



Planned Development District Application

Land Use Code Appendix B, Section 790

Step 1: Pre-Application meeting with City Staff Meeting Date: _____

Office Use Only
Staff Initials _____

Step 2: Complete the application below Application Date: _____
Please print the following information:

Applicant's Name: _____ Telephone: _____
Applicant's Fax: _____ E-mail: _____
Mailing Address: _____

Owner's Name: _____ Telephone: _____
Owner's Fax: _____ E-mail: _____
Mailing Address: _____

Engineer/Surveyors Name: _____ Telephone: _____
Engineer/Surveyors Fax: _____ E-mail: _____
Mailing Address: _____

Legal Description of Property: Lots: _____ Block: _____ Subdivision: _____
Zoning on Property: _____

Office Use Only
[]
[]

The applicant will submit the following information with this application:

- A. All required documents on the reverse side of this application
B. Application Fee: # of Acres _____ Fee _____
3 - 5 Acres: \$300.00, 6 - 10 Acres: \$750.00, 10+ Acres: \$1000.00
GIS: \$15.00 \$ 15.00
Total: _____
(All checks payable to City of Marble Falls)

Owner Statement (if applicant is not owner):

I HEREBY CERTIFY THAT THE APPLICANT LISTED ABOVE IS AN AUTHORIZED AGENT FOR ME IN MATTERS PERTAINING TO FILING OF THIS PLANNED DEVELOPMENT DISTRICT APPLICATION. I waive the statutory time limits in accordance with Section 212.009 of the Texas Local Government Code and as specified in the Code of Ordinances, Appendix B Land Use Regulations Sections 1100-1299 Administration and Procedures.

Applicant's Signature Owner's Signature (notarized) Date

STATE OF TEXAS:
COUNTY OF BURNET:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

My Commission Expires On: _____

Planned Development District Application Materials

| <u>Required*</u> | <u>Complete</u> | <u>NA</u> |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Tax certificate showing legal owner (with no taxes due) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Survey: Ten (10) copies of site plan, 18"x24", One (1) copy at 11"x17, and One (1) copy at 8 ½" x 11" sealed by a licensed surveyor |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Digital copy of survey on CD or flash drive |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Plans: Building elevations, landscape plan, utility plan, and site plan depicting all required items listed below |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Applicant presentation to Planning and Zoning Commission and City Council |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Address and legal description of the property |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Statement: A statement indicating to which zoning district or districts the Planned Development will be most similar |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Statement: A statement describing the nature and operating characteristics of the proposed use, including any data pertinent to the findings required for approval of the application. For uses involving public assembly or industrial processing or uses potentially generating high volumes of vehicular traffic, the City Manager may require specific information relative to the anticipated peak loads and peak use periods, relative to industrial processes and the ability of the use to meet performance standards or substantiating the adequacy of proposed parking, loading, and circulation facilities. |

Planned Development District Site Plan Checklist

| <u>Required*</u> | <u>Complete</u> | <u>NA</u> |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Date, scale, north arrow, title, name of owner, name of person preparing the plan |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Location and dimensions of boundary lines, easements, and required yards and setbacks |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Location, height, bulk, general appearance, and intended use of existing and proposed buildings on the site and the approximate location of existing buildings on abutting sites with fifty (50) feet |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> The location of watercourses and drainage features |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> The number of existing and proposed off-street parking and loading spaces and a calculation of applicable minimum parking requirements |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> The relationship of the site and proposed use to surrounding uses, including pedestrian and vehicular circulation, current uses of nearby parcels, and any proposed off-site improvements |

Note:

In the PD district, uses shall conform to the standards and regulations of the base zoning district to which it is most similar. The base zoning district shall be stated in the granting ordinance. All applications to the City shall list all requested deviations from the standard requirements set forth throughout this Ordinance (applications without this list will be considered incomplete). The Planned Development district shall conform to all other sections of the Ordinance unless specifically excluded in the granting ordinance.

Staff's Signature

Date

*Required items to be determined at Pre-Application meeting

786. PD--Planned Development District.

GENERAL PURPOSE AND DESCRIPTION:

A. The City Council of the City of Marble Falls after public hearing and proper notice to all parties affected and after recommendation from the Planning and Zoning Commission, may authorize the creation of a Planned Development overlay district.

