

1163.01 PERMITTED AND CONDITIONAL USES.

- (a) Permitted Uses in the Planned Neighborhood District are: Single family, two- family and multiple family units and accessory uses incidental to these uses.
- (b) Conditional Uses in the Planned Neighborhood District are:
- (1) Permitted uses in the R-1 Single Family District.
 - (2) Conditional uses in the R-1 Single Family District.
 - (3) An office to handle rentals and maintenance of dwelling units within a multiple family development in which the office is located, as an accessory use.
 - (4) Private swimming pools for the exclusive use of residents of a multiple family development.
 - (5) Violation of conditional use as approved shall be grounds for revocation of the conditional use permit.

(Ord. 2005-34. Passed 12-12-05.)

1163.02 DEVELOPMENT STANDARDS.

- (a) Lot Requirements in the Planned Neighborhood District are:
- (1) Lot area: No minimum lot area is required, but an area can be considered a Planned Neighborhood District only if a variety of different types of dwelling units are used.
 - (2) Yards: No yard requirements or distances between buildings are established in order to enable creativity in design. The applicant shall arrange the buildings in such a way that adequate provision is guaranteed for all units to open space, air, light and exposure to sunshine. Zero lot line clusters and variations in building setbacks are encouraged.
 - (3) The maximum density shall not exceed five dwelling units per net acre. Densities can be increased as provided for in Section **1163.02** (3)C. hereof. Public right-of-way shall not be included in the computation of new area.
 - (4) Single family developments which do not utilize zero lot line clusters or equally creative site design must conform to the R-1 single family development standards.
- (b) Building Requirements in the Planned Neighborhood District are:
- (1) Maximum height: Except as provided in subsection **1163.02** (c)(3) hereof, no multiple family structure shall exceed thirty-five feet in height and single family and two-family structures shall not exceed thirty feet in height.
 - A. Minimum floor areas:
 1. Single family: 1,200 square feet.
 2. Two family: 900 square feet each unit.
 3. Multifamily: 700 square feet each unit.
- (c) Site Development Requirements in the Planned Neighborhood District are:
- (1) All applicable subdivision regulations and parking, sign and landscaping regulations of this Zoning Ordinance must be satisfied.
 - (2) A comprehensive development plan must be approved by the Planning Commission which includes all of the following elements:
 - A. Location and size of residential uses indicating the location of any types of dwellings, the density for each separate area of land to be developed, the overall number of units to be constructed, and the overall density of the proposed development.
 - B. Location, size and type of nonresidential uses such as open space, parks, playgrounds, community facilities and schools to be located in the land to be developed.
 - C. Proposed phases of development of the land in terms of units, land area, streets, access and uses.
 - D. Traffic patterns, streets, bikeways, access, parking areas and pedestrian walkways. Conflict between the movement of pedestrians, bicycles and vehicles shall be minimized.
 - E. Trash collection systems to be used, the location and type of trash containers, and the types of enclosures to be used to screen trash containers from view.
 - F. A preliminary plat conforming to the subdivision regulations and including at least twenty percent (20%) of the total acreage included in the comprehensive development plan.
 - (3) Development incentives: Development incentives of increased densities and increased building heights may be recommended by the Planning Commission based on the following criteria:
 - A. The development is directly adjacent to major thoroughfares as delineated in the Thoroughfare Plan and community services.

B. Building design and site design is of high quality and includes the integration of buildings and structures with natural materials or well defined, and good design.

C. A well-designed open space system is utilized that provides pedestrian and bicycle access to neighborhood facilities, parks, play areas and scenic areas, and the system includes provision for landscaping and outdoor furniture.

D. Land is provided for major community facilities and schools.

E. Total density shall not exceed eight dwelling units per acre.

(Ord. 2005-34. Passed 12-12-05.)

1163.03 PROCEDURES FOR DEVELOPMENT APPROVAL.

Land within a Planned Neighborhood District shall not be developed until a comprehensive development plan has first been approved as provided in this section.

(a) Application and Development Plan. An application shall be filed seeking approval of the Planning Commission, together with five copies of a comprehensive development plan including the elements provided for in Section **1163.02** (c)(2) and any additional information required by the Planning Commission and Council, and a development approval fee as provided under Section **1153.14**.

(b) Procedure for Approval. The secretary of the Planning Commission shall submit the application, and the comprehensive development plan to the Planning Commission, the Engineering Department and other staff members, for its review and recommendations. In determining the acceptability of the comprehensive development plan, the Planning Commission shall consider all relevant factors including setbacks, distances between buildings, yard space, suitability of open space systems, traffic accessibility, and other elements having a bearing on the overall acceptability of the comprehensive development plan as it relates to the orderly development of land within the City. The Planning Commission shall forward its recommendations to Council for final approval or denial. Council may return the application to the Planning Commission for further study if additional information or facts are presented to Council that were not available to the Planning Commission. If the application and comprehensive development plan shall be considered binding conditions upon which development may proceed.

(c) The Development Plan as a Binding Condition. Development shall be in conformance with the comprehensive development plan and construction of site improvements must be commenced within two years of Council approval, otherwise no development of the land shall take place until a new comprehensive development plan is approved pursuant to this section. With the approval of the Planning Commission, minor modifications of the approved comprehensive development plan may be made. Such modification shall not increase the overall density of the site or change the essential character of the approved plan. If the Planning Commission determines that such proposed changes significantly alter the approved plan, the plan must be resubmitted to Council for approval. Development of land shall not proceed prior to final approval of the comprehensive development plan. Any development undertaken without such final approval is in violation of this Zoning Ordinance and an abatable nuisance.

(Ord. 2005-34. Passed 12-12-05.)