

ARTICLE 18. PLANNED DEVELOPMENT PROJECTS

18.1. INTENT AND PURPOSE

18.2. GENERAL REGULATIONS

18.3. GENERAL STANDARDS

18.4. DEVELOPMENT STANDARDS

18.5. APPLICATION PROCESS

18.6. DESIGNATION ON THE OFFICIAL ZONING MAP

18.1. INTENT AND PURPOSE

The intent of this Article is to encourage the unified development of tracts of land by permitting, within the confines of an overall density limitation, much more creative and flexible concepts in site planning than would otherwise be possible through the strict application of district requirements established in these regulations. Where such flexibility is permitted, planned development project (PDP) design and construction shall follow a carefully devised plan of development which shall be prepared in accordance with the requirements and procedures herein prescribed.

18.2. GENERAL REGULATIONS

The general regulations for all planned development projects (PDP) shall be as follows:

- A. Construction of all PDP's shall be initiated within one year after approval of the final plan.
- B. The owner of a PDP shall provide and permanently maintain the areas required for landscaping and open space purposes.
- C. The PDP applicant shall be required to provide a detailed statement of assurances, including covenants, agreements or other specific documents, showing ownership and a method of providing perpetual maintenance to be applied to those areas within the project that are to be used for open space, recreational or other common or quasi-public purposes. Such a statement, if required shall be attached to the preliminary and final plats as special conditions.
- D. Approval of a development order for a PDP shall be conditioned upon the applicant providing an instrument of financial security acceptable to the City Manager, such as an open-end letter of credit or a bond in the amount of 110 percent of the improvements required, including streets, utilities, landscaping, etc. If the PDP is to be developed in separate phases, an instrument of financial security shall be required for each separate phase.

E. An applicant for a PDP may include a proposed division of the tract of land within the project property lines into one or more separately owned and operated units. Such proposed divisions, if approved along with the proposed planned development project and if in compliance with the subdivision regulations shall be permissible without further proposed subdivision regulation approval. All projects which include a proposed subdivision of the total tract of land within the property lines into one or more separately owned and operated units shall, if approved, be subject to all attached special conditions and all existing subdivision regulations.

F. There shall be no subdivision of an approved planned development project, unless such subdivision is in conformance with the originally approved and recorded final plat or an amended final plat of the planned development project has been approved and recorded.

G. There shall be no change, alteration, amendment or extension of any approved planned development project final plan unless such change, alteration, amendment or extension is approved in conformance with the procedures for filing a PDP.

H. Construction of all PDP's shall be completed within a designated period after approval of the final plan. The city council may grant an extension of completion time when such extension is deemed reasonable and necessary by the city council.

I. In any planned development project (PDP), although it is permissible to depart from conformance with the principal building and single-lot dimension and area regulations contained in these regulations, there shall be no diminution of the regulations and standards set forth for planned development projects.

(1) Applications for approval of planned developments projects shall be reviewed by the technical review committee (TRC) and the planning board. The planning board will forward a recommendation to the city council which shall make a determination regarding development order approval. The technical review committee and planning board shall examine the proposed PDP with particular attention to the following criteria:

- a. The influence the proposed project may be expected to have on existing or future development in surrounding areas and the achievement of a desirable spatial relationship between the buildings and the land, and between the buildings themselves;
- b. To ensure that the roads, thoroughfares, streets and accompanying access points proposed are suitable and adequate to carry anticipated traffic and the increased land use intensity will not generate traffic in such amounts as to overload the existing or proposed street network;
- c. To ensure that existing or proposed utility services are adequate for the population densities or land use intensities proposed; and
- d. To ensure that the proposed project reflects the overall location standards and principles of land use arrangement and design as set forth in the comprehensive plan and especially the land use plan for the area.

(2) Off-street parking space shall be provided on the site so that there will be no generation of automobile parking on any street or access road. Driveways shall be constructed and/or streets shall be widened by at least the width of a parking space and/or additional parking areas shall be provided such that there will be a minimum of 2½ parking spaces for each residential unit.

(3) All off-street parking facilities proposed to be located either below ground level or above ground level shall be designed and constructed so that the entrance and exit ramps do not result in direct or indirect traffic congestion on the site or on adjacent streets.

