

VILLAGE OF HOLLY

ORDINANCE NO. 454

An ordinance to amend Sections 157.080 and 157.096 of Chapter 157 of Title XV of the Code of Ordinances concerning Planned Unit Development Districts.

THE VILLAGE OF HOLLY ORDAINS:

Section 1. Amendment of Section 157.080 Chapter 157 of Article XV of the Code of Ordinances.

Section 157.080 of Chapter 157 of Article XV of the Code of Ordinances is amended to read as follows:

157.080 PUD - PLANNED UNIT DEVELOPMENT DISTRICT.

(A) *Intent.*

(1) The intent of the Planned Unit Development District (PUD) is to permit flexibility in the regulations for development that either includes a mix of land uses or is proposed for a site containing unique natural or historic features which the developer and the village desire to preserve. The standards of this section are intended to encourage innovative design and create opportunities that may not be obtainable through the more rigid standards of a single zoning district.

(2) The provisions of this chapter are to be used to promote land use substantially consistent with the character of the surrounding districts and area. Departure from the generally applicable requirements of the existing zoning district will be made to provide flexibility in design to the developer with proper review and approval by the village.

(3) The PUD standards are not to be used as a technique to circumvent the intent of this chapter, to avoid imposition of specific zoning ordinance standards, or the planning on which it is based.

(B) *Criteria.* A proposed PUD may be allowed as a distinct zoning district for a particular parcel(s) of land within the village upon a determination by the Village Council following a recommendation from the Planning Commission, as required, based on the following criteria.

(1) The subject tract of land proposed as a PUD shall be a minimum of three (3) acres in size. The minimum site area of a PUD may be reduced upon application to and finding by the Planning Commission, as required, that the smaller site area can be developed to meet the intent and review objectives of the PUD when preservation of existing buildings or natural features are present on the site and shall be under single ownership.

(2) The proposed PUD shall directly abut a major street (a collector or arterial road as defined in the Village Master Plan).

(3) The site shall contain significant natural or historic features that will be preserved through development under the PUD standards as determined by the Planning Commission, as required, or the site is proposed with a complimentary mixture of housing types within a unique, high quality design.

(4) The PUD will result in a recognizable and substantial benefit to the ultimate users of the project and to the village, where such benefit would otherwise be unlikely to be achieved. The benefits can be accomplished through a higher quality unified design than would be required by the normal regulations of this chapter. The benefits shall be demonstrated in terms of preservation of natural features, architectural design, extensive landscaping, special sensitivity to adjacent land uses, well designed access and circulation systems, or integration of various site features into a unified development.

(5) The PUD type and density will not result in an increase in traffic movements, the use of public services, residential population, facilities, and utilities when compared to the most dense use allowed within the current zoning requirements for the property.

(6) The development shall not place an unreasonable burden on surrounding property or property owners.

(7) The PUD will only be applied to properties when municipal sanitary sewers and water mains are provided to all segments of the proposed development and are designed and constructed in accordance with village engineering and design standards.

(8) Each lot, principal building, or principal use within the PUD shall have vehicular access from a street that is designed and constructed in accordance with the village engineering and design standards.

(9) The Village Council, upon Planning Commission, as required, recommendation, may permit certain lots, principal buildings, or principal uses to maintain vehicular access to a private street; provided, that such street is constructed in accordance with the village engineering and design standards and the continued maintenance of the private street by the property owners(s).

(10) Each lot, principal building, or principal use shall have pedestrian access from a public or private sidewalk that is physically separated from streets and that provides for safe and convenient movement of pedestrians.

(11) Each access from a major street shall be provided with turn lanes, as required by the Village Council, upon a recommendation by the Planning Commission, as required.

(12) A residential structure shall not have direct access to an arterial road or a collector street.

(13) The proposed street layout shall provide for the continuation of collector streets in the adjoining developments or the proper projection of streets when the adjoining property is undeveloped.

(14) The minimum floor area for residential uses shall meet the requirements of the R1B and RM Zoning Districts.

(C) *Permitted uses.*

(1) A PUD may provide for a mixture of land uses; however, industrial uses and mobile home parks are expressly prohibited.

(2) A PUD may provide for a variety of permanent housing types, including single-family homes, townhouses, condominiums, apartments, and cluster housing units.

(3) Commercial uses permitted in the C-Commercial District, together with other uses deemed consistent within the overall plan by the Planning Commission, as required, may occupy not more than 25% of the gross land area of the PUD.

(4) (a) A PUD shall provide a minimum of 15% of the gross land area as common open space that shall be readily accessible and available to the occupants of those dwelling units for whose use the open space is intended. All common open spaces shall be of a size, configuration, function, and location that is satisfactory to the Planning Commission, as required.

(b) 1. If a PUD is developed in phases, the open spaces shall be developed in a proportional manner.

2. A PUD may consist entirely of residential use. A PUD with commercial and office uses shall also contain residential development.

(5) The only uses permitted in a PUD are those approved by the Village Council after receiving a recommendation from the Planning Commission, as required.

(D) *Density.*

(1) The maximum permitted residential density for a PUD shall be determined based upon the following average land area per each type of dwelling unit.

Single-family attached unit (horizontal separation only)	7,200 square feet
Single-family detached unit	12,000 square feet
Townhouses, apartments, and other multiple family units	4,000 square feet

(2) The area used for computing residential density shall be the total site area exclusive of any proposed or existing road right-of-ways and unbuildable areas such as water-covered property, wetlands, and floodplain areas.

