

Sec. 10-6.696. Planned unit development (PUD) zoning district requirements and procedures.

(a) *Purpose and intent of district.* The planned unit development (PUD) zoning district is intended to provide a method by which proposals for a unique zoning district which are not provided for or allowed in the zoning districts otherwise established by this chapter may be evaluated. The standards and procedures of this district are intended to promote flexibility of design and permit planned diversification and integration of uses and structures, while at the same time retaining in the Board of County Commissioners the absolute authority to establish such limitations and regulations as it deems necessary to protect the public health, safety, and general welfare. In so doing, the PUD district is intended to:

- (1) Promote more efficient and economic uses of land.
- (2) Provide flexibility to meet changing needs, technologies, economics, and consumer preferences.
- (3) Encourage uses of land which reduce transportation needs and which conserve energy and natural resources to the maximum extent possible.
- (4) Preserve to the greatest extent possible, and utilize in a harmonious fashion, existing landscape features and amenities.
- (5) Provide for more usable and suitably located recreational facilities, open spaces and scenic areas, either commonly owned or publicly owned, than would otherwise be provided under a conventional zoning district.
- (6) Lower development and building costs by permitting smaller networks of utilities and streets and the use of more economical building types and shared facilities.
- (7) Permit the combining and coordinating of land uses, building types, and building relationships within a planned development, which otherwise would not be provided under a conventional zoning district.

(b) *Eligibility.* The PUD district is designed to allow an applicant to submit a proposal for consideration, for any land uses or any mixture of land uses that are consistent with the comprehensive plan, and to allow the Board of County Commissioners to approve any proposal which it determines to be in the best interest of the public health, safety, and welfare, along with any conditions or requirements or limitations thereon which the Board of County Commissioners deems advisable. The approval of PUD rezoning requests rest s with the Board of County Commissioners. However, no rezoning to a PUD zoning district shall be eligible for approval unless the following minimum conditions are met:

- (1) Minimum area for a PUD zoning district. Except for properties designated university transition in the future land use map of the comprehensive plan, the

minimum area required for an application to a PUD district is five acres. The minimum area required for properties designated university transition is three acres.

- (2) Configuration of the PUD zoning district. The tract(s) of land for which the PUD zoning district is made shall be contiguous with sufficient width and depth to accommodate the proposed use.
- (3) Unified control/ownership. All land included for the purpose of development within a PUD district shall be owned by or be under the complete control of the applicant for such zoning designation, whether the applicant be an individual, partnership, corporation, other entity, group, or agency. The applicant shall provide the county all of the necessary documents and information that may be required by the county attorney to assure the county that the development project may be lawfully completed according to the plans sought to be approved. No application shall be considered until the requirements of this section have been fully complied with.

(c) *Review process.* An application for a PUD zoning district shall consist of a PUD concept plan and a PUD final development plan. A PUD zoning district is established when a PUD concept plan is approved by the Board of County Commissioners.

- (1) PUD concept plan. A PUD concept plan is a generalized plan which shows the proposed land uses and maximum density or intensity of all lands within a PUD zoning district in accordance with the information set forth in subsection (d) of this section. Once a PUD concept plan is approved by the county, the subject properties will be designated PUD on the official zoning map of the county.
 - a. Pre-application conference. An application for a pre-application conference shall be submitted to the county in accordance with established policies and procedures.
 - b. PUD concept plan application. A PUD concept plan application shall be submitted in accordance with the submittal requirements set forth in subsection (d) of this section.
 - c. Public notification. Public notice of the PUD concept plan shall be provided by publication in a newspaper of regular and general circulation. In addition, written notice shall be mailed to the current address (based upon records of the Leon County Tax assessor's office) of each property owner within 500 feet of the project and registered neighborhood associations.
 - d. DRC review. The development review committee shall review a PUD concept plan application at a regularly scheduled meeting to determine if the application complies with the comprehensive plan and other applicable land development regulations adopted by the county. The DRC shall prepare an itemized list of

written findings of fact which supports a recommendation of approval, approval with conditions, or denial of a PUD concept plan. The written findings of the DRC shall be forwarded to the planning commission. Meetings of the DRC shall be conducted in accordance with established polices and procedures.

e. The planning commission shall review the PUD concept plan, the written findings of fact of the DRC, and conduct a public hearing in order to formulate a recommendation to the Board of County Commissioners on approving, approving with conditions, or denying a PUD concept plan. Quasi-judicial proceedings may be invoked pursuant to the provisions of Article XI, Division 9 of this Code. The recommendation of the planning commission shall be supported by written findings of fact. Meetings of the planning commission shall be conducted in accordance with established policies and procedures.

f. Board of County Commissioners review. The Board of County Commissioners shall review the PUD concept plan, the recommendation and written findings of the DRC and the planning commission, and conduct a public hearing. The Board of County Commissioners will then approve, approve with conditions, or deny the PUD concept plan. The decisions of the Board of County Commissioners shall be final and shall be supported by written findings. Meetings of the Board of County Commissioners shall be conducted in accordance with established polices and procedures.

g. Amendments to PUD concept plan. Any amendments to the PUD concept plan shall be reviewed as a new PUD concept plan. Notwithstanding this provision, the county administrator or designee may approve amendments to the PUD concept plan during the review of a PUD final development plan if said amendments are substantially minor in nature and do not affect the overall character of the PUD concept plan. The criteria that the county administrator or designee shall use to determine if the proposed changes effect the overall character of the PUD include, but are not limited to an increase in the overall number of residential dwelling units or non-residential building square feet; a substantial decrease in the amount of acres devoted to common open space and/or natural area; and a substantial change in the general location of the proposed land uses, including the common open space and/or natural areas.

