

PUD Ordinance Amendment

Minor Amendments Section 1.7.3 (already in code)

- Signage
- Utilities
- Decrease in Dwelling Units up to 10% or 25 (whichever greater)
- Minor revisions to drainage tracts, ponds, stormwater, similar changes to lot dimensions – as long as no additional density created, and no decrease in amount of the open space
- Residential uses added to list of permitted uses in non-residential net developable land acres

Major Amendments Process

- Made by Director – in writing – can appeal to Planning Commission
- or
- Director may opt to refer directly to Planning Commission
- If determined to be major amendment – Applicant must submit plans and support data to staff for review per unified control requirements of subsection B/E
- Any amendment that modifies a plat shall require the approval and recording of an amended plat

Added Definitions

- Developed – for purposes of this section shall mean that unexpired building permits and/or certificates of occupancy have been issued by the City for lots, tracts, or other legally recognized parcels within the approved binding master plan.
- Net Developable Land Area – for purposes of this section shall mean land area which forms the footprint for vertical development within an approved planned district and does not include any open space of any kind, including but not limited to wetlands, right of way, trails, greenspace, greenways, drainage tracts, recreational tracts, common areas, or other similar land areas within an approved planned district.

Identifying Major Amendments

- Adding non-residential use to residential
- Additional use added to already approved land use classification
- Change to conditions of approval or development standards of a PUD unless expressly allowed as minor amendment
- Adding or removing property to PUD
- Change in type, location or size (except reduction in units) of multi-family
- Any amendment resulting in reduction of open space

1.7.4 Decision Criteria for Major Amendments

- Compatible?
- Changes in land conditions upon which original zoning based
- Comprehensive plan consistency
- Availability of public facilities
- Health, safety welfare
- Conformance with LDR
- Environmental Assessment Report

Additional Criteria for Major Amendments

- Consistent with reasonable expectations of other residents in PD of how PD would build out over time?
- The extent of amendment deviates with binding master plan – accommodated by flex chart of similar
- Will amendment service and/or benefit other uses in PD?
- Is amendment compatible with common scheme of development in binding master plan?