(3) The maximum lot coverage of all uses in a PUD, including accessory buildings, shall not exceed 35%.

(E) *Building, height, setbacks, and floor area.*

(1) The maximum building height permitted in a PUD shall be 35 feet.

(2) A minimum yard setback of 50 feet shall be provided along the perimeter of a PUD fronting on a street.

(3) (a) A minimum yard setback of 35 feet shall be provided along the perimeter of a PUD not fronting on a street.

(b) Such area shall be designed and landscaped as a buffer to neighboring properties.

(c) No parking lots and driveways shall be permitted in this area.

(4) (a) The distance between any residential building and any nonresidential building shall be 150 feet.

(b) A heavily landscaped strip that is a minimum of 50 feet wide shall be provided between any residential building and any nonresidential building.

(c) The strip shall be heavily planted with trees, shrubs, and berms with ground cover as required by the Planning Commission, as required.

(5) Residential buildings and nonresidential developments shall maintain setbacks as follows.

<i>Uses</i>	<i>Front</i>	<i>Side (Each)</i>	<i>Rear</i>
Nonresidential developments	15 feet	10 feet	20 feet
Single-family attached unit (horizontal separation only)	15 feet	5 feet	20 feet
Single-family detached unit	15 feet	5 feet	20 feet
Townhouses, apartments, and other multiple family units	15 feet	10 feet	20 feet

(6) The minimum usable floor area for all uses in a PUD shall be those stated in § 157.009.

(7) At least one bedroom shall be provided in each residential unit.

(8) Residential and commercial uses may be combined in the same building; however, no residential use shall be located on the same floor, or below any commercial use.

(F) Signs. Signs shall be permitted in a PUD based on the regulations provided in this code of ordinances and reviewed by the Planning Commission, as required, as part of the PUD approval.

(G) The Planning Commission may waive or modify the requirements of Section 157.080 (D) and (E) when it is determined that doing so will be consistent with the general intent of that section and will encourage development that promotes the health, safety and welfare of village residents.

(H) Landscaping. All portions of each lot, parcel, or area not covered by buildings or paving shall be landscaped and permanently maintained by the property owner, tenant or organization responsible for maintaining common areas as provided in §§ 157.165 through 157.176, "Landscaping Standards".

(I) Phasing. Development within a PUD may be phased as delineated on an approved plan and the time span for completion of each phase of a PUD shall be as delineated on an approved plan, but in no case longer than five years.

Section 2. Amendment of Section 157.096 Chapter 157 of Article XV of the Code of Ordinances.

Section 157.096 of Chapter 157 of Article XV of the Code of Ordinances is amended to read as follows:

157.096 REZONING TO A PUD DESIGNATION.

(A) An optional pre-application workshop with the Planning Commission, as required, may be requested by the applicant to discuss the appropriateness of a PUD concept, solicit feedback, and receive requests for additional materials supporting the proposal. An applicant desiring such a workshop shall request placement on the Planning Commission, as required, agenda.

(B) The applicant shall prepare and submit to the Administrative Official a request for rezoning to the appropriate PUD designation, including 12 copies of a conceptual PUD site plan meeting the submittal requirements of § 157.097 and 12 copies of an environmental impact assessment meeting the submittal requirements of § 157.048. The conceptual PUD site plan shall illustrate uses within each component, road layout, parking areas, and open space. Materials shall be submitted at least 30 days prior to the meeting at which the Planning Commission, as required, shall first review the request; 14 days for an applicant who has had a pre-application workshop.

(C) The Planning Commission, as required, shall review the rezoning request, the conceptual PUD site plan, and the environmental impact assessment, conduct a public hearing, and make a recommendation to the Village Council based on the review standards of § 157.196.

(D) Within 90 days following receipt of a recommendation from the Planning Commission, as required, the Village Council shall conduct a public hearing on the requested PUD rezoning and the conceptual PUD site plan and either approve, deny, or approve with a list of conditions made part of the approval. The Village Council may require a re-submittal of the conceptual PUD site plan reflecting the conditions for approval by the Administrative Official (prior to submittal of a PUD final site plan).

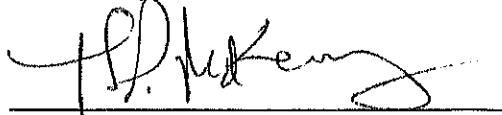
Section 3. Effective Date.

This ordinance shall take effect 15 days following publication.


At a regular meeting of the Village Council of the Village of Holly held on October 23, 2018, adoption of the foregoing ordinance was moved by Musgrave and supported by Shiel.

Voting for: Heiple, Shiel, Musgrave, Rankin, Allsop, Cruickshank, McKenney
Voting against: None
Absent: None

The Village President declared the ordinance adopted.



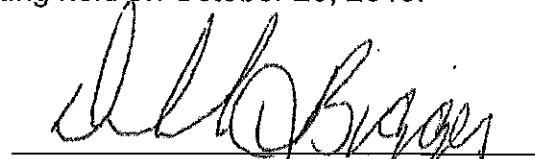
Thomas P. McKenney, President



Deborah J. Bigger, Clerk/Treasurer

CERTIFICATION

The foregoing is a true copy of Ordinance No. 454 which was enacted by the Village Council of the Village of Holly at a regular meeting held on October 23, 2018.



Deborah J. Bigger, Clerk/Treasurer