home parks, and each manufactured home space within the park, shall be served by approved water system, sanitary sewer system, and electricity. Fire hydrants shall be installed at 500 foot intervals so that no manufactured home space is more than 250 feet from a hydrant. All utilities shall be installed underground with above-ground connections.
- (k) *Street lighting.* Street lights, if required, shall be provided in accordance with City specifications by the developer of a manufactured home park prior to occupancy.
- (l) *Drainage.* Drainage facilities shall be designed by an engineer and are subject to the approval of the city as part of the development plan review process.
- (m) *Refuse collection.* Each manufactured home park shall provide refuse collection pads at locations convenient to each manufactured home space.
- (n) *Occupancy restriction.* Recreational vehicles shall not be permanently occupied as a residence within manufactured home parks.
- (o) *Solid waste disposal.* One or more solid waste collection areas shall be required. The number of spaces shall be used to determine the number of disposal sites required. The locations shall be proposed by the applicant and as approved in the development review process. Collection areas having more than one container require screening with a sight-obscuring fence.

Section 6.2.6. Manufactured Home Space Requirements.

The development standards of this section shall apply to all manufactured home spaces.

- (a) *Design.* Each manufactured home shall be designed and constructed at such elevation, distance, and angle with respect to its access to provide for safe and efficient placement and removal of manufactured homes. Spaces for manufactured homes shall be designed with no more than a five percent (5%) gradient and compacted with appropriate material to support maximum anticipated loads during all seasons.
- (b) *Width, depth, and size of spaces and markings.* Each manufactured home space shall be at least forty (40) feet wide and seventy five (75) feet in depth. The minimum area for a manufactured home space shall be 3,000 square feet for single-section home and 6,000 square feet for a multi-section home. Multi-section homes shall require space widths of at least 75 feet. The corners of each manufactured home space shall be clearly marked on the ground by permanent flush stakes, markers, or by other similar means. Spaces served by community or public water and individual septic tanks shall contain a minimum space area as established and as approved by the health officer.
- (c) *Use of spaces.* No more than one (1) manufactured home shall occupy any individual space. Accessory uses and structures on individual spaces may be permitted, subject to compliance with the development standards provided in this article.

- (d) *Space identification numbers.* Manufactured home space numbers at least four (4) inches in height shall identify each space and shall remain readily identifiable while in use.
- (e) *Parking.* Two on-site parking spaces shall be provided on each manufactured home space or immediately off-site.
- (f) *Setbacks.* No manufactured home shall be located closer than five (5) feet to home or vehicle space boundary, and spaces shall be designed to provide for a minimum of fifteen (15) feet of separation between manufactured homes on abutting spaces.
- (g) *Additions and accessory structures.* Decks, porches, outdoor storage, or other exterior additions may be constructed or erected on a manufactured home space, subject to the approval of the community or park management. No such accessory structure shall be located closer than five (5) feet to a manufactured home space boundary.

CHAPTER 6.3
UR-9, URBAN MEDIUM-DENSITY RESIDENTIAL DISTRICT

- Section 6.3.1. Purpose and Intent.
- Section 6.3.2. Applicability.
- Section 6.3.3. Permitted and Conditional Uses.
- Section 6.3.4. Dimensional Requirements.

Section 6.3.1. Purpose and Intent.

UR-9 districts are intended to establish medium-density urban residential neighborhoods comprised of predominantly detached single-family dwellings (not including mobile or manufactured homes). These districts are served by public water sanitary sewer and service.

Section 6.3.2. Applicability.

This zoning district is compatible with the Urban High-Density Residential and Urban Medium-Density land use classifications of the comprehensive plan's future land use map.

Section 6.3.3. Permitted and Conditional Uses.

Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses for Residential Zoning Districts."

Section 6.3.4. Dimensional Requirements.

Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements for Residential Zoning Districts."

CHAPTER 6.4
UR-6, URBAN LOW-DENSITY RESIDENTIAL DISTRICT

- Section 6.4.1. Purpose and Intent.
- Section 6.4.2. Applicability.
- Section 6.4.3. Permitted and Conditional Uses.
- Section 6.4.4. Dimensional Requirements.

Section 6.4.1. Purpose and Intent.

UR-6 districts are intended to establish low-density urban residential neighborhoods comprised of predominantly detached single-family dwellings (not including mobile or manufactured homes). These districts are served by public water sanitary sewer and service.

Section 6.4.2. Applicability.

This zoning district is compatible with the Urban Low-Density Residential land use classification of the comprehensive plan's future land use map.

