

SECTION 10: SPECIAL PURPOSE DISTRICTS

Article 1	“RC” Recreational Commercial District	10-2
Subdivision 1	Purpose	
Subdivision 2	Permitted Uses	
Subdivision 3	Conditional Uses	
Subdivision 4	Interim Uses	
Subdivision 5	Permitted Accessory Uses	
Subdivision 6	Lot Requirements and Setbacks	
Subdivision 7	Site Plan Approval Required	
Subdivision 8	Exterior Building Materials	
Subdivision 9	Parking and Driveways	
Subdivision 10	Lighting	
Subdivision 11	Screening and Landscaping	
Article 2	“CBT” Central Business Transitional District	10-5
Subdivision 1	Purpose	
Subdivision 2	Permitted Uses	
Subdivision 3	Conditional Uses	
Subdivision 4	Interim Uses	
Subdivision 5	Uses by Administrative Permit	
Subdivision 6	Permitted Accessory Uses	
Subdivision 7	Maximum Density	
Subdivision 8	Minimum Lot Requirements and Setbacks	
Subdivision 9	Site Plan Approval Required	
Subdivision 10	Exterior Building Materials	
Subdivision 11	Parking and Driveways	
Subdivision 12	Lighting	
Article 3	“PUD” Planned Unit Development District	10-9
Subdivision 1	Purpose	
Subdivision 2	Benefit	
Subdivision 3	Unified Control	
Subdivision 4	General Development Standards	
Subdivision 5	Planned Unit Development Design Standards	
Subdivision 6	Administration and Procedures	

ARTICLE ONE: “RC” RECREATIONAL COMMERCIAL DISTRICT

Subdivision 1: Purpose

The purpose of the Recreational Commercial District (RC) is to implement the goals and objectives established within the Comprehensive Plan, which is to provide sufficient area for the development of indoor and outdoor recreational and cultural activities and facilities that preserve the natural character of the land while meeting the current and future recreational services demands of the community.

Subdivision 2: Permitted Uses

The following are considered permitted uses within the “RC” Recreational Commercial District:

- A. Athletic clubs and facilities.
- B. Community centers.
- C. Golf course.
- D. Health club or spa.
- E. Motel / Hotel.
- F. Public open space.
- G. Tennis club.

Subdivision 3: Conditional Uses

The following are conditional uses within the “RC” Recreational Commercial District and shall require a Conditional Use Permit based upon the procedures set forth and regulated by Section 21 of this Ordinance. Additional specific standards and criteria may be cited for respective conditional uses and a request shall be evaluated based upon those additional standards and criteria.

- A. Commercial recreation.
- B. Gas station w/ convenience store, subject to the standards as provided within Section 13 of this Ordinance.
- C. Motorized go-carts.
- D. Parking facilities, when not accessory to a principal use.
- E. Restaurants may be allowed by a conditional use permit only as an accessory use to a community center, hotel/motel, health or athletic club, or golf course.

Subdivision 4: Interim Uses

The following are interim uses within the “RC” Recreational Commercial District and shall require an Interim Use Permit based upon the procedures set for and regulated by Section 21 of this Ordinance.

- A. Archery ranges (indoor or outdoor).
- B. Campground.
- C. Paintball (indoor or outdoor).

Subdivision 5: Permitted Accessory Uses

- A. Clubhouse facilities when complementary to the permitted use.
- B. Decorative landscaping features, fencing, and screening as permitted and regulated in Section 15 of this Ordinance.
- C. General retail establishments complementary to the permitted use.

- D. Off-street parking and facilities, in accordance with regulations provided within Section 17 of this Ordinance.
- E. Signs, in accordance with regulations provided within Section 16 of this Ordinance.
- F. Trash receptacle enclosures, in accordance with the regulations provided within Section 14 of this Ordinance.

Subdivision 6: Lot Requirements and Setbacks

The following minimum requirements shall be observed in the Recreational Commercial District; subject to additional requirements, exceptions, and modifications as set forth within this Ordinance.

- A. Lot Requirements.

Minimum Lot Size	10,000 square feet
Lot area shall be of adequate size to accommodate the intended use, parking and buffer areas, setback requirements, etc. without having significant impact on nearby properties in terms of noise, traffic, light glare, views, odors, trespassing, dust or blowing debris, as determined by the Planning Commission.	
- B. Setbacks and Height Restrictions.

Principal and accessory structures	
Minimum Front Yard Setback	30 feet
Minimum Rear Yard Setback	30 feet
Minimum Side Yard Setback	15 feet
Minimum Street Side Yard Setback	20 feet
Minimum Setback from a Residential Area	50 feet
Parking lot setbacks	
Minimum Front Yard Setback	10 feet
Minimum Rear Yard Setback	10 feet
Minimum Side Yard Setback	10 feet
Minimum Setback from a Residential area	20 feet
Maximum Impervious Surface Coverage	50%
Maximum Building Height	3 stories or forty-five (45) feet, whichever is less.

Subdivision 7: Site Plan Approval Required

Prior to the construction of any building, structure, or use within the Recreational Commercial District: Site Plan Approval and Building Appearance Review shall be required in accordance with Section 18 of this Ordinance.

