

SECTION 15.0 - PLANNED UNIT DEVELOPMENTS

15.1 Planned Unit Development (PUD).

PUDs consist of an area with a minimum contiguous acreage of 5 acres or more to be developed as a single entity according to a plan, containing one or more residential clusters, limited commercial clusters, or planned residential developments, and one or more public, quasi-public, agricultural and/or conservation areas. The basic principle of the PUD is that property rights usually include private area or lot and access to commonly owned property, which is usually owned by a property owners association, or covered by easements, which provide common use among property owners. Any planned unit development that takes place in a certified agricultural district must be in the form of a cluster and conform to the standards in 91.46 (1)(e) Wisconsin State Statutes.

15.2 Purpose and Intent.

A PUD may be approved hereunder in any zoning district upon full compliance with this Section and the granting of a Conditional Use Permit. A PUD is designed to encourage and promote improved environmental design by allowing for greater freedom, imagination and flexibility in the development of land while insuring substantial compliance with the basic intent of this Zoning Ordinance and the general plan for community development. To this intent, it allows diversification and variation in the relationship of uses, structures, open spaces and heights of structures in developments conceived and implemented as comprehensive and cohesive unified projects. It is further intended to encourage more rational and economic development with relation to public services, and to encourage and facilitate preservation of open land.

15.3 Lot Area, Lot Width, Height, Floor Area Ratio, Yard and Usable Open Space Requirements.

- (1) For a PUD, the requirements of the respective zoning district may be relaxed at the discretion of the Planning and Zoning Committee. In no case, shall the maximum number of units per square foot in relation to the total development be more than 1 unit per 40,000 sq. ft.
- (2) A minimum of five (5) acres of land shall be developed as a unit.

15.4 Off-Street Parking.

Off-street parking facilities shall be provided in accordance with applicable zoning district regulations, and such requirements as are made a part of an approved recorded precise development plan shall be, along with the recorded plan itself, construed to be and enforced as a part of this Ordinance.

15.5 Criteria for Approval.

As a basis for determining the acceptability of a PUD application, the following criteria shall be applied to the precise development plan for such district with specific consideration as to whether or not it is consistent with the spirit and intent of this Ordinance, has been prepared with competent professional advice and guidance, and produces significant benefits in terms of environmental design.

- (1) Character and Intensity of Land: In a PUD, the uses proposed and their intensity and arrangement on the site shall be of a visual and operational character which:
 - (A) Is compatible with the physical nature of the site with particular concern for preservation of natural features, tree growth and open space.
 - (B) Would produce an attractive environment of sustained aesthetic and ecological desirability, economic stability and functional practicality compatible with the general development plans for the area as established by the community.
 - (C) Would not adversely affect the anticipated provision for school or other municipal services.
 - (D) Would not create a traffic or parking demand incompatible with the existing or proposed facilities to serve it.
- (2) Economic Feasibility and Impact: The proponents of a PUD application shall provide evidence satisfactory to the Planning & Zoning Committee of its economic feasibility, of available adequate financing and that it would not adversely affect the economic prosperity of the community or the values of surrounding properties.
- (3) Engineering Design Standards: The width of street right-of-ways, width and location of street or other paving, outdoor lighting, location of sewer and water lines, provision for storm water drainage or other similar environmental engineering considerations shall be based upon determination as to the appropriate standards necessary to implement the specific function in the specific situation; provided, however, that in no case shall standards be less than those necessary to insure the public safety and welfare as determined by the Planning & Zoning Committee.

- (4) Preservation and Maintenance of Open Space: In a PUD, adequate provision shall be made for the permanent preservation and maintenance of common open space either by private reservation or dedication of private land.
- (A) In the case of private reservation, the open area to be reserved shall be protected against building development by conveying to the public as part of the conditions for project approval an open space easement over such open areas restricting the area against any future building or use except as is consistent with that of providing landscaped open space for the aesthetic and recreational benefit of the development. Buildings or uses for limited commercial, recreational or cultural purposes compatible with the open space objective may be permitted only where specifically authorized as part of the development plan or subsequently, with the express approval of the Town Board following approval of building site and operational plans by the Planning & Zoning Committee.
- (B) The care and maintenance of such open space reservation shall be assured by establishment of appropriate management and organization for the project. The manner of assuring maintenance and assessing such cost to individual properties shall be included in any contractual agreement and shall be included in the title to each property.
- (C) Ownership and tax liability of private open space reservation shall be established and made a part of the conditions of the plan approval.
- (5) Implementation Schedule: The proponents of a PUD shall submit a reasonable schedule for the implementation of the development to the satisfaction of the Planning & Zoning Committee including suitable provisions for assurance that each phase could be brought to completion in a manner which would not result in adverse effects upon the community as a result of termination at that point.