Section 6.4.3. Permitted and Conditional Uses.

Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses for Residential Zoning Districts."

Section 6.4.4. Dimensional Requirements.

Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements for Residential Zoning Districts."

CHAPTER 6.5
SR-3, SUBURBAN RESIDENTIAL DISTRICT

Section 6.5.1.	Purpose and Intent.
Section 6.5.2.	Applicability.
Section 6.5.3.	Permitted and Conditional Uses.
Section 6.5.4.	Dimensional Requirements.

Section 6.5.1. Purpose and Intent.

SR-3 districts are intended to establish low-density suburban residential neighborhoods comprised exclusively of detached single-family dwellings (not including mobile or manufactured homes). These districts are served by public water sanitary sewer and service.

Section 6.5.2. Applicability.

This zoning district is compatible with the Suburban Residential land use classification of the comprehensive plan's future land use map.

Section 6.5.3. Permitted and Conditional Uses.

Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses for Residential Zoning Districts."

Section 6.5.4. Dimensional Requirements.

Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements for Residential Zoning Districts."

CHAPTER 6.6
RR-1, RURAL RESIDENTIAL DISTRICT

- Section 6.6.1. Purpose and Intent.
Section 6.6.2. Applicability.
Section 6.6.3. Permitted and Conditional Uses.
Section 6.6.4. Dimensional Requirements.

Section 6.6.1. Purpose and Intent.

RR-1 districts are intended to establish low-density rural residential neighborhoods comprised exclusively of detached single-family dwellings (not including mobile or manufactured homes).

Section 6.6.2. Applicability.

This zoning district is compatible with both the rural residential and suburban residential land use classifications of the comprehensive plan's future land use map.

Section 6.6.3. Permitted and Conditional Uses.

Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses for Residential Zoning Districts."

Section 6.6.4. Dimensional Requirements.

Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements for Residential Zoning Districts."

TABLE 6.1
PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL ZONING DISTRICTS
P = Permitted C = Conditional Use X = Not Permitted

USE	UR-12	MHP	UR-9	UR-6	SR-3	RR-1	See also Section:
ACCESSORY USES							
Accessory uses and structures determined by the Zoning Administrator to be normally incidental to one or more permitted principal uses	P	P	P	P	P	P	8.1.1
Accessory apartment, attached	P	X	P	P	X	X	8.3.2
Accessory apartment, detached	X	X	C	C	C	C	8.3.2
Carport	P	P	P	P	P	P	
Construction field office	P	P	P	P	P	P	8.8.2
Family day care home	P	X	P	P	P	P	8.4
Home occupation	P	P	P	P	P	P	8.4
Tower, amateur radio	P	P	P	P	P	P	
Transient Business	P	P	P	P	P	P	8.4.11
Yard sale	P	P	P	P	P	P	
AGRICULTURAL USES							
Agriculture	P	P	P	P	P	P	
Keeping of Livestock	X	X	X	X	C	P	8.3.6.
Botanical garden	X	X	X	X	X	X	
Dwelling, on-site farm tenant	X	X	X	X	X	X	
Forestry	X	X	X	X	X	P	
Orchard	P	P	P	P	P	P	
Roadside stand	X	X	X	X	X	X	
RESIDENTIAL USES							
Dwelling, single-family detached, fee-simple	P	X	P	P	P	P	
Dwelling, single-family detached, condominium	P	X	P	C	X	X	8.2.6
Dwelling, two-family (duplex)	P	X	P	C	X	X	8.2.4
Dwelling, single-family attached (townhouse)	P	X	P	C	X	X	8.2.3
Dwelling, multiple-family, including apartments, condominiums, and cooperatives	P	X	C	X	X	X	8.2.6
Manufactured home	X	X	X	X	X	X	8.2.5
Manufactured home park	X	P	X	X	X	X	
Manufactured home subdivision	X	X	X	X	X	X	
Model home	P	P	P	P	P	P	8.8.3
Relocated residential structure	C	P	C	C	C	C	
INSTITUTIONAL USES							
Cemetery	C	C	C	C	C	C	
Church, temple, synagogue, or place of worship	C	C	C	C	C	C	8.5.1
Club or lodge, nonprofit	C	C	C	C	C	C	
Continuing care retirement community	C	X	C	X	X	X	
Country club	X	X	X	X	C	C	
Family burial plot	X	X	X	X	X	X	
Group home	C	X	C	C	X	X	
Institutionalized residential living and care facilities, serving less than eighteen (18) persons	C	X	X	X	X	X	8.5.3
Rooming house	P	X	X	X	X	X	8.5.4

