

CHAPTER 8. PLANNED UNIT DEVELOPMENT (PUD)

Sec. 9-801. Purpose and objectives.

- (a) *Purpose.* The purpose of planned unit development regulations is to allow mixed use and to encourage and allow more creative and imaginative design of land than is possible under district zoning regulations. Mixed use is a requirement of a planned unit development and at least one of the elements must be residential. Planned unit developments are intended to allow substantial flexibility in planning and designing a proposal. This flexibility often accrues in the form of relief from compliance with conventional zoning ordinance site and design requirements. Ideally, this flexibility results in a development that is better planned, that contains more amenities, and ultimately a development that is more desirable to live in than one produced in accordance with typical zoning ordinances and subdivision control. An intrinsic, and often neglected, premise upon which the approval of the planned unit development (PUD) must be conditioned, is that while more lenient siting requirements may be granted, the planned unit development should contain features not normally required of traditional developments. Inherent to realizing these objectives, is continuous and in-depth scrutiny of the proposed planned unit development as being adhered to. Hence, to enable thorough analysis of a planned unit development, more information is demanded about the proposal than would be required if development were being pursued under conventional zoning requirements.
- (b) *Objectives.* Through proper planning and design, each planned unit development should include features which further, and are in compliance with, the following objectives:
- (1) To allow for the design of developments that are architecturally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning and subdivision control.
 - (2) To encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affective flooding, soil drainage, and other natural ecological conditions.
 - (3) To provide accessible property located for public use and recreational space. (Green space or public use.)
 - (4) To promote the efficient use of land resulting in networks of utilities, streets and other infrastructure features that maximize the allocation of fiscal and natural resources.
 - (5) To enable land development to be completely congruous with adjacent and nearby land developments.
 - (6) To ensure that development occurs at proper locations, away from environmentally sensitive areas, and on land physically suited to construction.
 - (7) To allow unique and unusual land uses to be planned for and located in a manner that ensures harmony with the surrounding community.
 - (8) A method for the permanent preservation of historic building and/or landmarks.
 - (9) Allow for mixed use purpose. Mixed use regulations are governed by the respective use ordinances including those provided under each zoning district classification, including light industrial, residential, commercial, townhouse/condominiums.

(Ord. No. 231, 4-18-00; Ord. No. 308, 8-15-06; Ord. No. 329, 12-18-07)

Sec. 9-802. Standards for planned unit developments.

The planned unit development must meet the following standards:

- (1) *Comprehensive plan.* A comprehensive plan must be developed and approved, showing maximum square footage for each use. Breakdown by percent of total: residential, commercial use, townhouse/condominium, green space (open space) use. A planned unit development shall be mixed use and shall include single family, and commercial uses and may include townhouse/condominium uses.
- (2) *Site and ownership.* The site of the planned unit development must be under single ownership and/or unified control. The size of the planned unit development site shall be at least thirty acres unless 50 percent or more of the development is planned for a commercial use as defined in the zoning ordinance of the Town of Abita Springs. There shall be a minimum of ten percent commercial. This amount may be reduced if it is determined by the commission that the commercial development of ten percent of the planned unit development is not commercially feasible.
- (3) *Compatibility.* The uses permitted in a planned unit development must be of a type and so located as to exercise no undue detrimental influence upon surrounding properties.
- (4) *Need.* Accompanying the recommendation of the Zoning Commission of the Town of Abita Springs to rezone a certain site, as planned unit development shall be a resolution, which states the findings of the commission of the following:
 - (a) The planned unit development proposal provides for the development of the land in a manner which is more beneficial to the Town of Abita Springs had the land been developed under the strict guidelines of the underlying land use classification; or
 - (b) That the configuration, or topography, or other geographical characteristics of the land creates such an undue hardship on the developer of the site so as to apply the strict regulations of the underlying zoning classification would constitute an unfair taking of property without due process of law afforded to the developer.
- (5) *Density.* The net density of a planned unit development (either in dwelling units for residential uses, or in floor area for all other uses) shall generally correspond to the net density regulations imposed by the underlying zoning district.