(4) Areas shall be provided for the parking, loading and unloading of delivery trucks and other vehicles and for the servicing of buildings by refuse collection, fuel and other service vehicles in addition to the

required automobile parking spaces. Such areas shall be adequate in size and so arranged that they may be used without blockage or interference with the use and access ways of automobile parking facilities.

(5) A landscaped separation strip at least five feet in width shall be provided and maintained by the developer along all access roads on which off-street parking space is located.

(6) Access points on all collector or arterial streets serving a PDP shall be properly located and spaced as provided for in these regulations by Article 15. The development approval authority may approve the use of temporary access points that shall be eliminated by the developer when access roads or other streets are extended to the permanent access points.

(7) No planned development project shall be permitted vehicular access to a minor residential street unless specifically approved by the development approval authority (city council).

(8) Lighting facilities shall be arranged in such a manner so as to prevent direct glare or hazardous interference of any kind to adjoining streets or properties. The lighting requirements of Article 15 shall be met.

(9) All planned development projects shall provide pedestrian and bicycle circulation and access facilities throughout the development to include access to any and all vehicular access points.

(10) All planned development project building construction shall conform to all local, state and federal regulations pertaining to the particular type of building proposed. The developer shall provide assurance of such compliance upon submittal of detailed construction plans for review.

(11) At minimum, 30% of the developable area within a planned development project shall be dedicated to a combination of open-space, natural space, and/or recreation areas.

a. Required landscaping strips shall not be counted toward this calculation.

i. Increases in the strip, over the required width, may be counted in the overall open-space calculation.

(12) Residential cluster development may be permitted, provided the requirements of Subsection 18.4 can be met. Additional Fire and Life Safety review shall be required.

(13) The technical review committee or planning board may recommend and the city council may require any reasonable special condition necessary to ensure that there shall be no departure from the intent of these regulations. Because a PDP is inherently more complex than a single lot development and because each project must be tailored to the topography and neighboring uses, the standards and special conditions for such projects cannot be inflexible.

18.4. DEVELOPMENT STANDARDS

All planned development projects (PDPs) shall be subject to the following regulations for the specific type of development to allow the city council to grant variances and allow for flexibility:

A. Residential planned development project.

(1) Intent.

The intent is to permit and encourage the development of single-family and multifamily developments with a common open area of green space and to provide the necessary commercial development to service the residents within the planned development project.

(2) Permitted districts.

A residential planned development project shall be permitted in any residential district, including RC-1, upon the city council's approval. However, the development intensity/density shall not exceed the development intensity/density of other residential developments permitted within the district where the PDP is proposed.

(3) Permitted uses.

Uses permitted in a residential PDP shall be as follows:

- a. Single-family detached residence, two-family and multiple-family dwelling units (including townhouses, row-houses, garden apartments and condominiums);
- b. Parks and playgrounds, landscaped areas and greenbelts;
- c. Uses such as schools, churches, hospitals, clinics, government offices and similar uses;
- d. Professional and business offices, clinics and studios;
- e. Financial institutions;
- f. Recreation and amusement establishments; provided that all business activity, both indoor and outdoor, shall be conducted in accordance with part II, chapter 8 of the city Code of Ordinances;
- g. Clubs, lodges, golf courses and clubhouses;
- h. Docks and marinas;
- i. Commercial areas limited to establishments intended to primarily serve the residential uses; provided that all merchandise shall be stored and displayed within fully enclosed buildings. Such commercial uses shall not occupy more than five percent of the total acreage devoted to residential uses, excluding street rights-of-way; and
- j. Airparks developed in accordance with these regulations and FDOT and FAA requirements.

(4) Compatibility.

The tract of land must be suitable for the residential PDP by virtue of its location, shape, topography and the nature of surrounding development.

(5) Standards.

The following standards shall be met in the development of a residential PDP:

- a. Every structure containing dwelling units shall have access to a public street directly or via a city walkway or other area dedicated to public use or owned and maintained by a home association. Dwelling units need not front a road; and
- b. No minimum lot size or setback shall be required for residential structures within the PDP, except that the total acreage of commercial space or nonresidential uses shall be no more than five percent of the total acreage devoted to residential uses, excluding street rights-of-way. Five feet of clear space shall be required between any projection of a structure and the adjacent

property line, and ten feet of clear space between any projections of a structure from any projection of an adjacent structure.

c. The standards for maximum floor space, and for minimum recreational space, outdoor living space, open space and parking space shall be related to the land use intensity ratings and standards as established in FHA's Minimum Property Standards for Multifamily Housing. The density of development shall be determined by the development approval authority.