USE	UR-12	MHP	UR-9	UR-6	SR-3	RR-1	See also Section:
Therapeutic camp	X	X	X	X	X	X	
RECREATIONAL USES							
Common area and greenspace	P	P	P	P	P	P	
Community recreation	P	P	P	P	P	P	
Conservation area	P	P	P	P	P	P	
Golf course as part of residential subdivision	P	P	P	P	P	P	
OTHER USES							
Borrow site	X	X	X	X	X	X	
Cottage industry	X	X	X	X	X	X	
Public use, including public school	P	P	P	P	P	P	
Resource extraction	X	X	X	X	X	X	
Semi-public use	P	P	P	P	P	P	
Wireless telecommunication equipment	X	X	X	X	X	X	
Wireless telecommunication facility	X	X	X	X	X	X	

TABLE 6.2
DIMENSIONAL REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS

N/A= Not Applicable

N/P= Not Permitted

USE	UR-12	MHP	UR-9	UR-6	SR-3	RR-1
RESIDENTIAL ACREAGE, DENSITY, AND LOT WIDTH REQUIREMENTS						
Minimum size of development (acres)	None	3	None	None	None	5
Maximum residential density (acres per dwelling unit)	0.083	0.1	0.115	0.167	0.333	5
Maximum residential density (dwelling units per acre)	12	10	9	6	3	.2
Minimum lot size, detached single-family dwelling or, if permitted, manufactured home (acres)	0.115	N/P	N/P	0.167	0.333	5
Minimum lot size, detached single-family dwelling or, if permitted, manufactured home (square feet)	5,000	N/A	5,000	7,260	15,000	217,800
Minimum lot size, two-family dwelling (square feet)	7,500	N/A	10,000	14,520	N/A	N/A
Minimum lot size, fee simple townhouse	2,000	N/A	N/A	N/A	N/A	N/A
Minimum lot size for other permitted uses (square feet)	5,000	5,000	5,000	7,260	15,000	217,800
Minimum lot width, two-family dwelling (feet)	75	N/A	75	75	N/A	N/A
Minimum lot width, fee simple townhouses (feet)	20	N/A	N/A	N/A	N/A	N/A
Minimum lot width, all uses (feet)	50	50	50	75	85	200
BUILDING AND SITE REQUIREMENTS						
Maximum building coverage (percent)	50	50	40	30	25	15
Minimum landscaped open space for non-single-family residential use if permitted (percent)	10	15	None	None	None	None
BUILDING HEIGHT REQUIREMENTS						
Maximum height (feet)	35	35	35	35	35	35
Maximum height (number of stories)	3	2	3	3	3	3
BUILDING SETBACKS, RESIDENCES OR OTHER PERMITTED PRINCIPAL BUILDINGS						
Front (feet)	10	25	10	15	25	75
Side (feet)	5	25	5	7	15	35
Rear (feet)	10	25	10	20	25	60
BUILDING SETBACKS, ACCESSORY BUILDINGS AND STRUCTURES						
Front (feet) (where permitted)	10	10	10	15	25	50
Side (feet)	5	5	5	5	10	30
Rear (feet)	5	5	5	10	10	30
SPECIAL SETBACKS, BUFFERS, AND LANDSCAPED STRIPS						
Minimum principal or accessory building setback abutting any UR-9, UR-6, SR, or RR-1 district	25	25	N/A	N/A	N/A	N/A
Minimum natural buffer abutting any UR-9, UR-6, SR, or RR-1 district	15	25	N/A	N/A	N/A	N/A
Minimum landscape strip required along right-of-ways for any non-single-family residential use (width in feet)	10	10	10	10	10	10
Minimum landscape strip required along side property lines for any non-single-family residential use	N/A	N/A	5	5	5	5
MINIMUM FLOOR AREA PER DWELLING UNIT (square feet)	600	540	600	750	1,000	750

CHAPTER 6.7
PUD, PLANNED UNIT DEVELOPMENT DISTRICT

Section 6.7.1.	Purpose and Intent.
Section 6.7.2.	Applicability.
Section 6.7.3.	Permitted Uses.
Section 6.7.4.	Dimensional Requirements.
Section 6.7.5.	Minimum Areas Required for Rezoning and Development.
Section 6.7.6.	Minimum Open Space Required.
Section 6.7.7.	General Principles for Land Use Mix and Design.
Section 6.7.8.	Application Requirements.
Section 6.7.9.	Approval Procedures.

Section 6.7.1. Purpose and Intent.

