

## ARTICLE 11. PLANNED UNIT DEVELOPMENT (PUD)

The intent of this Section is to provide an opportunity for the best use of land, protection of valuable natural features in the community, provide for, larger areas of recreational open space, more economical public services and opportunity for mixed use. The purpose of this Provision is to encourage the unified development of tracts of land, much more creative and flexible concepts in site planning than would otherwise be possible through the strict application of minimum and maximum requirements of zoning districts established in this *Zoning Ordinance* and requirements of the *Subdivision Regulations*.

For the purposes of this Ordinance, each Planned Unit Development shall be a minimum of five (5) acres and of sufficient size to accommodate the development. The burden is placed on the developer to demonstrate a benefit to the City and the surrounding area.

Each Planned Unit Development shall have an ordinance that establishes the development regulations for the district. In approving a Planned Unit Development, the Ordinance shall reference the site plan, which shall prescribe development standards. The site plan after approval shall become part of the amending ordinance. All development shall be in conformance with the approved Site Plan and development regulations.

### 11.01 OWNERSHIP

Single ownership shall be construed to include the following:

**11.01.01** A person, partnership or corporation.

**11.01.02** An association of property owners, legally bound to one another, to carry out the provisions of this Section for development and operation of a PUD, likewise legally bound to execute the agreements as provided hereinafter.

**11.01.03** The owner's association of a condominium project, established under the provisions of Alabama law, which has the power to execute the agreements as provided for hereinafter.

### 11.02 GENERAL REGULATIONS

The following general regulations shall apply to all PUDs and require that such developments:

**11.02.01** Shall be in conformity with the City's Comprehensive Plan or portion thereof as it may apply.

**11.02.02** Shall be consistent in all respects with the purposes and intent of this Ordinance.

**11.02.03** Will advance the general welfare of the City and immediate vicinity.

**11.02.04** Will provide, through desirable arrangement and design, benefits which justify the deviations from development standards which would otherwise apply.

### 11.03 GENERAL DEVELOPMENT REGULATIONS

The following development regulations shall apply to all PUDs:

**11.03.01** Provisions of residential districts as applicable shall generally be adhered to in all PUDs.

**11.03.02** All land proposed in the project for residential use, including outdoor use of space, off-street parking, interior drives and other circulation ways, may be counted in complying with the density requirements.

**11.03.03** For any single-family or two (2) family dwelling or any dwelling unit in a townhouse or condominium building, there shall be a privately occupied area. This private space shall include the space occupied by such dwelling or dwelling unit, with adjoining open space assigned exclusively to such dwelling unit of not less than 600 square feet in addition to private parking area.

**11.03.04** All open space not assigned to private occupancy as set forth above shall be assigned to the common use of all residents or general public of the development, with such use assured in perpetuity as provided for above. Assignment and development of such open spaces shall be as follows:

**11.03.04.01** Access driveways.

**11.03.04.02** Landscaped areas, comprising no less than fifteen (15) percent of all common open space required by this Section, may include the following:

- a. Pedestrian access walkways.
  - b. Children's play areas.
  - c. General landscaped areas, flower gardens and areas for passive recreation.
  - d. Swimming pools, including accompanying accessory structures, and areas for organized sports.
  - e. Any other areas suitable for the common enjoyment of the residents.
- 11.03.04.03** Every residential structure in a development shall be within 200 feet of a hard-surfaced access drive no less than twenty (20) feet wide or a parking lot connected with such a drive. In addition, every dwelling or ground floor dwelling unit shall be directly accessible to service and emergency vehicles.
- 11.03.04.04** Private streets on common easements may be used to provide vehicular access to not more than thirty (30) dwelling units on any one such drive. In all other respects, the system of vehicular circulation for a development shall be provided by dedicated streets complying in all respects with the standards of the *Subdivision Regulations*; the easement therefore may be counted as a part of the net area in complying with density limits, but may not be counted as a part of required landscape or recreation space.