

Zoning map amendments to PD district.

(2) *Applicability.*

(i)

- (A) Applications to change the zoning map to designate land into a PD district, or to modify a PD district, shall be made, reviewed, and decisions made as described in [section 29-6.4\(n\)\(1\)](#) above, except to the extent those requirements are modified in this subsection.
- (B) Rezoning to a PD district requires council approval of a zoning map amendment, a statement of intent for the proposed development, and a development plan for the property. The statement of intent and development plan shall be binding on the owner and its successors and assigns. Later development applications must be consistent with the approved statement of intent and development plan, or the development plan will need to be modified by council action.

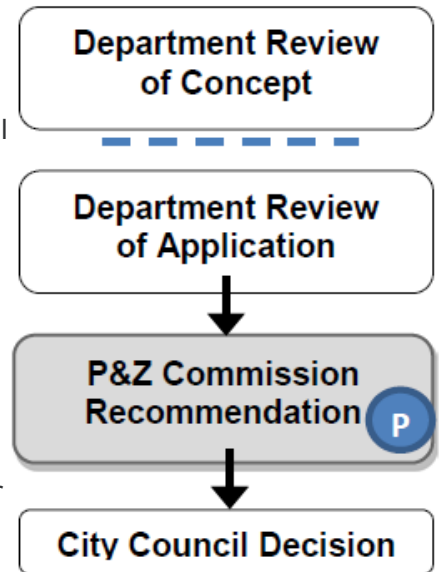
(ii) *Approval procedure.*

- (A) Before filing an application, the applicant must first meet with the director for a concept review of the proposal. The concept review is an informal discussion to discuss land use and development concepts, consistency with the city's adopted comprehensive plan, applicable sections of this chapter and other city ordinances and regulations, and other concerns about the impacts of the proposed change that may be raised.

The application shall be accompanied by a statement of intent including, at a minimum, those items listed below and a development plan meeting the city's requirements as defined within the UDC Administrative Manual. The application and development plan shall be reviewed by the department and commission, and shall be the subject of final action by council, simultaneously. No application for a zoning map change to a PD district shall be approved without approval of an accompanying statement of intent or development plan. The required statement of intent shall, at a minimum, include the following items:

- 1) The uses proposed in the PD district using the same names for uses, or combinations of those names, shown in Table [29-3.1](#). Such list may not contain any use that is not shown in Table [29-3.1](#) as that table appears at the time of the application;
 - 2) The type(s) of dwelling units proposed and any accessory buildings proposed;
 - 3) The maximum number of dwelling units and bedroom mix (multi-family only) proposed and the development density (net and gross);
 - 4) Minimum lot sizes, if applicable, maximum building height, minimum building setbacks from perimeter and interior streets, other property lines and minimum setbacks between buildings;
 - 5) The total number of parking spaces proposed (on-site or off-site) and the parking ratio per dwelling unit. Where off-site parking is proposed documentation shall be provided showing compliance with the provisions of this chapter;
 - 6) The minimum percentage of the entire site to be maintained in open space, shown by the percent in landscaping and the percent left in existing vegetation; and
 - 7) Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses.
- (B) The application materials shall document whether adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are available to support the proposed development.
- (C) If the proposed PD development will require subdivision or resubdivision of land, the requirements of section 29-5 regarding subdivision of land shall apply, but the application for a PD district and subdivision of land may be completed simultaneously as described in [section 29-5.2\(c\)\(2\)](#). Any design modifications to the subdivision regulations proposed as part of the

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PD application shall be clearly stated on the PD development plan. Such design modifications shall be considered along with commission and council review of the plan.

- (D) No building permit shall be issued for any construction in a PD district until the development plan has been approved by the council.
 - (E) No building permit shall be issued for any construction in a PD district that requires subdivision or resubdivision of land until a final subdivision plat for the property on which permits are requested has been approved by council.
 - (F) If the PD includes buildings other than single-family detached dwellings or two-family dwellings, with each such dwelling located on an individual platted lot, no building or footing and foundation permit shall be issued until the site plan filed with the application for a building permit has been reviewed by the director for compliance with the approved development plan.
 - (G) If construction consistent with the approved development plan has not begun within three (3) years after council approval of the development plan or a major modification of the development plan, the development plan shall expire and be of no force or effect, and no permit for development within the PD district shall be approved until a new development plan is approved pursuant to the same procedures used to approve the initial PD district. Prior to expiration of the PD development plan, the council may extend the time for a one-year period, on a one-time-only basis. A request for a time extension must be made in the form of a letter signed by the property owner or his agent.
- (iii) *Modification procedure.*
- (A) Minor changes to an approved development plan may be approved by the director. If the PD district contains any single-family detached dwellings or two-family dwellings, minor changes are those that:
 - 1) Comply with the original statement of intent;
 - 2) Do not increase the project density in total or in areas of the PD;
 - 3) Do not change the dwelling unit type (attached, detached, multi-family) being altered;
 - 4) Do not increase the height or size of any building;
 - 5) Do not change the size or nature of public or private infrastructure;
 - 6) Do not change the project amenities such as landscaping, open space, common area or recreational facilities;
 - 7) Do not rearrange the locations of buildings;
 - 8) Do not increase any parking area;
 - 9) Do not change the permitted use of any structure; and
 - 10) Do not create a potential increase in traffic.
 - (B) If the PD district contains does not contain any single-family detached dwellings or two-family dwellings, minor changes are those that:
 - 1) Do not increase the height or size of any building;
 - 2) Do not increase any parking area;
 - 3) Do not rearrange the locations of buildings;
 - 4) Do not change the size or nature of public or private infrastructure; and
 - 5) Do not change the project amenities such as landscaping, open space, common area or recreational facilities.
 - (C) Changes that do not meet the criteria for a minor change under subsection (a) or (b) above, as applicable, shall follow the same procedure as if it were a new development plan for the PD district.