Subdivision 8: Exterior Building Materials

- A. Buildings within the Recreational Commercial District shall be designed so as to be compatible with the surrounding uses. Exterior building wall finishes shall be comprised of one (1) or a combination of the following materials.
 - 1. Face brick.
 - 2. Natural stone.
 - 3. Glass.
 - 4. Decorative concrete block as approved by the City Council.
 - 5. Specifically designed pre-cast concrete units; if the surfaces have been integrally treated with an applied decorative material or texture.
 - 6. Masonry stucco.
 - 7. Other comparable or superior material as recommended by the Planning Commission and approved by the City Council.
- B. All subsequent additions and accessory buildings constructed after the erection of the original building or buildings, shall be constructed with exterior finishes comprised of the same materials as the original structure(s).

Subdivision 9: Parking and Driveways

Parking areas, driveways, and driving areas shall meet the requirements of Section 17 of this Ordinance, subject to any additional requirements, exceptions, or modifications as set forth within this Section of the Ordinance.

Subdivision 10: Lighting

Any lighting used to illuminate off-street parking areas, signage, or buildings shall be directed away from residential properties and shall meet the standards as stipulated within Section 14 of this Ordinance.

Subdivision 11: Screening and Landscaping

Screening and landscaping within the Recreational Commercial District shall be provided in accordance with the requirements as provided within Section 15 of this Ordinance. On lots adjacent to a residential district, a minimum twenty (20) foot landscaped buffer zone shall be provided with landscaping and screening in accordance with the provisions as provided within Section 15 of this Ordinance.

ARTICLE TWO: CENTRAL BUSINESS TRANSITIONAL DISTRICT (CBT)

Subdivision 1: Purpose

The purpose and intent of the Central Business Transitional District “CBT” is to not only strengthen and expand upon the uses normally found within the Central Business District core, but to promote a high quality mix of residential, office, commercial, and service uses that are consistent with the unique and diverse elements already found within the area. Future development within this area must be compatible with the existing elements found within the Central Business District and the adjacent residential neighborhoods. Land uses to locate within the district will create a network of public places and pedestrian amenities, will enhance existing structures, uses, and circulation patterns, and will promote the areas that are located adjacent to the Central Business District as a mixed-use commercial and residential area. Architecture, site design and landscaping, street connectivity, and building placement are important aspects to consider when creating the overall character of the area.

It also recognized that some mature parts of the City are located within the Central Business Transitional District and contain uses, while not residential or commercial in nature, may be compatible with surrounding uses providing site and building design standards are met. Sub-districts have been created for the purpose of maintaining the vitality of these two distinct areas, while continuing to encourage and allow for redevelopment as necessary.

Subdivision 2: Sub-Districts Created

Projects and uses proposed within each of the sub-districts will be reviewed and evaluated in accordance with the goals and objectives of the Comprehensive Plan and this Ordinance.

A. CBT-1 (Commercial/Residential Mixed Use)

This district is intended to provide for a mix of residential and retail/service uses designed to serve the residential community. This area will provide for a mix of residential dwellings types, commercial, and open spaces which utilize creative building and site design as provided for the greater district to promote the overall character of the area.

B. CBT-2 (Limited Light Industrial Mixed Use)

This district is intended to be similar to the CBT-1, with the exception that limited light industrial uses as defined in this Ordinance will be permitted. Such uses shall meet specific site and building design standards as provided for within this Article of the Zoning Ordinance, in an effort to promote the overall character of the area and ensure that such uses are compatible with surrounding residential and commercial uses.

Subdivision 3: Permitted Uses

The following are considered permitted uses within the “CBT-1” District:

- A. Artist studios.
- B. Catering establishments.
- C. Coffee shop.
- D. Dry cleaner or Laundromat.
- E. Dwelling, Row House.
- F. Dwelling, Single-Family.
- G. Dwelling, Townhouse.
- H. Dwelling, Two-Family.
- I. Financial institutions.
- J. General office.
- K. General retail establishments.

- L. Government office.
- M. Health care clinic.
- N. Instruction/learning center.
- O. Licensed home day care. Facility shall comply with Minnesota State Statutes and Rules.
- P. Personal service establishments.
- Q. Public open space.
- R. Video rental store (not adult use).

The following are considered Permitted Uses within the “CBT-2” District:

- A. All of the uses specified as permissible within the “CBT-1” District.
- B. Limited Light Industrial, as defined within this Ordinance.

Subdivision 4: Conditional Uses

The following are conditional uses within the “CBT-1” and “CBT-2” Districts and shall require a Conditional Use Permit based upon the procedures set forth and regulated by Section 21 of this Ordinance. Additional specific standards and criteria may be cited for respective conditional uses and a request shall be evaluated based upon those additional standards and criteria.

- A. Animal sales and services.
- B. Community center.
- C. Condominiums.
- D. Drive-thru facilities.
- E. Dwelling, Apartments.
- F. Mixed-use buildings.
- G. Parking facilities, not accessory to a principal use.
- H. Private clubs.
- I. Public buildings.
- J. Religious institutions.
- K. Restaurant (sit-down or carry-out).
- L. Senior citizen housing.
- M. Senior residential care facility.

