

7.5 PLANNED DEVELOPMENT (PD) DISTRICT

Sec. 7.5.1 Intent

It is the intent of this district to encourage development of compatible land uses on a scale larger than that of individual small parcels. This district is designed to be an overlay appended to a residential, commercial, or industrial district to provide greater latitude with regard to the internal site planning considerations of a planned development. Uses and structures in a planned development should be considered on a case-by case basis and be evaluated for approval based on consistency with the comprehensive plan and the underlying zoning district or districts. Deviation from building location, height, type, area, lot size, and other dimensional criteria of the underlying district standards are permitted as part of a PD.

Sec. 7.5.2 General provisions

Any area may be rezoned as a planned development district if any one of the following conditions are met:

- A. More than one principal land use is proposed for development on a single or multiple ownership.
- B. Separate land uses, which would not otherwise be permitted to locate within the same zoning district, are proposed for development on one or more adjacent parcels under single or separate ownership.
- C. Exceptions or variations to the size, dimensional changes in standards required, or other requirements of the zoning ordinance or are being sought to provide design flexibility.

Sec. 7.5.3 "PD" approval procedures.

- A. The application for the planned development shall be executed by all property owners as recorded in the official records of the superior court of Athens-Clarke County, or their authorized agents.
- B. Any request pertaining to the establishment of a "PD" zoning district shall be considered an amendment to the official zoning map and shall be administered and processed as an application to amend the official zoning map.
- C. Development plan and application.
 - 1. A petition for "PD" zoning must be accompanied by a site plan and written report of the project. The application shall include a report addressing the approval criteria of this ordinance, and a development plan prepared and sealed by a licensed surveyor, architect, landscape architect, or engineer, and including the following information:
 - a. Vicinity map.
 - b. North arrow.
 - c. Depiction and names of all streets within and abutting the subject property, including right-of-way and pavement widths.
 - d. Depiction of the subject property, based on the most recent recorded plat or provided by a Professional Land Surveyor.¹
 - e. Location and use of all buildings existing and proposed on the subject property.
 - f. Location of all parking areas, parking spaces, and ingress, egress and traffic circulation for the subject property.
 - g. Schematic landscaping plan showing area and type of landscaping proposed.
 - h. For any proposed structural or site improvement, a topographic map of the site showing contour intervals of two feet or less.

- i. Approximate location of all existing natural site features including, but not limited to, all existing vegetation, any natural drainage ways, streams, ponds or wetlands, any substantial outcroppings of rocks or boulders, and protected environmental areas and applicable buffer zones.
- j. Project name and designation of the plan.
- k. Scale (plan must be drawn to a standardized engineering scale).
- l. Date of plan origination and latest revision.
- m. Tax parcel identification numbers, zoning, historic district, or other district boundaries established by the city of the subject property and adjacent properties.
- n. Existing and proposed public water, sanitary sewer, and access easements, and stormwater management facilities.
- o. Total acreage, the area and percentage of lot coverage, the total number of parking spaces, sufficient information for required parking determination for each non-residential use, and the total number of dwelling units.

In addition to the development plan, a planned development application may include the following:

- p. Traffic Impact Analysis for projects that may be expected to generate 500 average daily vehicle trips per day, per the specifications of the city traffic engineer, or agent. Anticipated vehicle trips may be based upon the latest edition of Trip generation published by the Institute of Transportation Engineers.
- q. Water and sanitary sewer demand per specifications of the Athens-Clarke County Public Utilities Department if the development is proposed to be served by public water and/or public sewer.
- r. Schematic architectural elevations of proposed structures (including proposed signage) and/or photographs of existing structures, as applicable, with the existing or proposed maximum height denoted.
- s. Written description of proposed stormwater management, or statement of intent to comply with all local, state and federal regulations for stormwater management.

D. Compliance.

In any event where it is determined by the Mayor and City Council, after referral and/or receipt of a recommendation from the planning commission, that the development of an approved planned development project is not in accordance with this section, the Mayor and City Council, after holding a public hearing, may amend the zoning ordinance to place parts or all of the property in the planned development district in its prior zoning classification or any other appropriate classification.

E. Application of regulations:

1. If any exceptions or variations to the requirements of the zoning ordinance are being sought in connection with the planned development, then the application must contain the applicant's requests for such exceptions or variations for hearing, consideration, and decision by the Mayor and City Council in conjunction with the planned development.
2. Uses permitted in any "PD" district are limited to those identified as permitted an existing district. In the case of an underlying residential district if a commercial use is not permitted the PD process can be used to incorporate retail and service uses as a component of the project.
3. Gross residential density shall be equivalent the underlying residential district.
4. Adequate guarantee shall be provided for the permanent retention as "open space" for all of the residual open land area resulting from the planned development approval. The guarantee shall be in the form of private reservation for the use of project residents through covenants, deed restrictions, or similar documents, or through dedication as common open space, or as land held in a common

undivided interest dedicated to a recognized land trust, or dedicated to the City of Winterville. The care and maintenance of such private open space areas shall be similarly provided for.

5. To ensure adequate and proper construction of the following facilities listed below in "a" through "e," the Mayor and City Council may require that a performance bond or other financial guarantee be submitted by the owner. Such guarantee, if required, shall be in an amount set by the Mayor and City Council and sufficient to allow the City of Winterville or Athens-Clarke County to construct the stipulated facilities. In addition, the owner shall be required to grant right-of-entry to the City of Winterville or Athens-Clarke County to construct such improvements where a bond is required.
 - a. Recreation lands and appurtenances;
 - b. Streets and sidewalks;
 - c. Drainage facilities;
 - d. Grading improvements;
 - e. Sewer, water, and other utilities.
 - F. The violation of any provision of the approved development plan shall constitute a violation of this title.
 - G. If the development plan is approved by the governing body, the planned development regulations shall become the zoning for the property. The approved development plan constitutes a binding site plan and shall include all conditions of zoning approval adopted by Mayor and Council.
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