Chapter 14.34
Planned Unit Developments

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14.34.10 Intent.

A. Planned unit development (PUD) provisions are intended to encourage more efficient use of land and provision of more amenities by allowing, under certain circumstances, a more flexible means of land development and redevelopment than is otherwise permissible under the lot-by-lot restrictions of the other standard zoning districts.

B. Planned unit development provisions are intended for application to larger and/or unique sites where a flexible approach to zoning regulations would facilitate more efficient use of the site and protection of natural resources achieved through clustering development and other innovative site planning and design techniques.

C. Typically, PUD's enable development of portions of a site at either higher densities or with less restrictive lot provisions in exchange for preserving other portions of the site in open space or providing above normal site amenities.

D. Condominium projects with jointly owned common spaces and/or commonly owned structural walls, roofs, or other structural elements must be approved as PUD's if, as a result of a condominium division of the land, the lot requirements of the district in which the development is located cannot otherwise be met. This requirement would apply to townhouses where the resulting lot size would be less than otherwise required.

E. Every PUD shall be assigned an underlying base zoning district that most closely corresponds to the predominant use and character proposed for the site, and the approved PUD-GDP shall be structured as a set of stated exemptions from that base district's standards.

14.34.20 General application procedure.

A. The planned unit development application and development procedure is a two-phase process.

1. General development plan (PUD-GDP).

a. The initial phase is the submittal and approval of a general development plan. The PUD-GDP establishes the land uses, the permissible densities, explanation for the exemption(s) from the underlying zoning district, the conceptual site plan, the layout of public and private roads, the general landscape treatment, general grading and drainage plan, and a description of the planned phasing. The PUD-GDP should include an outline of the intended structure of the property owners' association, deed restrictions, and restrictive covenants, if applicable.

b. Once a PUD-GDP is approved, the approval ordinance and the attached plans submitted by the application become the interim zoning regulations for the PUD site. Subsequent submittal of the specific implementation plan (PUD-SIP) and development must follow the PUD-GDP provisions.

2. Specific implementation plan (PUD-SIP). The second phase of PUD approval is the submittal and approval of the PUD-SIP. The intent of the specific implementation plan is to provide the

Plan Commission and the Village Board with a precise plan for the development of each sequential phase of the PUD.

B. PUD-SIP's must be in substantial compliance with the interim zoning requirements and guidelines established in the PUD-GDP.

C. A developer may either submit the PUD-SIP for the initial phase of development at the same time as the PUD-GDP or submit the PUD-SIP at a later date. A final development permit or building permit may not be issued until the PUD-SIP for that phase of the development has been approved.

14.34.30 Ownership; size.

A. Ownership. A tract of land proposed to be developed as a PUD shall be under the control of a single owner, partnership, or corporation, where each owner agrees in advance to be bound by the conditions and regulations that will be effective within the district and to record such covenants, easements, and other provisions with the county.

B. Size. PUD's must be at least three acres in size if the parcel is to be used for a traditional planned unit development and one acre in size if the parcel is to be used for the development of condominium townhouses.

14.34.40 General development plans.

A. PUD-GDP applicant submittal requirements. The submittal requirements and review procedure for the PUD-GDP shall be as required for other zoning districts, except that in addition to the information required for other development permits, the following information must be filed with the Zoning Administrator or Building Inspector:

1. A map of the project area, including its relationship to the surrounding properties, topography, or other prominent site features.
2. A statement as to why PUD zoning is proposed. The statement shall identify reasons why PUD zoning is preferable to development under standard zoning districts.
3. A scaled plan of the site at a scale of not less than one inch equals 100 feet showing:
   a. Land uses and development densities.
   b. The size, arrangement and location of lots.
   c. Proposed general location of buildings or groups of buildings.
   d. Public and private roads.
   e. The location of recreational areas and open space.
   f. General landscaping plan.
   g. General grading plan, including a drainage plan indicating on-site stormwater detention/retention areas and indicating the amount and location of off-site drainage.
   h. Statistical data on the size of the development, density/intensity of various subareas, and expected phasing or staging.
   i. A description of the intended organizational structure for a property owners' association, if any.
   j. A description of deed restrictions or restrictive covenants, if any.
   k. Identification of the proposed base zoning district under § X.1(E), together with a standard-by-standard comparison table listing each base district use, density, dimensional, parking, and design standard alongside the corresponding PUD-proposed standard, and a brief narrative justifying each requested departure.

B. The Plan Commission or Village Board may require other special studies or plans that would aid in consideration of the proposed development.