(6) *Minimum area.*

Any tract of land for which a residential PDP application is made shall contain a minimum amount of land as specified for by the following types of development:

Table 18.4.1. Minimum Area Required.

Major Type of Use	Minimum Area Required (Acres)
Single-family residential	5
Multiple-family residential	2.5
Mixed single and multiple-family residential use (over 50% multiple-family)	4
Mixed residential and commercial or public uses	5

B. Mobile Home Planned Development Project.

(1) *Intent.*

The intent of a mobile home planned development project is to develop a mobile home park or subdivision that is created in a manner that is suitable for location among other residential uses.

(2) *Permitted districts.*

A mobile home PDP shall be permitted in the RU district upon the city council's approval.

(3) *Permitted uses.*

Uses in a mobile home PDP shall be as follows:

- a. Mobile homes;
- b. Parks and playgrounds, landscaped areas and greenbelts;
- c. Uses such as schools, churches, hospitals, clinics, , government offices and similar uses;
- d. Recreation and amusement establishments; provided that all business activity, both indoor and outdoor, shall be conducted in accordance with part II, chapter 8 of the city Code of Ordinances;
- e. Clubs and lodges, golf courses and clubhouses;
- f. Docks and marinas; and

g. Commercial area limited to establishments intended to primarily serve adjacent residential area; provided that all merchandise shall be stored and displayed within fully enclosed buildings. Such commercial uses shall not occupy more than five percent of the total acreage devoted to residential uses, excluding street rights-of-way.

(4) *Compatibility.*

The tract of land must be suitable for a mobile home planned unit development project by virtue of its location, shape, topography and the nature of surrounding development.

(5) *Standards.*

All mobile home planned development projects shall conform with the following minimum standards of development:

- a. Every mobile home unit shall have to abut a public street directly or via a city walkway or other area dedicated to public use or owned and maintained by a home association. Mobile homes need not front a road;
- b. No minimum lot size or setback shall be required for mobile home dwellings within the PDP, except mobile home dwellings on the perimeter shall provide a 25-foot minimum greenbelt separation from adjoining developments. The greenbelt, if not left and maintained in a natural state, shall be increased to 50 feet and shall contain a landscaping component which meets the minimum planting standards set forth in Subsection 12.5.
- c. No minimum lot size or setback shall be required for commercial or nonresidential uses, except that the total acreage of commercial or nonresidential uses shall not be more than five percent of the total acreage devoted to residential uses, excluding street rights-of-way; and
- d. The standards for maximum floor space and for minimum recreation space, outdoor living space, open space and parking space shall be related to the land use intensity ratings and standards as established in FHA's Minimum Property Standard for Multifamily Housing.

(6) *Minimum area.*

The minimum area for a mobile home PDP shall be as follows:

Table 18.4.2. Minimum Area Required for MHP PDP.

Major Type Uses	Minimum Area Required (Acres)
Mobile home residential only	3.5
Mobile home with commercial or public uses	5

C. Commercial planned development project.

(1) *Intent.*

The intent of a commercial planned development project is to provide for creativity and quality of design in the development of commercial facilities either separately or in connection with residential or other uses.

(2) *Permitted districts.*

A commercial PDP shall be permitted in all commercial districts as well as the R-3 and the SSC-RC districts.

(3) *Permitted uses.*

The following uses shall be permitted in a commercial PDP:

- a. Comparison goods stores;
- b. Convenience goods stores;
- c. Antique stores;
- d. Personal service establishments;
- e. Business, professional and nonprofit organization offices;
- f. Public offices;
- g. Restaurants;
- h. Indoor motion picture theaters;
- i. Helicopter landing facilities and airfields developed in accordance with these regulations and FDOT and FAA requirements; and
- j. Other substantially similar uses upon the city council's approval.

(4) *Capability.*

The tract of land must be suitable for a planned commercial development by virtue of its location, shape, topography and the nature of the surrounding development.

