

## CHAPTER 167

## PLANNED UNIT DEVELOPMENT DISTRICT, PUD

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**167.01 PURPOSE.** The PUD District is intended to provide for the development or redevelopment of land under the control and in accordance with a Master Plan and development guidelines and standards in which the land uses, transportation elements, provide greater flexibility of land uses, transfer of development rights with the PUD, and building locations than the conventional zoning district may permit. The PUD district is intended to maximize benefits from the use of open spaces, maximize aesthetics, encourage certain architectural standards for buildings, and permit mixed uses and diversity of bulk regulations without endangering the health, safety, welfare and land value of surrounding and internal properties. A PUD may consist of a mix of land uses or residential, commercial and limited industrial, provided such Planned Unit Development is compatible with the Comprehensive Plan of the City.

**167.02 MINIMUM SIZE, LAND USE AND DENSITY.** A PUD district shall consist of at least (5) five acres, the land uses shall be permitted in accordance with the Comprehensive Plan of the City, and the density of the PUD shall not be in excess of the density permitted by the Comprehensive Plan.

**167.03 MASTER PLAN.** As part of a proposed PUD rezoning of the land of Perry, a master plan shall be prepared and seven (7) copies submitted to the City, which shows the generalized overall land use plan for development. The Master Plan is also recognized as a preliminary plat. The Master Plan shall contain the following information:

1. A vicinity map of sufficient scale to show site boundaries and the zoning of adjacent properties within 1000 feet.
2. Dimensions, legal descriptions, acreage, existing zoning, land use, and ownership of the area proposed PUD; and existing zoning, land use, and ownership of contiguous properties within 250 feet.
3. Delineation of each parcel proposed with their land uses and bulk regulations identified.
4. Existing and proposed locations of streets, pedestrian walkways, trails, Parks, recreation areas, open space, buffers, parking areas, schools, and anticipated traffic generation.
5. Proposed lot locations for all uses, and conceptual building locations and functions for all multiple family residential and non-residential uses.

6. Area and number of dwelling units, and anticipated floor area of nonresidential buildings by parcel.
7. Existing tree masses, water channels, drainage ways, flood hazard areas, and other topographic of environmentally important characteristics.
8. Proposed privately owned common areas and public ownership areas, including open space, park land, and school sites.
9. Locations of existing or proposed municipal utilities to serve the PUD and adjoining properties, including sanitary sewer, storm sewer, and water.
10. In addition to storm sewer facilities, other required storm management facilities and requirements shall be shown and/or explained on the Master Plan.
11. Dimensions of all street right-of-way and paving widths, including all proposed easements.
12. Staging schedule of development, including anticipated year each stage of development is to be implemented.
13. Landscape areas proposed as part of PUD, to include location of shrubs, trees and earth berms.
14. Delineation of traffic impacts that would result from the project and how they can be mitigated.

**167.04 RULES AND REGULATIONS, GUIDELINES FOR LAND USE AND PERFORMANCE.** In conjunction with the submittal of a Master Plan illustrating the locations of each development parcel there shall be prepared rules, regulations and guidelines for the development of the PUD, and such matters shall be part of the consideration by the Planning and Zoning Commission and the City Council and incorporated within the ordinance providing for the rezoning of the property to a PUD. The rules, regulations, and guidelines shall set forth the permitted land use, bulk regulations, and transfer of development rights within the area of the PUD, height requirements, buffer requirements, off street parking and loading requirements, and other performance standards as required by the City for each parcel designated by the Master Plan. Any rules, regulations, and guidelines set forth within the ordinance and Master Plan approved by the City Council provided by the rezoning shall be binding on the property owner, their heirs, successors, or assigns, and shall be recorded at the office of the Dallas County Recorder.

**167.05 PROCESS FOR CITY REVIEW OF PLANNED UNIT DEVELOPMENT.** The Building Official shall review the submitted PUD proposal, may discuss any suggestions or provide additional information to the developer, and shall file a report together with the applicant's proposal to the Planning and Zoning Commission.

1. The Planning and Zoning Commission, after receipt of the report from the Building Official, or other delegated City personnel, and receipt of the PUD proposal shall consider the presentation and give special attention to the following:

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- A. Compatibility with the Comprehensive Plan.
  - B. Land use and density.
  - C. Building types, functions, architecture, buffers, and arrangement.
  - D. Provision and use of open space and landscaping.
  - E. Access to and from the site and traffic circulation.
  - F. General relationship to surrounding area.
2. The Planning and Zoning Commission may approve or disapprove the PUD Master Plan and associated development rules, regulations and guidelines as submitted, or may require the developer to modify, alter, adjust or amend the proposed Master Plan and associated rules, regulations and guidelines as the Planning and Zoning Commission deems necessary, in order to preserve the harmonious intent and purpose of this chapter and the Comprehensive Plan of the City.
  3. An application for approval of PUD shall be deemed a petition for rezoning to the PUD zoning district, but prior to an affirmative report from the Planning and Zoning Commission the applicant shall file the necessary petition as prescribed in amendments.
  4. Before any report is forwarded to the City Council by the Planning and Zoning Commission pertaining to an application submitted for a PUD, said Commission shall determine if such proposal is in compliance with the Comprehensive Plan or if such proposal represents a substantial change to the Comprehensive Plan. The Planning and Zoning Commission shall hold a public hearing, giving notice as provided by law for a rezoning.
  5. After a complete review by the Planning and Zoning Commission, a written recommendation and report giving reasons as to their action shall be filed with the City Council.

**167.06 MODIFICATIONS.** A modification of an approved PUD Master Plan shall occur through an amendment to this title and the official zoning map unless the modification is considered to be a minor modification and may be approved in a manner as set forth by this title for approval of Site Plan Review. A minor modification must be in substantial conformance with the approved Master Plan and may never represent a change in allowable use. A minor modification may not increase the permitted density or intensity of the PUD Master Plan by more than a cumulative 5 percent.

*(Ch. 167 – Ord. 839 – May 06 Supp.)*