

## **ARTICLE XIV**

### **PLANNED DEVELOPMENT DISTRICT**

#### **Section 1 PLANNED DEVELOPMENT DISTRICT**

The purpose of this district is to encourage better development in the city by allowing more flexibility in the planning and development of projects. Variable combinations of land use units such as industrial parks, office or commercial districts, mixed or uniform residential development, or other appropriate combination of uses will be allowed if developed and operated as integral land use units by a single owner or combination of owners. It is intended that cognizance be taken of existing site conditions and environs, both natural and man-made, and appropriate protection be given to these elements prior to the approval of the Planned Development District. (Ord. No. 601, § 1, 8-6-74)

#### **Section 2 APPLICATION**

An application for a Planned Development District may be made to the city planning and zoning commission in the same manner that an application for any amendment to the zoning ordinance is made. Applications for a Planned Development District shall be processed according to the procedure specified in Article XXII and a site plan and related data shall be submitted for approval in accordance with requirements of section 8, section 9 and section 11. In addition to the requirements outlined in section 8, section 9 and section 11, the city planning and zoning commission or city council may require additional information or special plans related to specific elements of the Planned Development District. (Ord. No. 601, § 1, 8-6-74)

**Section 3** The applicant has the option of either fulfilling the requirements outlined in section 9 and section 11(b) or section 11(a) when filing an application for a Planned Development District. (Ord. No. 601, § 1, B-6-74)

**Section 4** The city council of the City of Duncanville, after public hearing and proper notice to all parties affected, and after recommendation by the city planning and zoning commission, may authorize the creation of a Planned Development District. (Ord. No. 601, § 1, 8-6-74; Ord. No. 737, § 1, 9-18-78)

Section 5 **USES PERMITTED**

A Planned Development District may be approved for any use or combination of uses. The uses permitted in any specific Planned Development District shall be enumerated in the ordinance establishing such districts. (Ord. No. 601, § 1, 8-6-74)

Section 6 **PROCEDURE FOR ESTABLISHING STANDARDS**

In approving the conceptual plan and ordinance establishing the Planned Development District, the city council shall, after recommendation by the city planning and zoning commission, specify such maximum height, floor area ratio, signs, density and other standards as may be appropriate. (Ord. No. 601, § 1, 8-6-74)

Section 7 Unrestricted by the guidelines set forth in section 6, the city council shall, after receiving the recommendation of the city planning and zoning commission establish the standards for yards, building space, site coverage, access, screening walls or landscaping, building area, open space, minimum off-street parking, and pedestrianways to be observed in a Planned Development District and such standards shall be specified in the ordinance establishing the district. (Ord. No. 601, § 1, 8-6-74)

Section 8 **DEVELOPMENT STANDARD**

- (a) An application for a Planned Development District shall, if applicant desires or the city planning and zoning commission or city council requires, be accompanied by a development schedule indicating the appropriate date on which construction is expected to begin and the rate of anticipated development to completion. The development schedule, if adopted and approved by the city council, shall become a part of the development plan and shall be adhered to by the owner, developer and his successor in interest.
- (b) Annually, where a development schedule has been required, the chief building inspector shall report to the city planning and zoning commission the actual development accomplished in the various Planned Development Districts as compared with the development schedule.

- (c) The city planning and zoning commission may, if in its opinion the owner or owners of property are failing or have failed to meet the approved schedule, initiate proceedings under Article XXII to amend the zoning district map or the Planned Development District by removing all or part of the Planned Development District from the zoning district map and placing the area involved in another appropriate zoning district. Upon the recommendation of the city planning and zoning commission and for good cause shown by the owner and developer, the city council may also extend the development schedule or adopt such new development schedules as may be indicated by the facts and conditions of the case. (Ord. No. 601, § 1, 8-6-74)