(5) *Standards.*

The following standards shall be adhered to in the development of a commercial PDP:

- a. All drives permitting ingress and egress into and off the site shall be designed in a manner that is safe and will minimize the amount of traffic congestion;
- b. Marginal access roads with pavement of sufficient width to accommodate projected traffic volume shall be provided along any thoroughfare frontage. However, alternate access designs sufficient to accommodate projected traffic volumes may be provided where applicable or more appropriate to the design or location of the site or of the abutting thoroughfare;
- c. The applicable Landscaping, buffer yard, and screening requirements identified in Article 12.
- d. The city council, if deemed necessary, may place any other requirements or restrictions on the developer of the commercial PDP.

(6) *Minimum area.*

The minimum area for a commercial PDP shall be as follows:

Table 18.4.3. Minimum Area Standards for Commercial PDPs.

Major Type of Use	Minimum Area Required (Acres)
Commercial	2.5

D. Mixed use planned development project.

(1) Intent.

The intent of a mixed use planned development project is to provide for the combining of uses in a planned and controlled manner so as to create an environment suitable for all phases of life. The preserving of open space and the development of ample recreation facilities are of the utmost concern in the development of the project.

(2) Permitted districts.

Mixed use PDP's shall be permitted in all commercial districts and in R-1, R-2, R-3, and RU districts, however, a mixed use PDP with an industrial component shall not be allowed in an R-1 or R-2 district.

(3) Permitted uses.

A mixed use planned development project may include any two or more of the planned development projects. The premises of a combined planned development project shall be used for only those uses designated in the respective planned development project regulations of this UDC. The development projects include the following:

- a. Residential planned development project;
- b. Mobile home planned development project;
- c. Planned commercial development project; and
- e. Planned industrial development project.

(4) Compatibility.

The tract of land must be suitable for a mixed use planned development project by virtue of its location, shape, topography and nature of surrounding development.

(5) Standards.

In any mixed use planned development project, although it is permissible to provide a mixed and integrated development, there shall be no diminution of the required land area, parking and circulation area, open space dimensions, standards and regulations that would be required for each type of building and use if it were submitted as a separate planned development project.

- a. For the purpose of computing the total requirements, it shall therefore be necessary to submit a breakdown and justification for each type of building and the use by its specific category (i.e. residential, mobile home, commercial and industrial) and the manner in which each meets the requirements for such buildings and uses as set forth in the respective planned development project regulations. In all mixed use PDP's, in order to achieve a mix of uses no part of the PDP (i.e. residential, commercial, mobile home, or industrial) shall occupy an area less than 30 percent of the land area proposed to be designated as a PDP.

(6) Minimum area.

The minimum area for a combined planned development projects shall be as follows:

Table 18.4.4. Minimum Area Standards for Mixed-Use PDPs.

Major Type of Use	Minimum Area Required (Acres)
Residential and commercial	5
Commercial and industrial	10
Residential and industrial	15
Residential, commercial and industrial	20

18.5 APPLICATION PROCESS.

A. Pre-application conference (optional).

(1) Conference.

A pre-application conference with the technical review committee (TRC) may be requested at the option of the developer. This conference provides the developer an opportunity to gather information and obtain guidance as to general conformity of the planned development project with the area in which it is proposed, and with the provisions of these regulations prior to entering into binding commitments or incurring substantial expense in the preparation of plans, surveys and other data.

(2) Points.

During a pre-application conference, particular attention should be given to:

- a. The present uses and character of the area;
- b. The road and street system, especially:
 - i. Interior neighborhood through routes;
 - ii. Collector and arterial streets both existing and proposed; and
 - iii. The rights-of-way widths for all roads and streets;
- c. Public and private open space parks and trails;
- d. Public utilities and services or their counterpart:
 - i. Water;
 - ii. Sewer;
 - iii. Fire protection;
 - iv. Stormwater management; and
 - v. School facilities;
- e. Type structures to be built; and
- f. Proposed uses to be developed.

B. Conceptual development plan (optional).

The developer shall make an application for approval of a planned development project to the Planning and Development Department as provided for under Article 3 of this Unified Development Code. The application may be filed on the basis of a conceptual plan as contained in this subsection or the developer may, at his option, omit this step and file his application based on a detailed plan as contained in Subsection 18.5(C) of this Article.

