

ARTICLE VII PLANNED UNIT DEVELOPMENT

7.0 The Planned Unit Development District is a unique district subject to special scrutiny, applicability, and conditions. Planned Unit Developments are to be carefully considered by the Town.

7.1 Planned Unit Development P.U.D.

- A. Purpose:** This zoning district is intended to establish truly unique developments in which conventional design requirements and districts cannot accommodate. The P.U.D. district is not intended to allow developments in which higher densities are sought for the sole purpose of circumventing the existing zoning districts. The P.U.D. district provides more flexibility with regard to design and uses and the blending of the two. This district also allows for more truly mixed-use developments rather than a conventional residential subdivision with a commercial component or office/industrial development. P.U.D. developments may contain residential, commercial, industrial, and recreational components. Upon approval by the Mayor and Council, the P.U.D. designation shall be conditional with the site plan and written report becoming the actual zoning and development criteria for the land, unless otherwise required in this Code.
- B.** Planned Unit Development district shall be allowed at the discretion of the Town Council where proven that the other districts cannot accommodate a development concept. No Planned Unit Development shall be granted on property less than 10 acres in size. Upon review and recommendation by the Planning Commission along with typical Town zoning criteria, rezoning proposals for P.U.D. shall be subject to the following considerations.
- C.** A proposed Planned Unit Development must have in its proposal at least two differing land uses and at least two differing densities.
- D.** The following must be presented to the Town at the time of the zoning application to qualify for the P.U.D. district:
The applicant must submit the following information:
1. A survey of the property in its entirety.
 2. A site plan drawn by a professional designer indicating specific uses of land.
 3. Architectural renderings of the style of the overall development. If different styles are to be incorporated, give examples of all to be included.
 4. Calculations of the following:
 - a. Open Space not to be otherwise occupied by buildings, parking, housing units, streets, driveways, etc.
 - b. Areas of environmental sensitivity such as creeks, streams, wetlands, flood plain, etc.
 - c. Amount of total impervious surface of the finished development.
 5. A traffic study of the proposed use as it would affect surrounding developments, properties, and transportation networks.
 6. A narrative describing in detail the nature of the development and why it needs consideration of the P.U.D. zoning district.
 7. A narrative describing compatibility with surrounding land uses and mitigation of impacts to surrounding properties.
 8. Densities of all land uses included in the development concept.
 9. A schedule of the projected construction and build-out of the development.
 10. A cross section of all streets and road designs if not to current Town standards.
 11. An example of all covenants and agreements that would apply to all property owners as to the maintenance, ownership, and insurability of all privately owned improvements.

12. Cross sections of all utilities if not to Town standards.
 - 13 Any and all means by which water and sewer are provided to the development.
- E. The following standards shall be reviewed in addition to the zoning criteria set forth by the Town:
1. The proposed use(s) and intensities would not be detrimental to surrounding properties or uses.
 2. Mitigation of impacts are proposed and are considered to be adequate with regard to the protection of surrounding properties.
 3. The proposed use is compatible with surrounding uses.
 4. The proposed use or proposed density is not out of character with the Comprehensive Land Use Plan.
 4. The proposed development would not otherwise be accommodated by a typical zoning district.
 5. There are substantial design and use concepts that make the proposed development distinct and unique.
 6. Impacts to surrounding properties is mitigated with the use of open space and buffering.
 7. Environmentally sensitive areas are protected to the standards set forth in this Ordinance and Code.
 8. The proposed development would not encumber or exhaust Town infrastructure.

7.2 Design Requirements for Planned Unit Developments (see also Section 7.6)

All Planned Unit Developments shall be required to comply with the following requirements. Except as otherwise allowed in this Code, no variances shall be considered or allowed for a proposed Planned Unit Development with regard to the following criteria:

- A. Buffer requirements otherwise applicable to properties not included in the Planned Unit Development.
- B. Storm water, soil erosion, stream setbacks, or environmental criteria otherwise contained within this ordinance.
- C. Landscape requirements shall not be varied.
- D. All PUD developments shall maintain 20% open space.

7.3 Residential Design Requirements for Planned Unit Developments

All Planned Unit Developments that are primarily residential in nature and in which residential components make the majority of the development, the following standards shall apply as well as all development and design standards and requirements.

- A. All rights-of-way must have a street light system, to be owned and maintained by the homeowners' association.
- B. Sidewalks must be installed on both sides of all rights-of-way, not including residential alleys.
- C. All residential lots shall have tree plantings along the rights-of-way as follows:
 1. One large deciduous tree for every 25 feet of right-of-way.
 2. Each tree shall be planted on private property but adjacent to the right-of-way.
 3. Each tree shall be of a species known to reach an approximate height of 40 feet at maturity.
 4. Trees shall be installed prior to the issuance of a certificate of occupancy for a residential unit.
 5. If seasonal or inclement weather are prohibitive to planting, installation can be waived until planting season or when the weather permits installation. The

installation shall take place prior to the release of any bonded amount of monies or any other final release of the developer or builder from the Town.

- D. Any design or development criteria not specified in the written report or specified as a condition of zoning shall revert to the nearest comparable residential district and the requirements required for that district.

7.4 Non-Residential Design Requirements for Planned Unit Developments

- A. All rights-of-way must have a street light system, to be owned and maintained by the developer or owners' association.
- B. Buffering between non-residential and residential properties shall be determined at time of zoning, if not specified shall be required based upon the nearest zoning. For example, a non-residential component less than 20,000 sq. ft. shall require the buffer, greater than 10 acres shall require the B-P buffer.
- C. A system of sidewalks shall be required to connect any non-residential to the residential component of the development.
- D. Non-residential components shall be connected by means of a right-of-way to any residential component of a development.

7.5 Changes, Revisions, or Amendments to Planned Unit Development

- A. Any proposed change to a P.U.D. project prior to or during the design or construction phase must first be reviewed by the Planning Director to determine if such proposed change significantly alters the overall intent, design, density, or impact of the project. After the review of the proposed changes, the Planning Director determines if the proposed changes warrant an amendment. The applicant shall choose to amend the P.U.D. zoning, to construct the project as originally planned, or the Planning Director and the applicant may agree to minor changes or alternatives given the following criteria:
- B. The following criteria shall be applied to a proposed design change, prior to construction or construction approval.
 - 1. If proposed design change increases the potential impact to adjacent properties, infrastructure, traffic flow, or concentrates impacts differently than presented during zoning process.
 - 2. If proposed change building/structure design varies architectural themes, materials, square footages, or building placement to an extent that the proposed change does not reflect or resemble the original intent of the approved P.U.D.
 - 3. If proposed changes increase, concentrate, or alter exterior traffic flow around the project in such a way that the impacts of such warrant an amendment.
- C. The following criteria shall be applied to a proposed design change during the construction of the project.
 - 1. Amount of earthwork to achieve the approved project can be lessened or mitigated, or an alternative offers less of an impact to the environment and does not create external impacts.
 - 2. Other state or county departmental review and regulation conflicts with approved plan.

7.6 Code Exemptions for Planned Unit Developments (amended 5/04)

- A. A P.U.D. is not required to adhere to specific requirements in the Code relating to minimum lot area, building setbacks, density, lot width, uses, and off-street parking. The standards to be established for a P.U.D. development for permitted uses, lot area, setbacks, lot width, and parking shall be established by the Mayor

and Council as part of the approval of the official P.U.D. Site and Development Plan. All other regulations and requirements established in the Braselton Development Code must be complied with in a P.U.D. Development.