The net density of the planned unit development is not necessarily required to precisely correspond with the normal net density of the underlying zoning district, but instead should reflect that district's character through complementary building types and architectural design. It is required that a zoning amendment request accompany the planned unit development application if the net density of the proposed development is greater than 2.2 residential units per acre.
- (6) *Space between buildings.* The minimum horizontal distance between the buildings shall be:
 - (a) Ten feet with at least five feet from the respective property line for single family.
 - (b) Fifteen feet between clustered or "zero lot line" single-family detached buildings.
 - (c) Twenty feet between multi-family detached dwellings.
 - (d) Thirty feet between buildings, other than subparagraphs (a), (b), and (c) above.
 - (e) Equal to the height of the taller building in the case of free-standing buildings greater than two and one-half stories in elevation.
- (7) *Yards.* The required yards along the periphery of the planned unit development shall be at least equal in width or depth to that of the adjacent zoning district. Otherwise the minimum lot size shall be 35

feet front x 70 feet. The planning commission may have the discretion to approve 30 feet front lots should the developer provide a greater burden to or amenities for the property than required. Not more than 25% of the lots may be minimum size. The planning commission shall have discretion as to the sizes of the remaining lots. The percentage of lots of each lot size shall be noted on the plan. The minimum side and front setback shall be as follows:

Side: 5 feet.

Corner: 10 feet.

Rear: 10 feet. Unless there is an alley serving the rear of the property then the minimum rear set back shall be 15 feet.

Front: 15 feet.

- (8) *Parking requirements.* Adequate parking shall be provided and shall be in general conformance with the parking regulations provided for in other sections of this chapter unless changes are warranted by the particular characteristics of the proposed planned unit development. Additional parking spaces for guests, customers, the handicapped, recreational vehicles, and other common storage and/or parking uses in the planned unit developments, shall be required by the town council, acting upon the recommendation of the planning commission, if warranted by the particular characteristics of the proposed planned unit development. Parking for the appropriate use is the number of required parking spaces as governed by section 9-211 of this code or its successor. Additional parking spaces shall be required for any swimming pool, park, other recreational amenity or commercial use as set out in the C Commercial District.
- (9) *Traffic.* Adequate provisions shall be made to provide ingress and egress so designed as to minimize both internal and external hazards and congestion. There should be at least two means egress and ingress with at least one above the floodplain. There shall be a minimum of two entrances/exits per development.

The planned unit development shall comply with the ordinances of the Town of Abita Springs, with regards to the grid layout of the streets. There shall be no provisions for a cul-de-sac in the planned unit development. The requirements of conformance to the street grid ordinance of the Town of Abita Springs and the provision against cul-de-sac shall be strictly enforced unless the developer can show an undue hardship by virtue of geographical features, topography or shape of the site to be developed. In creating any variance from the above requirements the planning and zoning commission for the Town of Abita Springs shall adopt a resolution in writing setting out its factual findings to substantiate such a variance.

The Abita Springs Planning and Zoning Commission shall have all authority to require the configuration of streets, which will run to, so as to connect with, the lands of adjacent property owners.

- (10) *Performance standards.* The requirements for the underlying zoning district of the planned unit development shall, in all instances, be complied with.
- (11) *Green space (open space) requirements.* A minimum of 30 percent green space after deduction of the land required for infrastructure to service the development of any planned unit development shall be required. This amount may be reduced to 25% by the planning commission if it is found that the developer has made enhanced contributions or concessions in the planned development. Green space (open space) shall be devoted to active and passive recreational purposes only. Examples of green space include: playgrounds, swimming pools, club houses, golf courses, walking trails, bike trails, tennis courts, picnic areas, and natural green space areas. What is not determined as green space [include]: roads/streets, easements, drainage ditches, parking areas, non-recreational buildings, limited use land. Limited use land shall mean land which is inundated by water for a period of greater than four months

within each calendar year. Two acres of limited land use are required to satisfy one acre of green space (open space).

- (12) *Sidewalks.* Sidewalks are required for each planned unit development as determined by Abita Springs engineers. New sidewalks are required connected to any existing sidewalks in close proximity to the development.
- (13) The regulations of the historic district shall be applicable to properties situated along those corridors as set out in section 9-306 of this Code.
- (14) *Street lighting.* Street lighting shall be required as part of any planned unit development as approved by Abita Springs engineers.
- (15) Fire hydrants shall be no more than 300 feet apart.

(Ord. No. 231, 4-18-00; Ord. No. 308, 8-15-06; Ord. No. 329, 12-18-07; Ord. No. 469, 11-17-2015; Ord. No. 521, 7-20-2021)

Sec. 9-803. Procedure for planned unit development.