The Planned Unit Development District is intended to meet the following objectives:

- (a) Allow and encourage more unique, flexible, creative, and imaginative arrangements and mixes of land uses in site planning and development than are permitted through conventional land use requirements.
- (b) Encourage a broader mix of residential housing types (not including mobile or manufactured homes), including detached and attached dwellings, than would normally be constructed in conventional subdivisions.
- (c) Allow and encourage the development of tracts of land as single developments that are planned neighborhoods or communities, including civic and semi-public uses (e.g., schools, playgrounds, meeting halls, etc.) that help to make up a community.
- (d) Preserve the natural amenities of the land through maintenance of conservation areas and open spaces within developments.
- (e) Provide for the more efficient use of land through clustering and other flexible, innovative development arrangements that will result in smaller networks of utilities and streets and thereby lower development and housing costs.
- (f) Provide a more desirable living environment than would be possible through the strict application of conventional zoning requirements.
- (g) Establish application requirements that are more rigorous than rezoning applications and conditional use permits but no more onerous than necessary to enable thorough analyses.
- (h) Ensure that the design of building forms is interrelated and architecturally harmonious.

Design of detached single-family neighborhoods and residential communities in the PUD district may follow principles of conventional suburban subdivision design which typically include curvilinear streets with some cul-de-sacs. However, PUD districts are intended to differ from conventional subdivisions in that they provide greater pedestrian access and interconnections between and among units of the neighborhood. In addition, neotraditional development design principles are particularly encouraged when this district is applied to suburban/urban areas.

Section 6.7.2. Applicability.

This district is primarily envisioned to apply to urban and suburban areas with sanitary sewer and public water service, though it may be used to provide for imaginative site arrangements in rural areas at exurban/rural densities.

Section 6.7.3. Permitted Uses.

Permitted uses shall be proposed by an applicant for rezoning to PUD and shall be limited to those uses approved by the Governing Body with jurisdiction; provided, however, that the following shall apply when the site proposed to be rezoned and developed is designated as residential on the adopted future land use map of the city:

- (a) Retail, service, office, and civic and institutional residential uses shall not exceed fifty (50) percent of the total site area of the district when built according to exurban/rural design and improvement requirements.
- (b) Industrial uses shall not normally be considered appropriate for inclusion in planned unit developments but if proposed and approved shall not exceed ten (10) percent of the total site area of the district and such area shall be counted within the twenty (20) percent limit for uses specified in paragraph (a) of this section.
- (c) At least fifty (50) percent of the units proposed and approved as part of the planned community development shall be detached, single-family dwellings.

Section 6.7.4. Dimensional Requirements.

Lot sizes, setbacks and yards, building coverage, building heights, and other dimensional requirements shall be proposed by an applicant for rezoning to PUD and as may be approved by the Governing Body. Standards proposed by the developer are legally binding on the development if approved, unless otherwise specified by the Governing Body. In no case should a PUD application be approved that contains a residential density more than twenty-five (25) percent greater than the residential density recommended for the property as may be shown on in the city's comprehensive plan.

Section 6.7.5. Minimum Areas Required for Rezoning and Development.

There shall be a minimum development area size of three (3) acres for a PUD district. No rezoning application for a PUD zoning district shall be accepted unless the lot to be developed meets the minimum three-acre area required for development.

Section 6.7.6. Minimum Open Space Required.

A minimum of twenty (20) percent of the total site area of the district development shall be open space, greenspace, passive recreation, community recreation, or pervious landscaped areas or combination thereof.

Section 6.7.7. General Principles for Land Use Mix and Design.

The following principles shall be adhered to in all planned unit developments and substantial conformity to them shall be expected. Significant departures from these principles may provide a sufficient basis for denial of the application.

- (a) *Comprehensive plan.* Uses within the PUD shall be predominantly in accordance with the use recommendations and policies of the comprehensive plan with regard to land uses, densities, and development, land use, and environmental policies.
- (b) *Civic and institutional uses.* Sites for churches, schools, community or club buildings, and similar public or semi-public facilities are encouraged to be provided, where appropriate.
- (c) *Interconnectivity.* PUDS shall provide pedestrian access and vehicular and pedestrian interconnections between and among land uses within the development. Interconnectivity should be provided between PUDs when possible.

Section 6.7.8. Application Requirements.