Subdivision 5: Interim Uses

The following are Interim Uses within the “CBT-1” and “CBT-2” Districts and shall require an Interim Use Permit based upon the procedures set forth and regulated by Section 21 of this Ordinance. Additional specific standards and criteria may be cited for respective Interim Uses and a request shall be evaluated based upon those additional standards and criteria.

- A. Bars.

- B. Special and extended home occupations, which is accessory to a residential dwelling; subject to the requirements provided in Section 13 of this Ordinance.
- C. Temporary real estate offices, subject to the standards as provided within Section 13 of this Ordinance.

Subdivision 6: Uses By Administrative Permit

- A. Outdoor Sales, Temporary (General Retail Establishments and Civic Organizations), providing that such uses meet the requirements as provided within Section 13 of this Ordinance.

Subdivision 7: Permitted Accessory Uses

- A. Accessory buildings and uses customarily incidental to any of the permitted uses. Accessory structures for residential or commercial uses shall meet the requirements as provided within Section 13 of this Ordinance, respectively.
- B. Business identification signs, in accordance with Section 16 of this Ordinance.
- C. Decorative landscaping features, fencing, and screening as permitted and regulated by Section 16 of this Ordinance.
- D. Non-commercial gardening.
- E. Off-street parking and loading, in accordance with regulations provided within Section 17 of this Ordinance.
- F. Outdoor patios and decks, as an accessory use to a bar, restaurant, club, or other assembly use with food or liquor sales, providing the requirements of Section 13 are met.
- G. Outdoor smoking shelters, as an accessory use to a bar, restaurant, club, or other assembly use with food or liquor sales, providing the requirements of Section 13 are met.
- H. Permitted home occupations, accessory to a residential dwelling; subject to the regulations as provided in Section 13 of this Ordinance.
- I. Residential kennels, as defined in Section 2 of this Ordinance. Shall meet the registration and licensing requirements as provided within Chapter 87, Article II Dogs of the Isanti City Code.
- J. Rummage, garage, craft and boutique sales, for residential uses only. The infrequent temporary display and sale, by an occupant on his/her premises, of personal property, including general household rummages, used clothing and appliances, provided the exchange of sale of merchandise is conducted within the residence or accessory structure; the number of sales does not exceed four (4) per year; the duration of the sales does not exceed three (3) consecutive days; any related signage shall be limited to the premises and to other residential property provided that the property owner's permission has been obtained to display such signage, and signage shall conform to the sign ordinance and shall be removed at the termination of sale.
- K. Trash receptacle enclosures, in accordance with the requirements provided within Section 14, Subdivision 3 of this Ordinance.

Subdivision 8: Maximum Density

The maximum residential density permitted within the "CBT" Central Business Transition District shall be ten (10) dwelling units per gross acre.

Subdivision 9: Minimum Lot Requirements and Setbacks

Developments within the "CBT" Central Business Transition District shall be subject to the minimum lot requirements and setbacks as defined within this Ordinance for the "R-3A" Low Density Multiple Family District for single-family residential dwellings; the "R-3B" for two-family, townhomes, and rowhomes; the "R-4" for condominiums and apartments; and the "B-1" Central Business District.

Subdivision 10: Site Plan Approval Required

Prior to the construction of any building, including, two-family, townhomes, and multi-family dwellings within the “CBT” Central Business Transition District; Site Plan Approval and Building Appearance Review shall be required in accordance with Section 18 of this Ordinance.

Subdivision 11: Additional Standards

Exterior Building Materials, Parking, Lighting, and Screening/Landscaping shall be in accordance with regulations as presented in Section 11, Article 1: “D-1” Downtown Overlay District.

ARTICLE THREE: “PUD” PLANNED UNIT DEVELOPMENT DISTRICT

Subdivision 1: Purpose

The purpose of this Article is to provide for the grouping of lots and / or buildings within a development as an integrated, coordinated unit; which allows for greater development flexibility through the removal of the detailed restrictions of conventional zoning. This section allows for greater freedom, imagination, and flexibility in site design and layout as well as promotes the preservation of natural features, the conservation and efficient use of land, and the creation of additional open spaces than is possible under the more restrictive application of the zoning requirements. Planned Unit Developments shall only be considered, if such development provides significant benefit to the residents of the community.

The diversification and variation in the relationship of uses, structures, open spaces, natural features, and public amenities in the development is conceived and implemented as a comprehensive and cohesive unified project. Developments utilizing the regulations, as set forth in this article, shall be in substantial compliance with the basic intent of the Zoning Ordinance and shall meet the goals and objectives outlined in the Comprehensive Plan. Planned Unit Developments are recognized as serving the public interest, through the provision of specific features or characteristics within the development. Through proper planning and design, each Planned Unit Development should include features, which are in compliance with, the following objectives:

