

SECTION 28 - PD PLANNED DEVELOPMENT DISTRICT

This zoning district is created to be appended to a residential, commercial, or industrial district to provide for the placement and location of more than one building on a lot in an arrangement to permit more feasible, original and better siting of buildings.

28.1 Principal Permitted Uses:

The following principal uses are permitted in the Planned Development District (PD) with the issuance of a special use permit:

28.1.1 Any principal uses permitted in the primary zoning district to which the Planned Development (PD) classification is appended.

28.2 Special Uses Permitted:

The following special uses are permitted in the Planned Development District (PD) with the issuance of a special use permit:

28.2.1 Any special uses permitted in the primary zoning district to which the Planned Development (PD) classification is appended.

28.3 Accessory Uses:

The following accessory uses are permitted in the Planned Development District (PD):

28.3.1 Any accessory uses permitted in the primary zoning district to which the Planned Development (PD) classification is appended.

28.4 Height and Lot Area Requirements: Lot area requirements, height requirements, building setbacks, size of buildings, and density of dwelling units of the primary zoning district to which the Planned Development classification is appended may be amended or reduced provided:

28.4.1 Other conditions, requirements, or amenities are greater than the minimum provided for in these regulations.

28.4.2 The changes in requirements are granted after considering the reasonable intent and purpose of the Sarpy County Zoning Regulations plan as listed in Section 1.5, including, among others, specific purposes such as:

- (A) developing both urban and non-urban areas;
- (B) lessening congestion in the streets or roads;
- (C) reducing the waste of excessive amounts of roads;
- (D) securing safety from fire and similar dangers;
- (E) lessening or avoiding the hazards to persons or damage to property resulting from the accumulation or runoff of storm flood waters;
- (F) providing adequate light and air;
- (G) preventing excessive concentration of population, and excessive scattering of population or settlement;

- (H) promoting such distribution of population, such classification of land uses, and such distribution of land development as will assure adequate provisions for transportation, water flowage, water supply, drainage, sanitation, recreation, soil fertility, food supply, and other public requirements;
- (I) protecting the tax base;
- (J) protecting property against blight and depreciation;
- (K) securing economy in governmental expenditures;
- (L) fostering the state's agriculture, recreation, and other industries;
- (M) encourage the most appropriate use of land in the County; and;
- (N) preserving, protecting and enhancing historic buildings, places, and districts.

28.4.3 The changes or reductions are granted by the County Board of Commissioners after receiving the recommendations of the Planning Commission and the changes substantially meet the following:

- (A) Twenty percent of the total number of lots may be reduced to a minimum lot width of 55 feet.
- (B) Ten percent of the total number of lots may be reduced to a minimum lot width of 50 feet.
- (C) Front yards may be reduced to a minimum of 20 feet where double-car width driveways are provided;
- (D) Side yards, other than street side yards, may be reduced to zero lot line, provided the opposite side yard is increased by the same distance;
- (E) Rear yards may be reduced to a minimum of 15 feet;

28.5 Land Use Intensity or Density Computations:

28.5.1 In an appended residential district, the number of dwelling units that may be permissible on the proposed tract to be developed as a Planned Development District (PD) shall be determined by using the lot area per dwelling unit requirements of the primary zoning district, provided however, that the total lot area of the proposed tract shall be reduced by the areas covered or occupied by existing or proposed buildings, streets, roadways, drives, parking areas, and unusable land areas such as streams, drainage ways, and creeks.

28.6 Area of Tract:

28.6.1 The minimum area of a tract of land to be zoned as an appended Planned Development District (PD) shall be five (5) acres.

28.7 **General Provisions:**

Within the Planned Development District (PD) variations and departures from normal practice may be permitted. Each building need not face a public street and more than one building may be located on a lot.

Buildings may be constructed on platted tracts which are smaller than the minimum lot size requirements where other adjacent permanent open space is provided. Buildings may be served by private roads in lieu of public streets. Buildings may be located closer to lot lines than otherwise permitted, provided such buildings are architecturally suitable for such a relationship to adjoining buildings and property. Any building or portion thereof may be owned as a condominium under applicable state laws governing same. An approved percentage of buildings may be smaller in size than those required in the primary zoning district where their locations on specific lots are designated on the plans.

28.8 **Procedure:**

- 28.8.1 When a property owner or developer intends to develop a tract of land containing at least the minimum area for that primary zoning district and involving more than one establishment, or in the case of a residentially zoned area, more than one dwelling unit, he/she may apply in accordance with Section 43 for re-zoning the property to a Planned Development District (PD). The re-zoning change shall be an amendment to the zoning map as an appendage to the existing primary zoning district. The re-zoning change may also be a request to change the existing primary zoning district to another primary zoning district with the Planned Development District as an appendage.
- 28.8.2 The property owner shall file, together with the re-zoning application, a Site plan and such other drawings or calculations necessary to determine whether the proposed development conforms to the provisions of the primary zoning district to which the Planned Development District is to be appended.
- 28.8.3 The plans and other drawings and calculations shall provide adequate information to show the arrangement of buildings, the number of dwelling units or establishments, building bulk and height, access drives, walks, parking areas, drainage, grading plan, utilities distribution, recreation areas, open spaces, and the general landscape development.
- 28.8.4 The property owners may further be asked to furnish other information, such as typical building floor plans, building elevations to show the general architectural character of the buildings, some indications as to size and type of landscape plant materials, pavements, and other major site improvements.
- 28.8.5 The property owner may be asked to submit the tentative construction time schedule; the tentative financial plan and a description of the intended means of financing any proposed common areas of common improvements; and statements covering ownership and maintenance of common easements or other common areas, such as open space or recreational facilities.
- 28.8.6 These plans and documents, the site plans, drawings, calculations, and other documents shall form the basis for issuance of a building permit in conformity therewith.

28.8.7 Any major change in the development plan which may increase the number of dwelling units or establishments, the number of parking stalls, the size or number of structures, and which is a substantial change from the plans and documents approved by the County Board of Commissioners, in the opinion of the Director of Planning, may require a re-submission for approval of the application for re-zoning. Any minor changes or adjustments or decreasing the number of dwelling units, common facilities and recreation facilities may be approved by the Director of Planning without re-submission.

28.9 **Other Applicable Provisions:**

28.9.1 Off-street parking shall be provided for all uses established in this zoning District.

28.9.2 The entire planned development may be considered as one zoned lot.