C. PUD-GDP Zoning Administrator or Building Inspector review. Upon receipt of

the application and plan, the Zoning Administrator or Building Inspector shall refer it to other departments and agencies for review as to compliance with pertinent Village standards and regulations. Within 30 days the Zoning Administrator or Building Inspector shall recommend to the Commission approval of the proposal in the form submitted, approval with modifications, or disapproval of the proposal. The recommendation of the Zoning Administrator or Building Inspector shall include findings of fact and shall set forth the reasons for the recommendation, specifying with particularity in what respects the plan would or would not be in the public interest, including but not limited to:

1. The extent to which the plan departs from the base zoning district and from zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, bulk, and use, and the reasons why such departures are or are not deemed to be in the public interest.
2. The manner in which the plan does or does not make adequate provision for public services, drainage, traffic, and recreational amenities.
3. The nature and extent of open space, the reliability and sufficiency of the proposal for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and function of the open space in terms of the densities proposed in the plan.
4. The relationship, beneficial or adverse, of the planned development project upon the neighborhood in which it is proposed to be established.
5. In the case of a plan that proposes development over a period of years, the sufficiency of the terms and conditions proposed to protect and maintain the integrity of the plan.
6. In built-up areas, the suitability of the proposed structures in relation to existing structures to remain and anticipated future development of the area.
7. Conformity with the Village of Oakfield Comprehensive Plan.

D. PUD-GDP Plan Commission review. Within 60 days after the filing of the application and after receiving the Zoning Administrator's or Building Inspector's report, the Commission shall hold a public hearing on the PUD-GDP application. Within 40 days after such hearing, the Commission shall submit its recommendations to the Village Board. The Commission may recommend tentative approval in whole or in part, with or without modification, or recommend disapproval.

E. Village Board review. The Village Board shall either grant approval of the PUD-GDP application, with or without modification, or deny such application. If approved by the Village Board, the area of land involved shall be redesignated as a PUD-GDP by ordinance, and such ordinance shall incorporate the plan including any conditions or restrictions that may be imposed by the Village Board. The PUD-GDP is an interim zoning classification which does not enable actual development until the PUD-SIP is approved.

14.34.50 Specific implementation plans.

A. PUD-SIP applicant submittal requirements. Within 12 months of approval of the PUD-GDP, the applicant shall submit a PUD-SIP with exact sizes and locations of structures and other improvements, including detailed grading plan, drainage plan, and landscape plan. If required, a final plat, or a final plat of that segment to be developed, in compliance with Village's Subdivision of

Land ordinance, shall be submitted prior to issuance of the PUD-SIP.

B. PUD-SIP Zoning Administrator or Building Inspector review. If the Zoning Administrator or Building Inspector finds the final plan and plat to be in substantial agreement with the approved PUD-GDP the Zoning Administrator or Building Inspector shall submit the documents directly to the Plan Commission for final action. If the SIP is not in substantial conformance with the PUD-GDP, the Zoning Administrator or Building Inspector shall identify such discrepancies in a letter of transmittal to the Plan Commission.

C. PUD-SIP Plan Commission and Village Board review and approval. The Plan Commission shall consider the SIP at a regularly held meeting. A public hearing is not required at the SIP stage. If approved by the Plan Commission, the Plan Commission shall forward its recommendation to the Village Board. Subject to Village Board approval, the area of land involved shall be redesignated as a PUD-SIP by ordinance, and such ordinance shall incorporate the plan, including any conditions or restrictions that may be imposed by the Village Board.

14.34.60 Issuance of permits.

Development and building permits for PUD's may not be issued until the PUD-SIP is approved by the Village Board. No building permit shall be issued for any structure within the PUD-SIP District unless and until the Zoning Administrator or Building Inspector certifies that it conforms to the provisions of the PUD-SIP plan and other applicable zoning requirements.

14.34.70 Changes or alterations.

A. Any change of the PUD plans subsequent to approval of the PUD-SIP shall be submitted to the Zoning Administrator or Building Inspector. If the Zoning Administrator or Building Inspector determines that the change constitutes a substantial modification, the developer will be required to amend the PUD-SIP and, if necessary, the PUD-GDP, following the procedures set forth in this article for review and approvals.

B. If, in the opinion of the Zoning Administrator or Building Inspector, such changes do not constitute a substantial alteration of either the GDP or SIP, the change may be accomplished by approval of the Zoning Administrator or Building Inspector. Such approved changes or modifications shall be documented and recorded in the official file of the Village on the PUD.

14.34.80 Revocation of approval.

If substantial development progress had not occurred within one year of PUD-SIP approval, the Village Board, following a Plan Commission recommendation, may revoke the PUD-GDP and PUD-SIP approval and revert the site zoning to its previous zoning district classification.