In addition to the requirements for rezoning applications specified in this zoning ordinance, an application for PUD rezoning/development approval shall include the following:

- (a) *Development Plan.* Applications shall include a development plan which unless specifically stated otherwise shall be a condition of PUD approval and must be followed.
- (b) *Architectural Elevations.* Applications shall include perspective front, side, and rear elevation drawings of representative building types, except for detached single-family dwellings and their accessory buildings. These drawings shall indicate general architectural characteristics. If the PUD is approved, architectural elevations submitted as part of the application shall be considered binding unless specifically noted otherwise in the approval. If the PUD involves only detached single-family dwellings, architectural elevations shall not be required.
- (c) *Land Uses and Development Summary.* The application shall include a list of all land uses proposed to be included in the PUD, the total land area devoted to each of the land uses proposed, the percentage of the total land area within the PUD devoted to each proposed land use, the number of residential units by type and density, and the total square footage of buildings devoted to non-residential uses. In addition, the application shall contain a development schedule indicating the approximate dates for beginning and completing the project, or each phase if the development is to be phased, and the extent of development and types of land uses in each phase.
- (d) *Dimensional Requirements.* The application shall contain all minimum dimensional requirements that are proposed to apply within the PUD, including minimum lot sizes, minimum lot widths, maximum building coverage, front, side and rear yards and building setbacks, and maximum heights. Such proposed dimensional requirements shall be presented in a table on the development plan or in the written text accompanying the application.
- (e) *Improvement Requirements Comparison.* The application shall contain descriptions of improvements to be constructed within the PUD, such as but not limited to street types, right-of-way widths, pavement widths, sidewalk locations and dimensions, and other improvements. Such proposed improvements shall be presented in a table on the development plan or in the written text accompanying the application that shows the proposed improvements in comparison with improvements that would be required otherwise without approval of a PUD.
- (f) *Private Restrictions.* PUDs that have commonly owned facilities and space shall have private restrictions and covenants established which shall be subject to the approval of the participating municipality's city attorney and the zoning administrator. The developer of a PUD involving commonly owned facilities and space shall submit,

- along with the development plan application, a declaration of covenants, conditions, and restrictions and articles of incorporation and by-laws for the property owners or home owners association. The declaration shall confer membership to the owner of property subject to assessment by the association, provide for voting rights in the association with suggestions for the division of power between the developer and the property owners, and provide for maintenance assessments, among other things.
- (g) *Community Benefit Statement.* The applicant shall submit a written statement identifying the relative benefits that will accrue to the community as a result of the property being developed under PUD provisions. Specific mention should be made of mix of uses included, open spaces provided, natural features retained, and architectural designs to be provided. This statement is a developer's opportunity to define why the PCD proposal merits approval and how it will serve the community better than a conventional development.

Section 6.7.9. Approval Procedures.

In addition to the requirements for rezoning applications specified in this zoning ordinance, approval proceedings for PUD rezoning/development approval shall include the following:

- (a) *Pre-application Conference.* Prior to filing a formal application for a PUD, the applicant is required to confer with the zoning administrator in order to review the general character of the plan and to obtain information on the nature and extent of the proposed development.
- (b) *Criteria for Approval.* In considering and acting upon applications for PUDs, the planning commission and the governing body shall consider and base their recommendation and decision, respectively, on the following criteria (not all inclusive), and any other factors it may consider appropriate in reaching such a decision: (1) consistency with the comprehensive plan of the city with jurisdiction; (2) The character, location, and appropriateness of the proposed mix of land uses; (3) The extent to which the proposed architectural features of buildings within the planned unit development are harmonious; and (4) The adequacy of open spaces and play areas and recreation facilities that are provided for the needs of the development occupants.
- (c) *Revisions.* Amendments to approved PUDs shall be permitted but governed by the procedures and provisions for changing the official zoning map as specified in this zoning ordinance.
- (d) *Construction Plans.* Upon approval of a PUD application by the governing body, the developer may apply for construction plan approval.
- (e) *Permits and Certificates.* No building permit or certificate of occupancy shall be issued for a building, structure, or use, nor shall any excavation, grading, or land disturbance applications be approved, for any PUD that has not been approved in accordance with the provisions of this Chapter. The zoning administrator shall authorize the issuance of building permits for buildings and structures in the area covered by the approved PUD if they are in substantial conformity with the approved PUD, after improvements are installed in accordance with applicable improvement requirements, and if found to be in conformance with all other applicable regulations. The zoning administrator shall authorize the issuance of a certificate of occupancy for any completed building, structure, or use located in the area covered by the PUD if it conforms to the requirements of the approved PUD and all other applicable regulations. After completion of a PUD, the use of land and construction, modification, or alteration of any buildings, structures, or uses within the area

covered by the PUD shall continue to be regulated by the approved development plan for the PUD.