Section 9

**PROCEDURE FOR APPROVAL OF CONCEPTUAL DEVELOPMENT PLAN**

- (a) If an applicant does not submit a development plan as outlined in section 11(a) with his application for a Planned Development District, the application shall be accompanied by site analysis information and a conceptual plan in addition to a briefly written program statement. This statement will provide development guidelines forming the basis of the conceptual plan and how this plan meets the objectives outlined in section 11(a). Variations from standard zoning regulations will also be specified.
- (b) The site analysis information shall be prepared on a topography base map with no less than five-foot contour intervals. In general, it shall describe the existing natural features and physical requirements within the site by including the following items.
  - (1) A drawing delineating flood plains, water bodies, creeks, marshes and drainage areas. In addition to major tree groupings, locate other significant natural features such as rock outcroppings and important view corridors of scenic vistas, skylines or other features.
  - (2) Location, identification and dimension of all existing public and private easements. Indicate major utility trunk lines and future tie-ins. Identify all designated landmarks, locate existing main structures and delineate improvements to be retained.

- (3) Identification of land use groupings adjacent to the proposed development and contiguous land uses beyond adjacent public thoroughfares, creeks, utility easements or other rights-of-way.
  - (4) A site location map at a smaller scale showing major circulation routes and other landmarks shall be provided with the site analysis information.
- (c) The conceptual plan shall be prepared on a site topography base map with no less than five-foot contour intervals. This plan will diagrammatically show the nature and extent of the proposed Planned Development District.

The conceptual plan shall include:

- (1) A drawing locating all land use areas showing the gross acreage of each use, maximum lot coverage, net residential densities, floor area ratio for each use and approximate gross floor area for all commercial, industrial and office uses. Delineate all major usable open spaces other than parking areas, service areas and circulation zones. Identify all areas to be dedicated to the city and designate communally owned areas and facilities. Indicate areas to be used for active recreational purposes. Maximum heights for all structures in feet and stories must be delineated on the conceptual plan.
- (2) Location of all proposed screening barriers between the proposed development and adjacent property in addition to proposed barriers between internal land uses. Minimum building setbacks along the site boundaries must be clearly indicated on the conceptual plan.
- (3) Identification of an major access points and thoroughfares to be dedicated to the city. If the proposed planned development is to be in separate phases, each phase of development must be clearly delineated on the conceptual plan. (Ord. No. 601, § 1, 8-6-74)

Section 10 The city planning and zoning commission, after a public hearing on the conceptual plan, may deny, modify or approve the plan and conditions. After making its recommendation, the city planning and zoning commission shall forward its recommendation to the city council. The city council at a public hearing may deny or approve the conceptual plan and ordinance with or without additional conditions. After council approval of

the conceptual plan and ordinance, the applicant must meet the requirements outlined in section 11(b). (Ord. No. 601, § 1, 8-6-74)

Section 11     **DEVELOPMENT PLAN REQUIRED**

- (a)     If an applicant does not file a conceptual plan with his application for a Planned Development District, then he must submit a development plan which shall become a part of the amending ordinance and shall be referenced on the zoning district map. Changes in the development plan shall be considered the same as changes in the zoning district map and shall be processed as required in Article XXII, except that changes of detail which do not alter the basic relationship of the proposed development to the adjacent property and which do not alter the uses permitted or increase the density, floor area ratio, height or coverage of the site, or which do not increase the off-street parking ratio, or reduce the yards provided at the boundary of the site as indicated on the approved development plan may be approved by the chief building inspector. Any applicant may appeal the decision of the chief building inspector to the city planning and zoning commission for review and decision as to whether an amendment to the Planned Development District shall be required.
  
- (b)     If the applicant has filed a conceptual plan with his application, then he must submit a development plan no later than six (6) months from council approval of the conceptual plan, either for the total Planned Development District or approved first phase. The development plan for phase one or other endorsed phases must be approved by the city planning and zoning commission prior to issuance of any permit for that phase. This plan must conform to the approved conceptual plan and must be attested to by the chairman of the city planning and zoning commission and the chief building inspector.
  