- A. To promote a development pattern that is in harmony with the intent, goals and objectives as outlined within of the City of Isanti Comprehensive Plan.
- B. To encourage innovation and diversification within residential developments that meet the growing demands for different housing options at all economic levels.
- C. To provide higher quality standards of site and building design within developments, which are architecturally and environmentally innovative, and to achieve better utilization of land than is possible through the strict application of zoning and subdivision regulations.
- D. To conserve the natural amenities of the land through the preservation and enhancement of site characteristics such as natural topography, woodland areas, scenic views, steep slopes, wetlands, creeks, lakes, natural habitats, geologic features and to prevent soil erosion.
- E. To permit the mixing of land uses within the development that may not otherwise be accomplished through the rules and regulations of the Zoning Ordinance.
- F. To preserve and enhance open spaces, which provide scenic enjoyment, active and passive recreational uses, natural habitat protection and community identity.
- G. To reduce improvement costs through a more efficient use of land and a smaller network of utilities and streets than is possible through the application of standards contained in conventional subdivision regulations.
- H. To ensure that site and building design are compatible with both existing and planned land uses within the adjacent area. Site planning, landscaping, and building architecture should reflect higher quality design than is found elsewhere within the community.
- I. To promote development that is sensitive in transitional areas located between different land uses and along significant corridors within the community.
- J. To encourage quality design and environmentally sensitive development by allowing increases in base net densities, providing such increases can be justified through superior design or the provision of additional amenities such as public or private open space, tree preservation or natural habitat protection.
- K. To promote a more creative and efficient approach to land use within the City, while at the same time protecting and promoting the health, safety, comfort, aesthetics, economic viability, and general welfare of the City.

- L. To encourage development that will utilize the energy and environmental designs that will promote water efficiency, energy efficiency, air quality, construction waste management and resource reuse, sustainable building and site design and construction, and innovative green building principles.

Subdivision 2: Benefit

The proposed Planned Unit Development shall accomplish a majority of the purposes and shall meet the design criteria as set forth within this Article. Any proposed Planned Unit Development shall not be simply for the enhanced economic gain of the applicant. It shall be the applicant's responsibility to demonstrate compliance with this requirement. Written documentation addressing this matter shall be made part of the Planned Unit Development Zoning Application. Prior to recommendation by the Planning Commission and approval by the City Council, the City shall determine that some benefit will be realized if a Planned Unit Development is permitted.

Subdivision 3: Unified Control

All property to be included within the PUD shall be under unified control or be subject to such legal restrictions or covenants as may be necessary to ensure compliance with the approved PUD development plan. Unified control shall include a single ownership or under the management and supervision of a central authority, or otherwise subject to such long-term leases or other ownership controls as the City Council deems necessary.

Subdivision 4: General Development Standards

- A. Comprehensive Plan Consistency.
The proposed Planned Unit Development shall be consistent with the goals and objectives of the Comprehensive Plan and the Future Land Use Map.
- B. Zoning District Regulations.
1. The various zoning regulations and requirements, which apply to the existing zoning district designated on the zoning map may be considered as guidelines only and may be departed from, upon the formal approval of a planned unit development.
 2. The Planned Unit Development District is a floating zone designated within the zoning ordinance and not pre-designated on the zoning map. It shall only be designated on the zoning map at such time as the City Council reviews and approves the development plan for the Planned Unit Development. At such time, the Planned Unit Development District is considered an amendment to the zoning map, controlled through the approved development plan and such property shall be identified by the letters for the appropriate Planned Development District.
 3. The Planned Development Districts shall be labeled accordingly, with the following abbreviations, depending upon the overall allowable uses:

PUD Districts	Abbreviations
Planned Residential	PUD - R
Planned Commercial	PUD - C
Planned Industrial	PUD - I

- C. Permitted Uses.
1. The following uses are permitted in a Planned Unit Development District, provided that no use shall be permitted except in conformity with a specific and precise development plan pursuant to the procedural and regulatory provisions as set forth within this Article. Each Planned Unit Development shall only be used for the use or uses for which the site is designated in the Comprehensive Plan. Specific uses and performance standards for each Planned Unit Development shall be delineated and made part of an approved and recorded development plan.
 2. Where the site of a proposed Planned Unit Development is designated for more than one land use in the Comprehensive Plan, the City may require that the Planned Unit Development include all the land uses so designated or such combination of the designated uses as the City Council shall deem appropriate to achieve the purposes of this article and the Comprehensive Plan.
 3. Commercial uses may be included within the residential portion of a proposed Planned Unit Development, providing it is in accordance with the Comprehensive Plan. Requirements for commercial uses in a Planned Unit Development are as follows:
 - a. No more than ten (10) percent of the total land area within the development may be used for commercial uses and no one contiguous commercial area shall exceed five (5) acres.

- b. Commercial uses within a Planned Unit Development are limited to those uses as permitted within the “B-3” Neighborhood Business District.
- c. Commercial uses located within a Planned Unit Development are intended to meet the neighborhood shopping and service needs of the Planned Unit Development residents and not the needs of the general surrounding area. Such uses shall be grouped in convenience centers designed as integral, harmonious parts of the Planned Unit Development. Such uses shall be appropriately buffered and screened from residential uses (both within the Planned Unit Development and surrounding area) to protect them from unsightliness, noise, odors and other characteristics incompatible with residential uses.
- d. Commercial uses located in a Planned Unit Development shall be internally oriented and should be designed so that store fronts, signs, and advertisements are not visible from the residential areas and that all commercial associated activities, storage of merchandise, equipment, and materials (including trash and waste) are within an enclosed building.
- e. Signs shall be limited to one name plate, not to exceed sixteen (16) square feet in size for each establishment. Name plates shall be attached flat against the building wall and shall not be illuminated, animated, or flashing. Window signs are permitted providing such signs are non-illuminated and meet the requirements of Section 16 of this Ordinance.