The unique character of planned unit development requires their administrative processing as a special use in this chapter. Planned unit developments are more complex and of a significantly different character than other special uses, therefore requiring the establishment herein of specific procedures different than those used to process other special uses. The procedure, standards, objectives and purposes set forth in this chapter, when in conflict with other provisions of this chapter, as they may pertain to the planned unit development, and only planned unit developments, shall be superseding.

A three-step procedure is prescribed for planned unit development.

- (1) *Step 1: pre-application procedure.*
 - (a) *Intent.* The intent of the pre-application process is to obtain a general awareness of the compatibility of the proposed planned unit development with existing and anticipated land uses in the vicinity, and familiarity with the town's planned unit development procedures.
 - (b) *Pre-application conference.* Prior to the filling of an application for approval of a planned unit development, the prospective applicant may request of the planning commission an informal meeting to discuss the development of the proposed planned unit development site in conjunction with its compatibility with existing and anticipated land uses in the vicinity. The pre-application conference is not mandatory nor does it require formal application fee, or filing of a planned unit development plat. However, if requested, said meeting should be a part of a regular scheduled meeting, shall be opened to the public, and included on their agenda in advance of the meeting.
 - (c) *Pre-application document review.* Prior to the filing of an application for approval of a planned unit development, either before, after, or in lieu of the pre-application conference, all prospective applicants shall review copies of the zoning map, and the planned unit development sections of this chapter, which are available for inspection at the town hall. The zoning map shall be reviewed to ascertain whether or not the proposal is likely to be compatible with the existing and anticipated land uses in the vicinity of the proposal.

The planned unit development sections of this chapter shall be reviewed to ensure familiarity with the town's planned unit development procedures.

The applicant shall also review the flow chart and fees which sets out the overall procedure, time line and various requirements of the applicant in the approval process. The flow chart is as follows: [A copy of flow chart can be found in the town offices.]

(2) *Step 2: preliminary plat procedure.*

- (a) *Intent.* It is the intent of the preliminary plat submission to obtain tentative approval from the town for the plans, designs, and programs that the petitioner contemplates compliance with. If the preliminary plat is approved, the petitioner can proceed to the final plat stage with reasonable assurance that the final plat will be approved if substantially in compliance with the preliminary plat. A relatively detailed submission is required to assure the town that the proposed planned unit development substantially conforms to the objectives and standards expressed in this chapter.

Each petitioner for preliminary plat approval should be aware that the objectives and standards for the planned unit development, as expressed in this chapter, must be clearly integrated into the planned unit development submission. Failure to do so will result in disapproval.

- (b) *Procedure.* A request for approval of a preliminary plat as a step in the planned unit development procedure, shall be submitted to the planning and zoning commission, for public hearing, review and recommendation. The required procedure for review of the preliminary plat shall be:

1. Submission of the items required of a preliminary plat petitioner as identified under the "submission requirements" section of this section. Said submission requirements fall into two general categories:
 - a. Submissions of data required at the time application is made for preliminary plat approval;
 - b. Submission of data required at the time of the first public hearing pertaining to the specific preliminary plat.
2. The planning commission shall hold a public hearing on the application for a planned unit development preliminary plat in accord with the procedures established for special uses in this chapter. At the preliminary plat stage precise plans and designs are the subject of scrutiny. The public has the right to witness and voice opinions.
3. Following the public hearing and review of the preliminary plat submission, the planning commission shall within 90 days, unless an extension is requested by the petitioner, recommend approval, modification, or disapproval of the preliminary plat, and the reasons therefore, or indicate why a report and recommendation cannot be rendered to the town council.

In its communication to the town council, the planning commission shall set forth a written report in accordance with the written report section of this chapter, on which the recommendation is based and describing how the preliminary plat meets the standards and objectives stated in this chapter.

4. The town council, after receipt of the preliminary plat from the planning commission, shall approve, modify, or disapprove the plat within 90 days, unless an extension is required by the petitioner. In the case of approval, or approval with modification, the town council shall authorize the planning commission to sign the preliminary plat. If the preliminary plat is the first submission made as part of the planned unit development procedure, the town council shall pass an ordinance for a change in the official town's zoning map indicating that the subject site is approved for a planned unit development and further allowing for any approved zoning amendments, variations, and/or special uses. The petitioner must

submit subsequent final plat data in accordance with the schedule set forth in section 9-806. If same is not done, all map changes authorized by the town council shall revert back to the original zoning designation affixed to the subject property in accordance with same section 9-806. The town council may require such special conditions as it deems necessary to ensure conformance with the objectives and standards established in this chapter. In its deliberations the town officials shall consider the effect the planned unit development shall have on the utility services provided to the citizens of the town.