- (c)     If the development plan should deviate from the approved conceptual plan and ordinances, the city planning and zoning commission reserves the right to reject and disapprove such plan and conditions and require a new application, filing fee and advertised public hearing. In the event the original applicant, who is the owner of the property in the original application, sells a portion of the site to a third party and said party wishes to deviate from the approved conceptual plan, the city planning and zoning commission reserves the right to require such purchaser to submit a new application and filing fee. (Ord. No. 601, § 1, 8-6-74)

Section 12     The development plan shall include:

- (a)     A scale drawing showing any proposed public or private streets and alleys; building sites or building lots; any areas proposed for dedication or reserved as parks, playgrounds, parkways, utility and garbage easements, school sites, street widening, street changes; the points of ingress from existing public streets on an accurate survey of the boundary of the tract and topography with a contour interval of not less than five (5) feet, or spot grades where the relief is limited.
  
- (b)     Where multiple types of land uses are proposed, a land use plan delineating the specific areas to be devoted to various uses shall be provided.
  
- (c)     Where building complexes are proposed, except platted single-family, duplex and townhouse residences, a site plan showing the location of separate building masses and the minimum distance between buildings, and between buildings and property line, street line and/or alley line shall be submitted. For buildings more than twelve (12) feet in height, except single-family, duplex and townhouse residences, elevations and/or perspective drawings may be required in order that the relationship of the buildings to adjacent property, open space and other features of the development plan may be determined. Such drawings need only indicate the height, number of floors and exposures of access, light and air.
  
- (d)     A plan indicating the arrangement and provision of off-street parking and off-street loading where required. Such plan may be presented as a ratio of off-street parking and off-street loading area to building area when accompanied by a typical example indicating the feasibility of the arrangement proposed and when the areas where the example would be applied are dimensioned on the drawing of the entire site. Any special traffic regulation facilities proposed or required to assure the safe function of the circulation plan shall also be shown.
  
- (e)     Screening and landscaping plan shall be required where such treatment is essential to the proper arrangement of the development in relation to adjacent property. Such plan shall, when required, include screening walls, ornamental planting, playgrounds, wooded areas to be retained, lawns and gardens if such are determined to be necessary by the city council.

- (f) Any or all of the required features may be incorporated on a single drawing if such drawing is clear and capable of evaluation by the chief building inspector.
- (g) Approval of the development plan shall be subject to the submission and acceptance of a legal instrument, instruments or other methods of setting forth a plan or manner of permanent care and maintenance of the designated common area or communally owned facilities. No such instrument shall be acceptable until approved by the city attorney as to legal form and effect, and the city planning and zoning commission as to suitability for the proposed use of the common area. (Ord. No. 601, § 1, 8-6-74)

Section 13      **REVERSIONARY AGREEMENT**

If the applicant fails to submit a development plan for the total area or approved phase one within six (6) months after city council approval of the conceptual plan, the chief building inspector shall notify the city planning and zoning commission. If the applicant shows just cause, the city planning and zoning commission may grant one or more six-month extensions or call a public hearing to determine proper zoning of the Planned Development District. (Ord. No. 601, § 1, 8-6-74)

Section 14      **COORDINATION WITH SUBDIVISION REGULATION ORDINANCE**

- (a) It is a requirement of this ordinance that subdivision review under the subdivision control ordinance be carried out simultaneously with the review of the development plan under this section of the zoning ordinance.
- (b) The development plan submitted under section 11(a) and section 11(b) shall be accompanied by a preliminary plat which meets the requirements of the subdivision control ordinance. The preliminary plat shall be reviewed and approved by the planning and zoning commission prior to granting any building permits. (Ord. No. 601, § 1, 8-6-74)

Section 15      Every Planned Development District approved under the provisions of this ordinance shall be considered as an amendment to the zoning ordinance as applicable to the property involved. In carrying out the development of a Planned Development District, the development conditions and the development schedule, if required, shall be complied with and such conditions as are specified for the development of a Planned Development District shall not be constructed as conditions precedent to the approval of the zoning amendment, but shall be construed as conditions precedent to the granting of a certificate of occupancy and compliance as required by Article XIX. (Ord. No. 601, § 1, 8-6-74)