B. The Planned Development (PD) district is a district which accommodates planned associations of uses developed as integral land use units such as industrial districts, offices, retail, commercial or service centers, shopping centers, residential developments of multiple or mixed housing including attached single-family dwellings or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A PD district may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this Ordinance. While greater flexibility is given to allow special conditions or restrictions which would not otherwise allow the development to occur, procedures are established herein to ensure against misuse of increased flexibility.

PERMITTED USES:

An application for a PD district shall specify the base district and the use or the combination of uses proposed. Uses which may be permitted in a PD are specified in the Use Charts and must be specified if not permitted in the base district. In the case of residential PD districts for single-family or duplex categories, the proposed lot area shall be no smaller than the lot sizes allowed in the base zoning district except for minor changes in a small percentage of the lots in order to provide improved design. In selecting a base zoning district, the uses allowed in the base district must be similar or compatible with those allowed in the PD. PD designations shall not be attached to Conditional Use Permit requirements. Conditional Use Permits allowed in a base zoning district are allowed in a PD only if specifically identified at the time of PD approval.

PLANNED DEVELOPMENT REQUIREMENTS:

A. Development requirements for each separate PD district shall be set forth in the amending ordinance granting the PD district and shall include, but may not be limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, project phasing or scheduling, management associations, and other requirements as the City Council and Planning and Zoning Commission may deem appropriate.

B. In the PD district, uses shall conform to the standards and regulations of the base zoning district to which it is most similar. The base zoning district shall be stated in the granting ordinance. All applications to the City shall list all requested deviations from the standard requirements set forth throughout this Ordinance (applications without this list will be considered incomplete). The Planned Development district shall conform to all other sections of the Ordinance unless specifically excluded in the granting ordinance.

C. The ordinance granting a PD district shall include a statement as to the purpose and intent of the PD granted therein. A specific list is required of modifications in each district or districts and general statement citing the reason for the PD request.

D. The minimum acreage for a planned development request shall be three (3) acres.

In establishing a Planned Development district in accordance with this Section, the City Council shall approve and file as part of the amending ordinance appropriate plans and standards for each Planned Development district. To facilitate understanding of the request during the review and public hearing process, the Planning and Zoning Commission and City Council shall require a Conceptual Plan of the proposed project. A Detailed Site Plan may be submitted in lieu of the Conceptual Plan.

A. Conceptual or Concept Plan - This plan shall be submitted by the applicant at the time of the PD request. The plan shall show the applicant's intent for the use of the land within the proposed Planned Development district in a graphic manner and as may be required, supported by written documentation of proposals and standards for development. The City may prepare application form(s) which further describe and explain the following requirements:

1. Residential Concept Plan - A Conceptual Plan for residential land use shall show general use, thoroughfares and preliminary lot arrangements. For residential development (such as multi-family) which does not propose individual platted lots, the conceptual plan shall set forth the size, type and location of buildings and building sites, access, density, building height, fire lanes, screening, parking areas, landscaped areas, project scheduling, and other pertinent development data.

2. Nonresidential Concept Plan - A Conceptual Plan for uses other than residential uses shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. Data which may be submitted by the applicant, or required by the Planning and Zoning Commission or City Council, may include but is not limited to the types of use(s), topography and boundary of PD area, physical features of the site, existing streets, alleys and easements, location of future public facilities, building height and location, parking ratios, project scheduling and other information to adequately describe the proposed development and to provide data for approval which is to be used in drafting the final Detailed Site Plan.