(3) *Step 3: final plat procedure.*

(a) *Intent.* The purpose of the final plat is to designate with particularity the land subdivided into conventional lots as well as the division of other lands, not so subdivided, into common open space and building sites. The final plat is intended as a document to be recorded. The final plat shows the exact location of facilities, while the preliminary plat shows the general location of the same facilities.

(b) *Procedure.* The final plat shall be submitted as a planned unit development plat and shall conform substantially to the preliminary plat as approved and, if desired by the petitioner, may be submitted in stages with each stage reflecting the approved preliminary plat which is proposed to be recorded and developed; provided, however, that each stage submitted conforms to all requirements of these regulations. The required procedure for approval of a final plat shall be:

1. Submission of the items shall be required of a final plat petitioner as identified under section 9-806. Said submission shall be made to the planning and zoning commission for certification that the final plat is in conformance with the planned unit development regulations and in agreement with the approved preliminary plat.
2. The planning and zoning commission shall review the final plat data after submission and after a public hearing. After review of the final plat, the planning and zoning commission shall, unless an extension is requested by the petitioner, recommend approval or disapproval, and the reasons therefore to the town council.
3. The town council, after receipt of the final plat from the planning commission, shall approve, or disapprove the final plat, unless an extension is requested by the petitioner. In the case of approval, the town council shall authorize the planning and zoning commission to sign the final plat. Permits are issued only after the final planned unit development plat and any required supporting data have been recorded with the parish recorder of deeds, and shall be issued in full conformance with the planned unit development. Proof of the recording of the final plat shall be provided to the building inspector. The construction authorized by the building permit shall be in compliance with the final planned unit development plat, as recorded.

(Ord. No. 231, 4-18-00; Ord. No. 469 , 11-17-2015)

Sec. 9-804. Submission requirements.

(1) *Preliminary plat.*

(a) At the time the application is made for preliminary plan approval, the following items must be submitted to the planning and zoning administrator:

Application. A written application for a planned unit development on forms supplied by the planning and zoning clerk.

Fee. A fee, established by the Town of Abita Springs that is suitable to cover the costs incurred by the town for review of specific proposal. If special planning, engineering, architectural or other consultants must be retained by the town for review of the proposed planned unit development, the petitioner shall be notified, and all costs for said consultants expended by the town, not covered by the filing fee, shall be reimbursed by the petitioner.

Notification list. A list of the names and addresses of owners of all property that is situated within 1,000 feet of the property lines of the subject site. This list shall be current as of the date of submission. People appearing on said list will be sent notice of the public hearing in compliance with statutory requirements. Interested community groups, such as homeowner's associations, may request notification for projects within adjoining areas. Such notification shall also be sent to the St. Tammany Parish School District, the St. Tammany Parish Sheriff, or any other law enforcement agency which is responsible for providing municipal law enforcement, the Eight Fire Protection District of St. Tammany, the Eleventh Recreation District of St. Tammany Parish and those entities which are parties to utility franchise agreements with the Town of Abita Springs. Failure to provide an accurate list of names and addresses of owners of all property within 1,000 feet of the property of the subject site shall be cause for immediate dismissal of planned unit development application as well as forfeiture of all fees and expenses incurred.

Ownership. A statement of present and proposed ownership of all land within the development.

Legal description. A legal description of the subject site.

Taxes. Proof shall be furnished to indicate that there are no delinquent taxes constituting a lien on the whole or any part of the property. Such proof may take the form of paid tax bills to the date of submission of the planned unit development application and a statement from the title insurance company indicating that no liens affect the subject site.

Topography. A topographic map, if possible underlying the plan, at a minimum of one foot contour intervals. (If located in "X" this is not necessary.)

Floodplain. Information from the most current source specified by the town indicating the locations and extent of the regulatory floodplain.

Soils. Information from the most current U.S. Department of Agriculture-Soil Conservation Service Soils Catalog indicating the location and species of soils. If said information is not available, soil boring may be submitted.