(1) Purpose.

The purpose of a conceptual plan is to provide an opportunity for a plan to be submitted to the technical review committee and planning board showing the intent of the developer and the nature of development with as little expense as possible. This conceptual plan may serve, at the option of the developer, as the basis for the required public hearing, which, thus, can be held in the early stages of the proposal.

(2) Maps and written statement.

The conceptual plan shall include the required maps and written statement setting forth the details of the proposed development. The maps must depict the area surrounding the proposed development and demonstrate the relationship of the PDP to the adjoining uses; both existing and those proposed by the developer. The maps shall be in a general schematic form and shall contain the following information:

- a. The approximate topography;
- b. Proposed land uses and the approximate location of existing and proposed buildings and other structures on the site and existing buildings, structures and uses adjacent to the site;
- c. The proposed character and approximate density of dwellings;
- d. The approximate location of all streets and rights-of-way, walkways, and parking facilities;
- e. Public uses, including schools, parks, playgrounds and other open spaces; and
- f. The maps shall indicate which facilities are to be public or private.

(3) Explanation.

The written statement shall contain an explanation of the:

- a. Character of the proposed development and the manner in which it has been designed to take advantage of the PDP concept;
- b. Proposed sewage disposal facilities, water supply and stormwater drainage provisions;
- c. Manner of financing proposed;
- d. Present ownership of all the land included within the planned development project;
- e. Method proposed to maintain private common open areas, buildings and other facilities; and
- f. General indication of the expected schedule of development.

(4) Public hearing.

A public hearing is required for approval of all PDP's and may be held based on the conceptual plan or on the detailed plan at the option of the developer. All property owners within 500 feet of the boundaries of the proposed PDP will receive notification of the public hearing. Costs of such notification shall be paid by the developer prior to advertisement of the hearing.

(5) *Conceptual plan approval.*

- a. If, after a public hearing, the planned development project is approved by the city council, then a resolution shall be passed by the city council stating that they will designate the specified area as a PDP; provided that the city council approves the detailed plan, or final plan, as is appropriate.
- b. In the event the city council has conditioned its approval upon required modifications to the plan, then such conceptual plan approval shall not be effective until the developer has filed, with the Planning and Development Department written agreement to modify the plan as required.
- c. If a detailed plan covering the area in the conceptual plan has not been filed within six months from the date of approval of the conceptual plan, the approval shall expire. The city council at its discretion, may extend for additional periods not in excess of six months each, the filing of the detailed plan when, good cause for such extension is shown.

C. Detailed plan.

(1) *Purpose.*

The purpose of the detailed plan is to provide a specific and particular plan upon which the city council will base its decision. Substantial compliance with the detailed plan is necessary for the preparation of the final plan. When seeking approval of a planned development project, the detailed plan should be filed as follows:

- a. As the initial plan if no conceptual plan has been approved at the time application is made, or
- b. As the second step plan when a conceptual plan has been approved. The detailed plan may be submitted in stages or in its entirety, within six months following its approval, unless an extension has been granted.

(2) *Maps and written statement.*

If a conceptual plan has not been filed and approved, then the detailed plan must include the following information in addition to that required for the conceptual plan and written statement:

- a. A map showing:
 - i. Street location and nature of the improvements;
 - ii. Lot lines and lot design;
 - iii. The landscaping and tree planting plan; and
 - iv. Stormwater drainage system;
- b. Areas proposed to be conveyed, dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and similar uses;
- c. A site plan for each building, except single-family lots, and the common areas, showing the approximate location of all buildings, structures, and improvements, and indicating the open spaces around the buildings and structures;
- d. Elevation and perspective drawings of all typical proposed structures and improvements, except single-family residences and their accessory buildings. The drawings need not be the result of final architectural designs and need not be in construction detail;
- e. A development schedule indicating:
 - i. The approximate date when the construction of the project can be expected to begin;

- ii. The phases in which the project will be built and the approximate date when construction of each phase can be expected to begin;
- iii. The approximate dates when the development of each of the phases in the development will be completed; and
- iv. The area and location of common open space that will be provided for each phase;
- f. Agreements, provisions, declarations or covenants which govern the use, maintenance and continued protection of the planned development project and any of its common open areas; and
- g. The following plans and diagrams will be provided when the technical review committee or planning board finds that the PDP creates special problems for traffic or parking:
 - i. An off-street parking and loading plan; and
 - ii. A circulation plan indicating the proposed movement of vehicles, goods and pedestrians, within the PDP and to and from existing thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or ensure the safety of this circulation pattern must be shown.