(2) *PUD final development plan.* PUD final development plan is a detailed development plan prepared to scale showing accurately and with complete dimensioning the boundaries of a site and the location of all buildings, structures, land uses, and principal site development features proposed. The submittal requirements, review process, and minimum standards that apply to a PUD final development plan are set forth in the site plan or subdivision review procedures of Division 4 of Article XI of Chapter 10 of the Leon County Code. At the option of the applicant, a PUD concept plan may be reviewed simultaneously with a PUD final development plan. The submittal requirements of such a review shall be determined at the pre-application conference.

(d) *Submittal requirements.*

(1) PUD concept plan. A PUD concept plan shall consist of the graphic and/or textual information itemized in a. through c. below. Adjustments to this information can be made at the pre-application conference.

a. A general plan for the use of all lands within the proposed PUD. Such plans shall indicate the general location of residential areas (including density and unit types), open space, parks, passive or scenic areas, and non-residential areas (including maximum building square footage and maximum height).

b. A plan of vehicular and pedestrian circulation showing the general locations and right-of-way widths of roads, sidewalks, the capacity of the system and access points to the external and internal thoroughfare network.

c. Quantitative summary of land uses (maximum acres, maximum non-residential building square feet, maximum number of residential dwelling units). A report shall be submitted to the county that includes a statement indicating how the proposed development complies with the comprehensive plan and a general description of the proposed development including:

1. The total acreage of the project.
2. The number of acres proposed to be developed in the various categories of land shown on the concept plan; the percentage of total acreage represented by each category of use and each component of development; and an itemized list of uses proposed for each of the components which shall be the range of uses permitted for that section of the PUD.
3. The number and type of dwelling units proposed for the overall site and for its components, including dwelling unit per acre calculations and population projections for each or for non-residential projects, gross square footage devoted for each land use.
4. The establishment of minimum design standards which shall govern the site and development such as lot shape and size, internal streets and pedestrian ways, open space provisions, off-street parking, buffers and landscape areas.
5. A binding commitment to develop the property in accordance with the approved concept plan and conditions of approval. The commitment shall bind all subsequent owners.
6. A site conditions map which includes:
 - (i) Legal description and boundary survey signed and sealed by a registered Florida land surveyor.

- (ii) Name of the PUD; owner; subdivider/lessee/optionee (if applicable), and address and phone number of each; surveyor and engineer of record; and, date of drawing.
- (iii) Scale, date, north arrow, and general location map showing relationship of the site to external uses, structures, and features.
- (iv) Boundaries of the subject property, all existing streets, buildings, water courses, easements, section lines, and other important physical features.
- (v) Existing topography (latest U.S. Department of the Interior Geological Survey).
- (vi) The location and size of all existing drainage facilities and a utility concept plan.
- (vii) Information about the existing vegetative cover and general soil types, and their appropriateness for the proposed project.
- (viii) The location and function of all other existing public facilities which would serve the residents of the site including but not limited to schools, parks, and fire stations. The requirements to provide this information may be waived for small projects. If required, notation of this information on a scaled map is acceptable.

7. An environmental analysis approved by the county growth and environmental management department, in accordance with the applicable provisions of the Environmental Management Act (EMA).

8. A preliminary certificate of concurrency or appropriate documentation issued by the county growth and environmental management department.

(2) *PUD final development plan.* For information on the submittal requirements for PUD final development plans, refer to Division 4 of Article XI of Chapter 10 of the Leon County Code.

(e) *Review criteria.* In evaluating a proposed PUD district, the county shall consider the criteria established below. The consideration of each criteria by the county shall be documented by written findings.

(1) *Consistency with the comprehensive plan.* The proposed PUD district shall be consistent with the comprehensive plan.

(2) *Consistency with other ordinances.* The proposed PUD district shall be consistent with all other ordinances adopted by the county, including but not limited to the applicable environmental and concurrency management ordinances.

(3) *Consistency with purpose and intent of PUD district.* An application for a PUD district shall include a narrative indicating how the proposed PUD district meets the purpose and intent of the PUD district, as set forth in subsection (a) of this section. The narrative shall specifically address the seven statements itemized in subsection (a).

(f) *Status of previously approved PUDs.* Any PUD project approved prior to the effective date of this ordinance shall continue to be governed by the approved PUD plan and any agreements, terms, and conditions to which the approval may be subject and shall be designated PUD on the official zoning map if it is located in its entirety or in part within a Mixed Use A, B, or C Future Land Use category. Whenever any application is made to substantially modify an approved PUD, or to undertake a new development on part or all of the property, the application shall be made under the terms and procedures of the PUD district set forth herein. Notwithstanding this provision, the county administrator or designee may approve amendments to the PUD concept plan during the review of a PUD final development plan if said amendments are substantially minor in nature and do not affect the overall character of the PUD concept plan in accordance with section 10-915(c)(1)g.