Vegetation. Location and extent of existing vegetation.

Drainage. A depiction of existing surface drainage patterns and proposed retention and detention areas.

Utilities. Statements indicating that sanitary sewer, storm sewer, and water are directly available to the site, a statement from a licensed professional engineer indicating that the proposed development can be suitably served by such systems.

If utilities are not directly available to the subject site, but can be made available in a manner consistent with the town's comprehensive plan, prudent engineering principles, and with utility capacity parameters, then utilities must be permitted to be extended to the site. The cost of all infrastructure shall be the responsibility of the petitioner unless otherwise set out in a development agreement. A development agreement between the town and the developer is required. A statement indicating the improvements and projected source of funding for the necessary improvements will be required. The petitioner shall follow all town guidelines and policies with regards to utilities and their installations.

Traffic analysis. A study providing information on the existing road network, and adjunct vehicle volumes, and the effects the proposed planned unit development will have on the existing (or improved) road network.

If traffic or roadway improvements external to the subject site are anticipated as a result of the proposed development, the petitioner shall submit a statement indicating the nature and extent of those contemplated improvements. Included in such statement shall be information pertaining to what portion of the external traffic and roadway improvements made necessary as a result of the planned unit development, if any, the developer will pay for. All internal traffic and roadway improvements associated with the planned unit development shall be paid for by the developer. Analysis will be required by the planning and zoning commission.

Market analysis. Depending upon the types of land uses proposed to be included in a planned unit development, information shall be provided from one or more of the following categories:

- a. Planned unit developments proposed to contain any residential uses shall require submission of at least the following market data:
 1. Details about the proposal pertaining to: housing types, floor area of dwelling, estimated price ranges, number of bedrooms, densities, amenities included, etc.
 2. An evaluation of the historical market pattern for the types of units proposed. Building permits issuance trends and/or surveys of existing recently constructed residential developments shall be used in this evaluation.
 3. Total anticipated demands in the town for the type of units proposed shall be estimated for the immediately subsequent five-year period. The percent of that demand which would be absorbed by the proposed planned unit development shall be identified. Methods used in determining the five-year demand shall be indicated.
- b. Additionally, planned unit developments shall require submission of at least the following market data:
 1. Details about the proposal pertaining to: number of users, floor areas of each use area, bulk of buildings, price or rent ranges, floor area ratio, place of residence of prospective employees, etc.
 2. Trade area which the commercial development is intended to serve.
 3. Location of comparable development within the trade area.
 4. Population and effective per capita buying income of the trade area.
 5. Anticipated sales volume of the commercial development.
- c. Planned unit development proposed to contain any industrial uses shall require submission of at least the following market data:
 1. Details about the proposal pertaining to: number of users, floor area of each use area, bulk of buildings, price or rent ranges, floor area ratio, approximate number of employees, place of residence of prospective employees, etc.
 2. Location of other industrial development within the community.
 3. Market area for anticipated industries.

(2) *Preliminary plat.*

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- (a) At the time the application is made for the preliminary plat approval, the following items must be submitted to the office of the planning and zoning administrator:
1. If the preliminary plat is the first planned unit development submission to be made all items listed in preliminary plan requirements shall be required.
 - a. A notarized letter submitted by the owners or their agent indicating the intent to file a preliminary plat as soon as a public hearing can be scheduled by the planning and zoning commission. Said letter shall serve as a preliminary plat application.
 - b. A preliminary plat filing fee, established by the town council to cover the costs incurred by the town for review of the specific proposal. If special planning, engineering, architectural, or other consultants must be retained by the town for review of the proposed planned unit development, the petitioner shall be so notified, and all costs for said consultants expected by the town - not covered by the filing fee - shall be reimbursed by the petitioner.
 - c. A list of the names and addresses of owners of all property that is situated within 1,000 feet of the property lines of the subject site. This list shall be current as of the date of submission. People appearing on said list will be sent a notice of public hearing in compliance with the statutory requirements.