D. Size.

All Planned Unit Developments shall contain a minimum of five (5) acres of contiguous land, unless the City finds that a tract which contains less than five (5) acres of land is suitable as a Planned Unit Development area by virtue of some unusual conditions. The applicant must demonstrate the existence of one of the following:

- a. Unusual physical features exist on the property or in the surrounding neighborhood such that development as a Planned Unit Development will conserve a physical or topographic feature of importance to the neighborhood or community.
- b. The property is adjacent to or across a right-of-way from property that was previously developed as a Planned Unit Development and the development of the subject property would be perceived as and will function as an extension of the previously developed property.
- c. The property is located in a transitional area between different land uses or on a collector, minor or principal arterial as defined in the Comprehensive Plan, thus justifying the need for varying types of uses.
- d. The property is located in or adjacent to the Central Business District or Central Business Transitional District. Development or redevelopment of the property as a Planned Unit Development would meet the intent and purposes established for these areas as identified within the Comprehensive Plan.

E. Density Requirements.

- 1. Maximum Density. The net density of a Planned Unit Development shall correspond to the density regulations as specified within the existing zoning district as designated on the official zoning map and within the Comprehensive Plan. Developments requesting residential density transfers or density bonuses shall be thoroughly reviewed to ensure that such development is exceeding the requirements for a Planned Unit Development. Documentation shall be provided to the City demonstrating the need for density transfers or bonuses.
- 2. Residential Density Transfer. In order to encourage the protection of natural resources, to enhance tree preservation, to allow limited development in an area with unusual building characteristics due to subsoil characteristics, or to encourage creative land use, a density transfer system may be allowed whereby lot sizes smaller than that normally required in a district will be permitted on the developable land in return for leaving the natural resource areas open from development. The net density of dwelling units proposed for the entire site shall not exceed the density limits provided within the Comprehensive Plan where the land is located.
- 3. Density Bonus. An increase in density may be allowed at the sole discretion of the City. A density bonus accumulation of up to twenty (20%) percent over the stated maximum gross density permitted within the existing zoning district may be awarded based upon recommendation by the Planning Commission and findings by the City Council that such an increase is consistent with the intent of the Comprehensive Plan and that the Planned Unit Development exceeds the purposes and stated objectives provided within this Article.

- F. Coordination with Other Regulations.
Subdivision review under Ordinance No. 254 shall be carried out simultaneously with the review of the Planned Unit Development. The plans required under this Article shall be submitted in addition to or in a form which will satisfy the requirements of Ordinance No. 254 for Preliminary and Final Plat approvals.

Subdivision 5: Planned Unit Development Design Standards

- A. Minimum Lot Requirements.
1. General. Building setback, height, lot size, etc, that apply to the original zoning district shall be considered guidelines and may be departed from in the approval of the planned unit development.
 2. Street Setback. No building / structure shall be located less than twenty-five (25) feet from the back of curb, along local streets; thirty (30) feet along collector streets; and fifty (50) feet along arterial streets.
 3. Periphery Setback. The front and side yard setbacks at the periphery of the site shall meet the minimum requirements as specified within the original zoning district.
 4. Side Yard Setback. The minimum side yard setback for a residential lot is ten (10) feet.
- B. Minimum Building Requirements.
1. Number of Buildings on a Lot. More than one (1) building may be placed upon one (1) platted or recorded lot within a Planned Unit Development.
 2. Space between Buildings. A minimum twenty (20') foot building separation shall be maintained for buildings on adjacent lots or upon the same lot.
- C. Off-Street Parking and Loading Requirements.
Off-Street Parking and Loading shall meet the requirements as set forth within Section 17 of this Ordinance.
- D. Landscaping Requirements.
1. A Landscaping Plan shall be provided, which shall meet requirements as specified in Section 15 of this Ordinance. The plan shall include; a detailed planting list that indicates the number, size, and species. In assessing the landscape plan, the Planning Commission and City Council shall consider the natural features of the site, the architectural characteristics of the proposed structures, and the overall scheme of the proposed Planned Unit Development.
 2. Planting material shall be used to accomplish the desired objectives of the planned unit development, be native to Minnesota, and functionally appropriate for shade, shelter, height, mass, texture, color and form. Major areas designated within the plan should have distinctive planting schemes using unique types of trees, ground cover, and paving to help identify these areas.
- E. Infrastructure Requirements.
1. Public Services. The proposed project shall be served by City water and sewer. Fire hydrants shall be installed at such locations as necessary to provide adequate fire protection to the development.
 2. Storm Water Management. Storm water management techniques shall be consistent with the City's Subdivision Ordinance, Storm Water Management Ordinance, and other City Standards.
 3. Underground Utilities. In any Planned Unit Development, all utilities, including but not limited to telephone, electricity, gas and cable television shall be installed underground.
 4. Streets. The placement and construction of all streets within a Planned Unit Development shall be consistent with the provisions of the City Subdivision Ordinance and City Engineering Standards; with the following additions:
 - a. Local streets shall be designed to discourage their use for regional traffic.
 - b. Streets shall connect to one another or shall be terminated by other streets.
 - c. Dead-end streets are prohibited, and cul-de-sacs shall be permitted only where topography or other physical conditions would necessitate their use.
 5. Utility Connections.
 - a. Water Connections. Where more than one (1) property is served from the same service line, a shut off valve must be located in such a way that each unit's service may be shut off and secured by the City, in addition to the normally supplied shut off at the street.
 - b. Sewer Connections. Where more than one unit is served by a sanitary sewer lateral which exceeds three (300) feet in length, provisions must be made for a manhole to allow