(3) Detailed plan approval.

- a. If a conceptual development plan was not submitted and approved, the detailed plan shall be considered in the same manner as provided for in the conceptual plan.
- b. If a conceptual plan was submitted, the public hearing was held and the conceptual plan was approved, then the technical review committee and the planning board shall compare the detailed plan with the conceptual plan and with the standards set forth in these regulations. If the detailed plan conforms substantially to the conceptual plan and to the standards set forth in these regulations, the city council shall grant approval of the detailed plan. The city council may place conditions upon its approval to ensure conformance to the plan as approved.
- c. Duration of approval. City council approval of the detailed plan shall be valid for a six-month period following the date of such approval. At its discretion, the city council may extend the detailed plan approval for additional six-month periods.

(4) Disapproval of detailed plan.

In the event the city council is unable to find the detailed plan in substantial conformance to the purpose and intent of the conceptual plan, the city council shall not grant approval of the plan as submitted.

(5) Site improvements.

The developer, at his option, may construct street improvements, sidewalks, utilities and other permanent site improvements after the detailed plan approval. The location of the buildings may be staked and applications for building permits may be submitted. Under no circumstances, however, will any building permit be issued until final plan approval has been granted and the necessary portions of the final plan recorded. The construction of improvements must be in accordance with the detailed plan and the provisions of these regulations, to obtain final plan approval.

D. Final plan.

(1) Public record.

The final plan is the permanent public record of the PDP and will be the manner in which the development is constructed as provided herein.

(2) Contents.

The final plan shall be filed within six months of the date of approval of the detailed plan and shall contain, in final form, the information required for the detailed plan. In addition, the following will apply:

- a. If parcels of land are to be sold, then a subdivision plat in the form prescribed by the city council shall be filed for approval in the appropriate manner;
- b. If land within the planned development project is not to be sold in individual parcels, then a site plan shall be prepared and filed with the city council which is suitable for inclusion in the county deed records. A permanent reproducible transparency of the final plan shall be filed with the Planning and Development Department; and
- c. Condominium plats do not need to be filed with, or approved by the city council. They are to be recorded as a distinct and separate act from the documents noted in subsections III-6.6(d)(2)a and III-6.6(d)(2)b of this section.

(3) Final plan approval.

The city council shall review the final plan and shall approve the final plan if it is in substantial conformance with the approved detailed plan.

- a. The city council shall require, as a condition of approval, the submission of satisfactory evidence that the improvements will be constructed, such as an instrument of financial security referenced in section 4.2(J)
- b. The city council shall not approve the final plan or any phase of the planned development project if the average of the allowable dwelling units per acre, up to and including the phase which is to be approved, exceeds by more than ten percent the average number of dwelling units per acre which is allowable for the entire PDP.
- c. Upon final approval and after all conditions have been met, the city council shall approve the recording of the final plan in the deed records when no parcels are to be sold. In the instance where parcels are to be sold, the developer will process and have recorded the subdivision plat in the manner designated by the county.

E. Substantial conformance.

The determination of substantial conformance between the detailed plan and the final plan shall be at the city council's discretion. Any variation in conformance is intended solely to facilitate the minor adjustments which may be necessary as the plans approach a final construction stage. The city council may refuse to grant approval of substantial conformance if, in their opinion, the adjustments are being used to significantly modify the approved plan.

18.6 DESIGNATION ON THE OFFICIAL ZONING MAP

Any land for which an application for a planned development project has been approved shall be designated on the official zoning map by the letter "PDP" - "Number." The "Number" shall be progressive as the projects are approved. The PDP designation shall not constitute a change in the district boundary, but shall serve as an overlay district. As such, approval of a PDP shall not require an amendment to the city's Future Land Use or Zoning Map, if the PDP is allowed within the district in which it is approved.