
ARTICLE XI

PLANNED UNIT DEVELOPMENT REGULATIONS (PUD)

SECTION 11.0 GENERAL REQUIREMENTS:

- A. **PURPOSE:** The purposes of the Planned Unit Development (PUD) Regulations are to: promote flexibility in design and permit planned diversification in the relationships between location of and types of uses and structures; promote the advantages of modern large scale site planning for community development through the efficient use of land, facilitating a more economic arrangement of buildings, circulation systems, land uses, and utilities; preserve, to the greatest extent possible, the existing landscape features and amenities, and to utilize such features in an harmonious fashion; provide for more usable and suitably located recreation facilities, other public and common facilities, than would otherwise be provided under conventional land development procedures, but always with the intention of furthering the public health, safety, and general welfare.

- B. **GENERAL:** Areas of land to be developed under the provisions of the section of the Ordinance shall be controlled not only by the zoning district requirements in which they are located, but also by the requirements of this section of the Ordinance. After review and approval of the PUD by the Planning Commission, the Commission may alter certain area and height regulations and minimum livable floor space per unit (but maintaining the same densities as set forth in each zoning district) and applicable requirements of the Subdivision Regulations with the intent of providing for the most efficient layout of the PUD and its proper integration with the surrounding development.

- C. **ZONES PERMITTING PLANNED UNIT DEVELOPMENT:** A Planned Unit Development may be permitted in any zone where it is listed as a "Permitted Principal Use", provided all conditions or provisions as set forth in this section are met and a public hearing is held in accordance with requirements of KRS Chapter 424 on the preliminary development plan.

- D. **APPLICATION AND PROCESSING:** The purpose of these procedures is to permit an initial review of and a public hearing upon the proposal by the Planning Commission at an early opportunity, while the details of the plan remain flexible and before the applicant has invested a larger sum of money in the engineering and architectural services needed to provide the detail necessary for final plan and plat approval. Applications for Planned Unit Development shall be processed in two stages:

1. A preliminary development plan in conformity with the requirements of subsection E., shall be filed with the Planning Commission and processed as follows:
 - a. The planning commission shall hold a public hearing in accordance with the requirements of KRS Chapter 424. Upon holding such hearing, the planning commission shall recommend to the local governing body the appropriate action to be taken with regard to the Preliminary Development Plan. The recommendation of the Planning Commission may include approval, approval with conditions, or disapproval.
 - b. The local governing body shall review the recommendation of the Planning Commission and take final action on the Preliminary Development Plan.
2. After approval of the Preliminary Development Plan, by the local governing body, a Final Plat and Final Development Plan, in conformity with the requirements of subsection F., shall be filed with the Planning Commission and processed according to the applicable requirements of the subdivision regulations.

E. PRELIMINARY DEVELOPMENT PLAN REQUIREMENTS: A preliminary development plan shall be submitted, identifying and providing the following:

1. An aerial photograph of the subject property.
2. A plan(s) of the subject property drawn to a scale of not greater than one (1) inch equals one hundred (100) feet, showing:
 - a. The total area in the project.
 - b. The present zoning of the subject property and all adjacent properties.
 - c. All public and private right - of - way easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned.
 - d. Existing topography with a maximum of five (5) foot contour intervals. Where existing ground is on a slope of less than two (2) percent, the plan shall show either one (1) foot contours or spot elevations where necessary, but not more than fifty (50) feet apart

in all directions.

- e. The location of every existing and proposed building on the subject property including existing and proposed residential uses by housing type, and public uses by type and function.
- f. All walks, malls, parking areas, water bodies, open areas, recreational areas, including swimming pools, golf courses, tennis courts, playgrounds, etc.
- g. Types of surfacing proposed on off - street parking and driveway areas.
- h. Location of all proposed streets, highways, and alleys with approximate dimensions.
- i. All existing and proposed utility lines indicating where applicable pipe sizes, types, and grades.
- j. Accessibility of fire protection.
- k. A preliminary schedule of development including the staging and phasing of:
 - (1) Residential areas, in order of priority, by type of dwelling unit.
 - (2) Streets, utilities, and other public facility improvements in order of priority.
 - (3) Dedication of land to public use or set aside for common ownership with a preliminary statement indicating how maintenance of the latter will be handled.
 - (4) The construction of the non - residential buildings, in order of priority.