adequate cleaning and maintenance of the lateral. All maintenance and cleaning shall be the responsibility of the property owners association or owner.

F. Open Space Requirements.

In addition to parkland dedication requirements as provided within Ordinance No. 254; additional common open space sufficient to meet the minimum requirements established by this Section are required. Complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the PUD shall be provided. The required open space shall be designed for passive and active recreational needs acceptable to the City. In planning active recreational facilities, consideration shall be given for the inclusion of playgrounds, sports fields, tot lots, etc; in consultation with the Park and Recreation Board. The size, location, and character of the common open space shall be appropriate to the PUD; taking into consideration the development's size, density, expected population, topography, number and type of dwelling units provided.

G. Traffic and Circulation Requirements.

1. All streets shall conform to the design standards established by the City and as contained within the Subdivision Ordinance, unless otherwise approved by the City Council.
2. The transportation component of the plan shall show the general location and extent of all transportation facilities proposed as part of the Planned Unit Development. The plan shall include arterial, collector, and local streets, transportation routes, and the delineation of such systems on the land; street widths, grade separations, divided roads; left-turn lanes; pedestrian and bicycle paths; sidewalks and trails; and any other information related to the provision of circulation of the various modes of transportation within the planned unit development.

H. Signs.

All signs in the PUD shall be included as part of the PUD application and are subject to Section 16 of this Ordinance, with exception to commercial signage, which shall meet the requirements as specified within Subdivision 4(C) of this Article.

Subdivision 6: Administration and Procedures

A. Pre-Application Conference.

Prior to submitting a Planned Unit Development application, the applicant shall meet with City staff. At such conference, the applicant shall be prepared to show and describe the proposal for the PUD, as the basis for discussion. The primary purpose of the pre-application conference is to provide the applicant with the opportunity to gather information and obtain guidance from the City as to the general suitability of the proposal for a PUD, prior to incurring substantial costs for the preparation of plans, surveys, formal reviews, and other data. Staff shall review the zoning classification, regulatory ordinances (i.e. zoning and subdivision), comprehensive plan, and procedures for filing a PUD with the applicant.

B. Concept Plan.

1. Application. In order to receive more formal guidance in the design and layout of a proposed PUD, prior to the submission of a formal application, an applicant may submit a concept plan for review and comment by the Planning Commission and City Council. Such Concept Plan shall show the basic intent and the general nature of the entire development.
2. Review Process. The Planning Commission shall review the Concept Plan, informally, and make recommendations to be forwarded to the City Council. The City Council shall advise the applicant of any changes, modification, or issues that should be addressed prior to the filing of the Development Plan Application. Such review does not constitute preliminary approval of the PUD, as all comments and decisions are non-binding.
3. Plan Submittal. In order for the review to be the most beneficial to the applicant, the concept plan shall contain such specific information as requested by the City, to include:
 - a. Property description, acreage, identification of owner and developer;
 - b. Existing conditions within surrounding area;
 - c. Description of the relationship to the comprehensive plan, existing land use, zoning, transportation, and utilities;
 - d. Overall maximum PUD density range (gross and net, as defined by ordinance);
 - e. General location of major streets and pedestrian ways;

- f. General location of residential and non-residential land uses with approximate type and intensities of development;
- g. Height, bulk, and square footage of specific land uses;
- h. Number and types of dwelling units;
- i. General location and percentage of parkland and open space;
- j. Staging and time schedule for the development;
- k. Proposed site development plan;
- l. Color renderings or models showing what the development will look like; and
- m. Narrative description or written statement describing the proposed PUD, the market that it is intended to serve, the relationship to the Comprehensive Plan and existing zoning classification as well as how the PUD will be designed, arranged, and operated. Such narrative shall also describe how the proposed PUD meets the Purposes and Benefit as defined by this Article.