15.6 Procedure.

Except for approval of the final plan, the procedure for obtaining a PUD shall be as required for any other conditional use under this Ordinance, except that in addition thereto, the conditional use may only be considered in conjunction with the General Development Plan, which the applicant shall file with the County Planner and the Planning & Zoning Committee and shall include the following information:

- (1) A statement describing the general character of the intended development.
- (2) An accurate map of the project area including its relationship to surrounding properties and existing topography and key features using two (2) foot contour intervals.

- (3) A plan of the proposed project showing at least the following information in sufficient detail to make possible the evaluation of the criteria for approval as set forth in this section.
 - (A) The pattern of proposed land use including shape, size and arrangement of proposed use areas, density and environmental character.
 - (B) The location, size and character of recreational and open space areas reserved or dedicated for public uses such as schools, parks, greenways, etc.
 - (C) A utility feasibility study.
- (4) Appropriate statistical data on the size of the development, ratio of various land uses, percentages of multifamily units by number of bedrooms, economic analysis of the development, expected staging, and any other plans or data pertinent to evaluation by the community under the criteria of this section.
- (5) General outline of intended organizational structure related to property owner's association, deed restrictions and private provision of common services.

15.7 Referral and Hearing.

- (1) Within sixty (60) days after completion of the filing of the petition for approval of the general development plan, the Planning & Zoning Committee shall schedule the required public hearing.
- (2) Approval of the conditional use and related general development plan shall establish the basic right of use for the area in conformity with the plan as approved, which shall be recorded as an integral component of the district regulations, but such plan shall be conditioned upon approval of a specific implementation plan, and shall not make permissible any of the uses as proposed until a specific implementation plan is submitted and approved for all or a portion of the general development plan.

15.8 Final Plan.

A specific and detailed final plan for implementation of all or a part of a proposed PUD must be submitted within one (1) year after receiving approval for the general development plan from the Planning & Zoning Committee. If a final plan has not been submitted within said time, which the Planning & Zoning Committee determines to be a reasonable phase of the total plan, the area shall revert back to the original zoning district without PUD classification. The specific final plan shall be submitted to the Planning & Zoning Committee and shall include the following detailed construction and engineering plans and related detailed documents and schedules:

- (1) An accurate map of the area (at a scale of 1"=100 ft.) covered by the plan including the relationship to the total general development plan.
- (2) The pattern of public and private roads, driveways, walkways and parking facilities.
- (3) Detailed lot layout and subdivision plat where required.
- (4) The arrangement of building groups, other than single-family residences, and their architectural character.
- (5) Sanitary sewer and water mains.
- (6) Grading plan and storm drainage system.
- (7) The location and treatment of open space areas and recreational or other special amenities.
- (8) The location and description of any areas to be dedicated to the public.
- (9) General landscape treatment.
- (10) Proof of financing capability.
- (11) Analysis of economic impact upon the community.
- (12) A development schedule indicating the following:
 - (A) Approximate date when construction of the project can be expected to begin.
 - (B) Stages in which the project will be built and the approximate date when construction of each stage can be expected to begin.
 - (C) Anticipated rate of development.

- (D) The approximate date when the development of each of the stages will be completed.
 - (E) Area and location of common open space that will be provided at each stage.
- (13) Agreements, bylaws, provisions or covenants which govern the organizational structure, use, maintenance and any of its common services, common open areas or other facilities.
 - (14) Any other plans, documents or schedules requested by the community.

15.9 Approval of the Final Plan.

- (1) Following a review of the specific implementation plan, the Planning & Zoning Committee shall recommend to the Town Board that it be approved as submitted, approved with modification or disapproved.
- (2) Upon receipt of the Planning & Zoning Committee's recommendation, the Town Board may approve the final plan and authorize the development to proceed accordingly, or disapprove the final plan and send it back to the Planning & Zoning Committee for further negotiation with the developer.
- (3) In the event of approval of the specific final plan, the building, site and operational plans for the development, as approved, as well as all other commitments and contractual agreements with regard to project value, character and other factors pertinent to an assurance that the proposed development will be carried out basically as presented in the official submittal plans, shall be recorded by the developer within a reasonable period of time. This shall be accomplished prior to the issuance of a Zoning Permit.
- (4) Any subsequent change or addition to the plans or use shall first be submitted for approval to the Planning & Zoning Committee and if, in the opinion of the Committee, such change or addition constitutes a substantial alteration of the original plan, the procedure provided in (6) above, and in this subsection shall be required.