F. FINAL DEVELOPMENT PLAN AND FINAL PLAT REQUIREMENTS: Except for the manner of submission and processing of subdivision plats, the standard subdivision regulations of Kenton County shall be waived where applicable and the requirements of this section shall be substituted therefore. The final plat shall consist of the elements hereinafter set forth, copies of which, if approved by the Planning Commission, shall be recorded in the County Clerk's office. The elements of the final plat shall consist of:

1. Plat or plats of the subject property drawn to a scale of not greater than one (1) inch equals one hundred (100) feet, suitable for recording and which will be recorded in the office of the County Clerk, after final approval by the Planning Commission. The plat or plats shall conform to the applicable requirements of the subdivision regulations, unless specifically waived by the Planning Commission, and in addition thereto the following:
 - a. All areas reserved for common ownership with an indication of the properties the owners will share in common.
 - b. Such lot or parcel lines indicating tracts which are now in separate ownership or which may be transferred to other ownership during or after development. (Resubdivision of large lots containing several buildings may be accomplished at a later date upon application and approval.).
 - c. Indication of areas to be developed for residential (by type of housing unit), public and semi - public uses.
2. In addition to and along with the final plat, the applicant shall also submit a final development plan, at a scale of not greater than one (1) inch equals one hundred (100) feet, which shall set forth, identify, and locate the following:
 - a. The proposed finished grade of the subject property shown by contours with intervals not larger than two (2) feet supplemented where necessary, by spot elevations.
 - b. All walks, malls, and other open areas, including recreational areas, swimming pools, golf courses, tennis courts, playgrounds, etc.
 - c. The location and type of all walls, fences, screen plantings, and landscaping.
 - d. The location, size, height, and orientation of all signs.
 - e. The types of surfacing proposed on the various off - street parking and driveways indicating cross sections and drainage plans.
 - f. Location and cross section drawings of all proposed streets, highways, alleys, and walkways, indicating the proposed surfacing and drainage plans.
 - g. A plan showing all existing and proposed utilities, indicating, where

applicable, pipe sizes, types, and grades.

- h. A drainage plan of the natural and storm sewer system of the area showing: size and location of each existing and proposed structure, the approximate volume of runoff water generated by development of the subject area and the proposed method of disposing of said water. Provisions shall be included for adequate control of erosion, hillside slippage, and sedimentation, indicating the proposed temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction.
 - i. Plans and drawings required by subsection F., 2., a. through h. above may be combined in any suitable and convenient manner so long as the data required is clearly indicated on one or more of said plans. A separate plan or drawing for each element is not necessary, but may be provided at the option of the applicant.
 - j. A final schedule of development staging and phasing as set forth in subsection E., 2., k. of this Ordinance.
 - k. Sketches of the exteriors of several representative buildings in the project. It is intended that neither uniformity of architectural style or unnecessary diversity thereof be a prerequisite to approval, but the developer is encouraged to exercise ingenuity in achieving a harmonious entity without undue attention to consistency. The purpose of this subsection is to permit development flexibility greater than that permitted by other sections of this Ordinance.
 - l. The final development plan, after approval by the Planning Commission, shall be delivered to the local governing body who shall approve and grant permits only in accordance with the approved development plan and other plans as required by this Ordinance.
- G. RESIDENTIAL USES AND DENSITIES: All types of residential housing units (attached or detached) may be permitted within a PUD upon approval of the Planning Commission, including but not limited to, single - family, two - family, and multi - family units. Dwelling unit density will be the number of units to be developed per gross acre within the total project area, excluding that land devoted to commercial uses and streets. The density of dwelling units in a PUD may not exceed the density which is permitted within the zoning district in

question should the area develop in a conventional manner under the restrictions of that zoning district.

- H. PUBLIC USES: Public and semi - public structures and uses may be permitted in the PUD upon approval of the Planning Commission. These uses may be delineated on the final and preliminary Development Plan and shall be limited to one or more of the following uses:
 - 1. Schools (elementary and secondary).
 - 2. Churches.
 - 3. Community centers.
 - 4. Country clubs.
 - 5. Fire or police stations.
 - 6. Libraries.
 - 7. Parks.
- I. AREA REQUIREMENTS: No Planned Unit Development shall be permitted on less than four (4) acres of land. However, development of a smaller tract adjacent to a pre - existing Planned Unit Development district may be permitted, when approved by the Planning Commission, if the proposed development conforms to and extends the original development as if the new area had been a part of the original development.
- J. ALTERATIONS: No use shall be established or changed or any structure constructed or altered after final approval of the development plan and final plat, by the Planning Commission.
- K. AMENDMENTS: Amendments to plans may be made in accordance with the procedure required by this Ordinance, subject to the same limitations and requirements as those under which such plans were originally approved.
- L. EXPIRATION: In any case when a Planned Unit Development permit has not been used within one (1) year from the date of granting by beginning of construction of the improvements which are the subject of this permit, the permit shall automatically terminate and be of no further effect. However, the Planning Commission may extend this time for additional periods upon written request of the applicant.
- M. APPROVAL: All such development plans and plats shall be reviewed by the Planning Commission and the factual determination approving or rejecting such plans and plats shall be made in accordance with requirements of this or other applicable ordinances and the Comprehensive Plan.

- N. REVOCATION: Any Planned Unit Development permit or portion thereof may be revoked by the same procedures applicable to the revocation of conditional use permits.