C. General Development Plan.

1. Application. Within six (6) months of the City Council's review of the Concept Plan, the petitioner(s) shall file an application for the General Development Plan, Preliminary Plat, and fee. The purpose of the General Development Plan is to provide the proposed implementation of the Concept Plan.
2. Plan Submittal. General Development Plan submittals shall include but not be limited to the following items:
 - a. A Preliminary Plat Application, with associated materials that conform and include such information as outlined within Ordinance No. 254.
 - b. Rezoning and General Development Plan (PUD) Applications, with associated materials that conform to the requirements of this Article and this Ordinance.
 - c. Plans and written narrative describing the following shall also be included:
 - (i) Buildings. The location, size, use, and arrangement of all buildings within the development; to include height in stories or feet and total square feet of ground area coverage and floor area. Existing building which will remain on-site shall be shown as well.
 - (ii) Architectural Plans. Preliminary architectural plans indicating use, floor plans, elevations, and exterior wall finishes of proposed buildings.
 - (iii) Natural Resource Analysis. Identify existing vegetation areas consisting of forest and wood lots as well as wetlands and wetland vegetation; the geology, slope, soil and groundwater characteristics of the site; existing lakes, streams, ponds, drainage swales, runoff setting areas, and floodplains must be identified; analysis of the relationship of the proposed use of the existing natural conditions as listed above.
 - (iv) Areas of Use. A tabulation calculating the approximate gross square footage of commercial and/or industrial floor space, if such uses are provided.
 - (v) Traffic Circulation. Location, dimensions, and number of driveway entrances, curb cuts, parking stalls, loading spaces, and access drives. All other circulation elements, such as bike and pedestrian ways; and the total site coverage of these elements shall be included.
 - (vi) Common Areas. Location, designation, and total area of all common open space.
 - (vii) Public or Private Open Space. Location, designation and total area proposed to be conveyed or dedicated for public open space, including parks, playgrounds, school sites, or recreational facilities.
 - (viii) Landscaping Plan. A detailed landscape plan including the type, size, and quality of all existing and proposed plantings.
 - (ix) Tree Preservation Plan. If the site is wooded and the development aims to preserve existing tree species on the site, a plan shall be submitted that meets the requirements of the Ordinance.
 - (x) Phasing Plan. A plan indicating the timing and phasing of the development by geographic area.

- (xi) Document Changes. Any additional information as requested by the Planning Commission, City Council, City Engineer, City Administrator, or other City staff as necessary to conduct a full review of the entire proposed PUD.
- 3. Development Plan Review Process.
 - a. Review and Action by City Staff. Upon receipt of the completed application for a PUD General Development Plan, Preliminary Plat, and Rezoning; the City Planner shall refer such information to other appropriate staff members and official bodies for review and recommendation.
 - b. Public hearing. The Planning Commission shall hold a public hearing on the PUD General Development Plan. Property owners within three hundred fifty (350') feet will be notified, although failure of any property owner to receive notice shall not invalidate the proceedings. The Planning Commission shall make findings and recommendation to the City Council.
 - c. City Council Action. Within thirty (30) days of receipt of the report and recommendation by the Planning Commission, the City Council shall review said plans and grant approval, resubmit the plan to the Planning Commission for further consideration of specified items, or deny the General Development Plan.
 - d. Expiration of General Development Plan.
 - (i) The petitioner shall submit, within one (1) year from the date of City Council approval, a Final Development Plan. In any case where the applicant fails to file Final Development Plans, to proceed with development in accordance with the provisions of this article and the approved General Development Plan, such approval shall be considered null and void.
 - (ii) Upon application by the petitioner, the Council at its discretion may extend, for not more than one (1) year, the filing deadline for any Final Development Plan, when for good cause shown such an extension is necessary. In any case where the General Development Plan approval expires, the City Council may adopt a resolution repealing the General Development Plan Approval. Any portion of the General Development Plan that has not received Final Development Plan approval will revert back to the previous zoning designation.
- D. Final Development Plan.
 - 1. Application.
Within one (1) year of General Development Plan Approval or an extension deadline as approved by the City Council, the application shall file with the appropriate City forms, the information contained in the Concept Plan and the General Development Plan for Final Development Plan approval. The Final Development Plan shall be reviewed for consistency with the General Development Plan and shall serve as a complete and permanent public record of the PUD and the manner in which it is to be developed. Such plan shall incorporate all prior approved plans and all approved modifications resulting from the PUD process. It shall serve in conjunction with other provisions of the City Code as the land use regulation applicable to the PUD.
 - 2. Plan Submittal. Final Development Plan submittals shall include but not be limited to the following items, which will be reviewed for consistency with the approved General Development Plan:
 - a. Application for Final Development Plan (PUD).
 - b. Final Plat and all associated information, in accordance with the City's Subdivision Ordinance, Ordinance No. 254.
 - c. Final Site, Landscaping, Tree Preservation, and Natural Resource Evaluation Plans.
 - d. All certificates, seals, and signatures required for the dedication of land and recordation of documents.
 - e. Final lighting, signage, and parking plans.
 - f. Staging Plan, if the PUD is to be developed in different phases, such plan shall indicate the time frame for the construction of the various elements within the entire PUD.
 - g. Any other plan, agreements, or specifications, as deemed necessary by City Staff to review the proposed Final Development Plan.
 - 3. Final Development Plan Review Process.