B. Detailed Site Plan - This plan shall set forth the final plans for development of the Planned Development district and shall conform to the data presented and approved on the Conceptual Plan. Changes of detail on the Detailed Site Plan, which differ from the original Concept Plan, but do not alter the basic relationship of the proposed development to adjacent property, the uses permitted, or increase the density, building height or coverage of the site, the off-street parking ratio or reduce the yards provided at the boundary of the site, or does not significantly alter the landscape plans as indicated on the approved Conceptual Plan may be authorized by the City Planner. If an agreement cannot be reached regarding whether a Detailed Site Plan conforms to the original Concept Plan, the Planning and Zoning Commission shall

review the request and render, judgment as to the conformity. Approval of the Detailed Site Plan shall be the basis for issuance of a building permit, but does not release the applicant of the responsibility to submit plans to the Building Official for a building permit. For any residential district, a preliminary plat may qualify as the Detailed Site Plan. The Detailed Site Plan may be submitted for the total area of the PD or for any sections or part as approved on the Conceptual Plan.

1. The Detailed Site Plan shall include:

- a. A site inventory analysis including a scale drawing showing major existing vegetation, natural watercourses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any flood prone areas.
- b. A scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts and the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with a topographical contour interval of not more than five feet (5').
- c. A site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings, and between building and property lines, street-lines, and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision of off-street parking.
- d. A landscape plan showing turf areas, screening walls, ornamental planting, wooded areas and trees to be planted.
- e. Architectural drawings (elevations, etc.) showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the Planning and Zoning Commission or City Council if deemed appropriate.
- f. All Detailed Site Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development district as appropriate to adequately explain or understand the request and which is to be included in the text of the amending ordinance.

Approval Process and Procedure - The procedure for establishing a Planned Development district shall follow the procedure for zoning amendments. This procedure is further expanded as follows for approval of Conceptual and Detailed Site Plans.

A. The Planning and Zoning Commission and the City Council may approve the Conceptual Plan or Detailed Site Plan or any section of the plan, separately or jointly, in public hearings. One public hearing at the Planning and Zoning Commission and one at the City Council for the PD request is adequate when:

1. The applicant submits adequate data with the request for the Planned Development district to fulfill the requirement for a Detailed Site Plan; or
2. Information on the Concept Plan and attached application is sufficient to determine the appropriate use of the land and the Development Plan will not deviate from it.

B. If the above two conditions are not met, than another public hearing must be held by the Planning and Zoning Commission and City Council prior to approval of the Detailed Site Plan.

C. The Ordinance establishing the Planned Development district shall not be approved until the Conceptual and/or Detailed Site Plan is approved.

1. The Detailed Site Plan may be approved in sections. When a Detailed Site Plan is approved in sections, then separate approvals by the Planning and Zoning Commission and City Council for the initial and subsequent sections will be required.
2. A Detailed Site Plan shall be submitted for approval within one (1) year from the approval of the Conceptual Plan for some portion of the Concept Plan. If a partial Site Plan is not submitted within one (1) year, the Concept Plan is subject to review by the Planning and Zoning Commission and City Council. If some portion of the entire project is not started within two (2) years, the Planning and Zoning Commission and City Council may review the original Concept Plan to ensure its continued validity. If the City determines the concept is not valid, a new Concept Plan must be approved prior issuing a building permit for any portion of the PD district.
3. Although a public hearing may not be required for the Detailed Site Plan, approval by the Planning and Zoning Commission and City Council is still required.

D. A Planned Development may be submitted and approved without a Conceptual or Detailed Site Plan if, in the amending ordinance, it is stipulated that, 1) Conceptual and Detailed Site Plans are still required, 2) a public hearing in accordance with Section 10 is required at the time the plans are submitted to the City, and 3) no development may occur until a Detailed Site Plan is approved.

When a PD district is being considered, a written report from the City Planner discussing the impact on planning, engineering, water utilities, electric, sanitation, building inspection, tax, police, fire, and traffic, and written comments from the applicable public agencies (such as the school district and utility companies) may be submitted to the Planning and Zoning Commission prior to the Commission making any recommendations to the City Council. In the event written comments are not forthcoming in a reasonable amount of time, the Commission may, at its discretion, make a recommendation to the City Council.

All Planned Development districts approved in accordance with the provisions of this Ordinance in its original form, or by subsequent amendments thereto, shall be referenced on the Zoning District Map, and a list of such Planned Development districts, together with the category of uses permitted therein, shall be maintained as part of this Ordinance.

(Ord. No. 2003-O-2D, Exh. A, 3-24-2003)