Failure to provide an accurate list of names and addresses of owners of all property that is situated within 1,000 feet of the property lines of the subject site shall be cause for immediate dismissal of the planned unit development application as well as forfeiture of all fees and expenses incurred.
- (b) At the time of the public hearing on the preliminary plat, ten copies of all subsequent listed information shall be submitted (with the exception of non-reproducible exhibits). Failure to submit any of the required information, without a specific written waiver from the planning and zoning commission, shall constitute grounds for dismissal of the planned unit development petition. Waiver of specific submission elements may be requested of the planning and zoning commission, in writing, at the time the planned unit development preliminary plat application is made. The planning and zoning commission will decide upon the waiver request at its next regularly scheduled meeting; the petitioner will be notified of the decision, and the public hearing will then be scheduled. Specific grounds for waiver must be stated by the petitioner. The preliminary plat submission shall include the following:
1. All items listed in the preliminary plan submission section shall be required to be submitted at the preliminary plat stage.
 2. A drawing of the planned unit development shall be prepared at a scale of not less than one inch = 50 feet unless approved at another scale by the town engineer and shall show such designations as proposed streets (public and private), all buildings and their use, common open space, recreation facilities, parking areas, service areas, and other facilities to indicate the character of the proposed development. The submission may be composed of one or more sheets and drawings must include:
 - a. Boundary lines and dimensions of the subject site.
 - b. Existing and proposed easements - general purpose and width.
 - c. Streets on, adjacent, or proposed for the tract.
 - d. Utility extensions of water lines, sanitary sewers, and storm sewers as per town ordinances.

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- e. Environmental information. Data identifying existing natural and environmental site conditions, including: (if located in "X" zone = N/A) topography, floodplain, soils, vegetation and drainage patterns.
 - f. Land use designations for the subject site.
 - g. Retention and detention areas.
 - h. Residential lots (average lot size and minimum lot size shall be specified).
 - i. General location, purpose and height, in feet or stories, of each building other than single family residences.
 - j. Map data. Name of development, name of site planner, north point, scale, date of preparation.
3. Preliminary architectural plans for all primary buildings shall be submitted in sufficient detail to permit an understanding of the style of the development, the design of the buildings, and the manner, size and type of dwelling units. Also provide a letter from the St. Tammany Parish Sheriff's Office affirming that there are no delinquent taxes on the property.
- (c) At the time of the public hearing, ten copies of all subsequent listed information shall be submitted (with the exception of non-reproducible exhibits). Failure to submit any of the required information, shall constitute grounds for dismissal of the planned unit development petition.
- (3) *Preliminary plan.* A drawing of the planned unit development shall be prepared at a scale that provides for a clear understanding of the way the property is intended to be developed. The plan shall indicate a concept of the development with the refinements to indicate the overall land use pattern, general circulation system, open space or park system, and major features of the development. This section does not require detailed site buildings, walks, etc. The plan should include:
- (a) Boundary lines and dimensions of the site.
 - (b) Existing and proposed easements - general location and purpose.
 - (c) Streets on, adjacent, or proposed for the tract, including all rights-of-way and pavement widths.
 - (d) Land use patterns proposed for the subject site.
 - (e) Map data. Name of development, name of site planner, north point, scale and date of preparation.
 - (f) Site data. A list of pertinent site data, including:
 - 1. Description and quantity of land use.
 - 2. Acreage of site.
 - 3. Number of dwelling units proposed and anticipated population.
 - 4. Area of industrial, commercial, institutional, recreation land uses proposed.
 - 5. Densities of residential areas.
 - 6. Bedroom mixes.
 - (g) Objectives. A statement indicating how the proposed planned unit development corresponds to and complies with objectives for planned unit developments as previously stated in this chapter.
 - (h) Schedule. Development scheduled indicating:

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1. States in which projects will be built with emphases on area, density, use and public facilities such as open spaces to be developed with each stage. Overall design of each stage shall be shown on the plat and through supporting graphic material.
 2. Approximate dates for beginning and completion of each stage.
 3. If different land uses types are to be included within the planned unit development, the schedule must indicate the mix of uses anticipated to be built in each state.
- (i) Environmental information. Date identifying existing natural and environmental site conditions, including floor area of building types and total ground coverage of buildings.
 - (j) Adjacent property information. Topography of property within 500 feet of the subject site, at a minimum of five contour intervals, with natural drainage patterns indicated and with the subject site's topography and drainage patterns depicted. The location, size and invert elevation of adjacent, or the closest sanitary sewer, storm sewer, and water main, as well as documentation of these facilities' points of origin.
 - (k) Community benefit statement. A written statement comparing the relative benefits that will accrue to the community as a result of this site being developed under planned unit development provisions as opposed to conventional zoning. Specific mention should be made of open space, natural features, and architectural design. This statement supplements the "objectives" statement that may be required with the submission of the preliminary plat. The "objectives" statement differs from this statement, in that each of the objectives listed previously must be specifically addressed. In contrast, the "community benefit statement," which accompanies a detailed site plan, provides a developer to define with particularity why his proposal merits approval and how it will serve the community better than a conventional development.
- (4) *Final plat stage.* At the time the final plat is filed with the planning and zoning commission for review and recommendation, the following items must be submitted:
- (a) *Final detailed plan.* A final planned unit development plat, suitable for recording with the St. Tammany Recorder of Deeds, shall be prepared. The purpose of the final plat is to designate with particularity the land subdivided into conventional lots as well as the division of other land, not so treated, into common open areas and building areas. The final plat shall include:
 1. An accurate legal description of the entire area under immediate development within the planned development.
 2. A planned unit development plat of all lands which are a part of the final plat being submitted, and meeting all the requirements for the final plat. If lands which are a subject of the final plat are to be subdivided, than a subdivision plat is also required.
 3. An accurate legal description of each separate unsubdivided use area, including common open space.
 4. Designation of the location of the building pads, or areas, or setback lines standards for all buildings to be constructed.
 5. Certificates, seals, and signatures required for the dedication of lands and recording the document.
 6. Tabulation of separate unsubdivided use area, including land area, number of buildings, number of dwelling units, number of bedrooms, and dwelling units per acre.
 - (b) *Common open space documents.* All common open space shall be either conveyed to a municipal or public corporation, conveyed to a nonprofit corporation or entity established by the developer with

legally binding guarantees, in a form approved by the town attorney, verifying that the common space will permanently be preserved as open space.

- (c) *Final systems plan.* Final systems plan, with all details, shall be submitted, including:
 - 1. Engineering plans showing how the site is to be serviced with sewer and water.
 - 2. Lighting plans.
 - 3. Drainage and storm water retention and detention plans.
 - 4. Road plans, including curbs and gutters, on-site/off-site signalization, acceleration, deceleration lanes, and any other information deemed necessary according to the planning and zoning commission.
 - 5. Sidewalks, paths and cycle trails.
 - 6. Landscaping plans showing the type and location of plant material, berms, and other aesthetics treatments.
 - (d) *Construction plans.* Detailed plans shall be submitted for the design, construction, or installation of site amenities; including buildings, landscaping, lakes and other site improvements.
 - (e) *Construction schedule.* A final construction schedule shall be submitted for that portion of the planned unit development for which approval is being requested.
 - (f) *Guarantee deposit.* A deposit shall be made to the town in cash, or cashier's check equal to 15-percent of the estimated cost of public facility installations. The deposit shall be a guarantee of satisfactory performance of the facilities constructed within the planned unit development and shall be held by the town for a period of 18 months from the date of acceptance of the facilities by the town. After such 18 months, the deposits shall be refunded if no defects have developed, then the balance of such deposit shall be refunded after reimbursement for amounts expended in correcting defective facilities. In lieu of cash or cashier's check a letter of credit or performance bond, approved by the town attorney may be posted as a guarantee deposit.
 - (g) *Delinquent taxes.* A certificate shall be furnished from the St. Tammany Parish Sheriff's Office that no delinquent taxes exist and that all special assessments constituting a lien on the whole or any part of the property of the planned unit development have been paid.
 - (h) *Covenants.* Final agreements, provisions, or covenants which will govern the use, maintenance and continued protection of the planned unit development shall be approved by the town and recorded at the same time as the final planned unit development plat.
- (5) *Submission requirements.* All documents, required by this chapter to be submitted by the applicant, shall be reviewed for recommendations to the town by a person whose qualifications meet the standards of the American Institute of Certified Planners. The fees of such person shall be paid by the applicant.

(Ord. No. 231, 4-18-00; Ord. No. 469 , 11-17-2015; Ord. No. 512 , 1-21-2020)

Sec. 9-805. Changes in the planned unit development.