- a. Review and Action by City Staff. Upon receipt of the completed application for a Final Development Plan for a PUD and Final Plat; the City Planner shall refer such information to other appropriate staff members and official bodies for review and recommendation.
- b. Public hearing. The Planning Commission shall hold a public hearing on the PUD Final Development Plan. Property owners within three hundred fifty (350') feet will be notified, although failure of any property owner to receive notice shall not invalidate the proceedings. The Planning Commission shall review the proposed Final Development Plan for consistency with the General Development Plan and make findings and recommendations to the City Council.
- c. City Council Action. Within thirty (30) days of receipt of the report and recommendation by the Planning Commission, the City Council shall review said plans and grant approval, resubmit the plan to the Planning Commission for further consideration of specified items, or deny the Final Development Plan.
 - (i) Denial of the Final Development Plan for a PUD shall be accompanied by written findings of fact of the City Council, to include any supporting data set forth that shows the reasons for the denial in terms of the ways in which the proposed use fails to meet the standards, purposes, and intent of this Article and the Comprehensive Plan.
 - (ii) If an application for Final Development Plan PUD has been considered and denied by the City Council, a similar application for a PUD affecting the same property shall not be considered again by the Planning Commission or City Council for at least one (1) year from the date of the Final Development Plan denial.
 - (iii) If the application for Final Development Plan (PUD) is approved by the City Council, the terms of the PUD shall be embodied in a PUD Agreement/Development Agreement and such other documentation as the City shall deem necessary or desirable.
- d. Recording of the Final Development Plan.
 - (i) Upon approval of the Final Development Plan by the City Council, the City Clerk or his/her designee shall record the Final Development Plan, PUD Agreement/ Development Agreements, covenants and all other pertinent documents with the County Register of Deeds or Register of Titles within ninety (90) days after the date of approval. Fees associated with the recording of the Final Plan will be charged back to the developer or subdivider.
 - (ii) Failure of the applicant to comply and submit the necessary items for the recording of the Final Development Plan by the City shall be cause for revoking the City's approval and the Final Development Plan shall be considered void, unless the developer or applicant requests an extension, in writing and receives approval from the City Council.
- e. Expiration of Final Development Plan. Within one (1) year after the approval of the Final Development Plan PUD, or such shorter / longer time as may be established by the approved development schedule, construction shall commence in accordance with such approved plan. Failure to commence construction within such period shall automatically render void the PUD, unless an extension has been granted by the City Council. All approvals of the PUD plan and the area encompassed within the PUD shall be subject to the provisions of the Zoning Ordinance and other Code provisions, applicable to the district in which the area is located. In such case, the City Council shall adopt a resolution repealing the PUD and the PUD approvals, thus re-establishing the zoning and other provisions that would otherwise be applicable to the site.
- f. Extension Requests Final Development Plan. The City Council may approve up to two (2) extensions for a term not to exceed one (1) additional year for each extension.
- g. Building and Other Permits. Except as otherwise expressly provided within Ordinance, upon receiving notice from the City Planner that the approved Final Development Plan for the PUD has been recorded and upon application of the applicant pursuant to the applicable ordinances of the City, all appropriate officials of the City may issue building and/or other permits to the

applicant for development, construction, and any other work to be completed within the subject development area.

h. Evaluation of Planned Unit Development.

- (i) Following the approval of the Planned Unit Development, the City Planner, in conjunction with the City Engineer, or his/her designees shall review all permits issued and construction undertaken and compare the actual development with the approved development plan and schedule.
- (ii) If the City Planner or his/her designee finds that the development is not proceeding in accordance with approved plans, he or she shall immediately notify the City Council. Within thirty (30) days of such notice, the City Council shall either by ordinance revoke the PUD permit, and the land shall be governed by the regulations applicable in the district in which it is located, or shall take such steps as necessary to compel compliance with the Final Development Plans as approved; or shall require the landowner or applicant to seek an amendment to the Final Development Plan.

E. Changes in the Planned Unit Development.

The Planned Unit Development shall be developed according to the approved and recorded Final Plat and all supporting data. The recorded Final Plat and supporting data together with all recorded amendments shall be binding on the applicants, their successors, grantees, and assigns and shall limit and control the use of the premises and the location of structures in the Planned Unit Development project. If a change or revision is proposed for any aspect of an approved Planned Unit Development, such change or revision requests shall be submitted to City staff for review. The Community Development Director, or his/her designee shall determine if the change, revision, or addition is minor or major.

1. Minor Changes.

The City Council may approve minor changes without a public hearing provided that the Final Development Plan PUD remains consistent with the spirit and intent of the General Development Plan or a previously approved Final Development Plan.

The modification shall not:

- (i) Change the general character of the PUD;
- (ii) Cause substantial relocation of principal or accessory structures;
- (iii) Cause a substantial relocation or reduction of parking, loading, or recreation areas;
- (iv) Cause a substantial relocation of traffic facilities and circulation systems;
- (v) Increase the impervious surface coverage of buildings and parking areas;
- (vi) Increase the gross floor area of buildings, the number of dwelling units, or the net density of the site;
- (vii) Reduce the amount of approved open space, landscaping, screening, tree preservation, or natural resource amenities to be located within the development.

2. Major Changes.

If the requested change is determined by the Community Development Director, or his/her designee, to be major or substantial, or would represent a significant departure from General Development Plan or previously approved Final Development Plan, shall result in the formal abandonment and the subsequent filing of a new application for Planned Unit Development.