The planned unit development shall be developed only according to the approved and recorded final plat and all supporting data. The recorded final plat and supporting data together with all recorded amendments shall be binding on the applicants, their successors, grantees, and assigns and shall limit control the use of premises and location of structure in the planned unit development project as set forth therein. Changes to the recorded planned unit development may be as follows:

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- (1) *Major changes.* Changes which alter the concept or intent of the planned unit development including increases in density, changes in the height of buildings, reductions of proposed open space, changes in total bedroom count of more than five percent, changes in road standards, or changes in the final governing agreements, provisions, or covenants, may be approved only by submission and reconsideration of a new preliminary and/or final planned unit development plat and supporting data and following the preliminary or final plat procedure.

If the major change alters data or evidence submitted during the preliminary plan or preliminary plat stage, then the resubmission must begin at the preliminary plat stage. If only final plat evidence or data is altered as a result of the major change, then the resubmission shall begin at the final plat stage.

All changes to the "original" final plat shall be recorded with the clerk of court as well as all amendments to the final plat or reflected in the recording of a new "corrected" final plat.

- (2) *Minor changes.* The town may, in accordance with procedures established in their ordinance, approve minor changes in the planned unit development which do not change the concept or intent of the development. Minor changes shall be any change not defined as a major change.

(Ord. No. 231, 4-18-00; Ord. No. 469 , 11-17-2015)

Sec. 9-806. Revocation and extension.

A planned unit development special use shall become null and void and the subject property shall thereupon be rezoned to its most appropriate district classification, as deemed suitable by the town council acting upon the recommendation of the planning and zoning commission, in any case where said planned unit development has:

- (1) Received preliminary plan approval and where the preliminary plat of said planned unit development, or the first phase of the preliminary plat if construction is to take place in phases, has not been submitted for approval within two years after the date of approval of said preliminary plan.
- (2) Received preliminary plat approval and where the final plat of said planned unit development, or the first phase of the final plat if construction is to take place in phases, has not been submitted for approval within one year after the date of approval of said preliminary plat; or
- (3) Received final plat approval and where the construction of said planned unit development, as authorized by the issuance of a building permit, has not begun within one year after the date of approval of said final plat dealing with such construction.

Further, if construction of a planned unit development falls more than two years behind the building schedule filed with the final plat of said planned unit development, the town council acting upon the recommendation of the planning and zoning commission shall either extend said schedule or initiate action to revoke the planned unit development's special use. In doing so, one year extensions in the building schedule filed with the final plat of a planned unit development may be granted by the town council, acting upon the recommendation of the planning and zoning commission. If the town council so stipulates when acting favorably on a planned unit development, the planning and zoning commission may be delegated the authority of granting such one year extensions in said building schedule of said planned unit development.

(Ord. No. 231, 4-18-00)

Sec. 9-807. Findings of fact.

The planning and zoning commission shall, after a public hearing, set forth to the town council the reasons for the recommendation, and said recommendations shall set forth with particularity what respects the proposal would be in the best interest, including but not limited to findings of fact on the following:

- (1) In what respects the proposed plan is consistent with the stated purpose of the planned unit development regulations and with the objectives stated prior.
- (2) The extent to which the proposed plan meets the standards of the planned unit development regulations as set forth.
- (3) The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, dimension, areas, bulk, and use, and the reasons why such departures are deemed to be in the public interest.
- (4) The method by which the proposed plan makes adequate provisions for public services, provides adequate control over vehicular traffic, provides for and protects designed common open space, and furthers the amenities of light and air, recreation and visual enjoyment.
- (5) The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood.
- (6) The desirability of the proposed plan as regards physical development, tax base and economic well-being of the town.
- (7) The conformity with the town's objectives.

(Ord. No. 231, 4-18-00)

Sec. 9-808. Conditions and guarantees.

Prior to the granting of any planned unit development, the planning and zoning commission may recommend, and the town council may stipulate, such conditions and restrictions upon the establishment, location, design, layout, height, density, construction, maintenance, aesthetics, operation, and other elements of the planned unit development as deemed necessary for the protection of the public interest, improvements of the development, protection of the adjacent area and secure compliance with the standards specified previously. In all cases in which planned unit developments are granted, the town council may require such evidence and guarantees as it may be deemed necessary as proof that the conditions stipulated in connection with the approval of the planned unit development are being, and will be, complied with.

(Ord. No. 231, 4-18-00)

Sec. 9-809. Prohibited uses.

Modular homes are prohibited in the PUD district.

(Ord. No. 323, 8-21-07)

Secs. 9-810—9-900. Reserved.