

ARTICLE XII

PLANNED UNIT DEVELOPMENT PROVISIONS

12.1 PLANNED UNIT DEVELOPMENTS.

The intent of this section is to provide an opportunity for the best use of land, protection of valuable natural features in the community, provision of larger areas of recreational open space and more economical public services. The purpose of this provision is to encourage the unified development of tracts of land by permitting, within the confines of an overall density limitation, of the zoning district in which it is located, 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. The planned unit development is thus a superimposed designation providing broader latitude of design in land use and development; planned unit developments shall be designed on a minimum acreage site of 7.5 acres. The following classes of planned unit developments are established:

- A. “A” Fixed Dwelling Planned Unit Developments. A group of two (2) or more fixed dwelling structures, together with other permitted uses, on a parcel of ground of adequate size that is suitable for the intended use and in single ownership, with not less than fifty (50) feet of frontage that shall serve as the principal means of access to the property.

- B. “B” Mobile Home Planned Unit Residential Developments. Within the scope of the general purpose of planned developments, the purpose of this class is to recognize the increasing demand for the mobile home development type of residential area, and to provide for the appropriate development of such areas. It is intended to provide locational requirements and development standards which will lead to the development of stable and desirable mobile home parks, compatible with other uses in the vicinity.

Plans may be submitted for any parcel of land suitable for the intended use that is in single ownership and zoned appropriately, for a mobile home planned unit development.

- C. Ownership. In complying with the foregoing classes “A” and “B”, single ownership shall be construed to include the following:
 - 1. A person, partnership or corporation.
 - 2. An association of property owners, legally bound to one another, to carry out the provisions of this section for development and operation of a Planned

Unit Development, likewise legally bound to execute the agreements as provided hereinafter.

3. 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.

12.2 SITE PLAN AND REVIEW PROCESS.

A. A detailed site plan of the proposed planned unit development shall be submitted to the Planning Commission for review.

1. The detailed site plan shall contain maps and written statements including, as a minimum, the following:

a. Maps should include the following information:

1. The topography at one-foot intervals;
2. Proposed land uses and the approximate location of existing and proposed buildings and other structures and uses adjacent to the site;
3. The character and approximate density of the dwellings;
4. The approximate location of all streets and rights-of-way, and walkways, and parking facilities;
5. Public uses including schools, parks, playgrounds and other open spaces;
6. Number of parking spaces;
7. Amount of impervious surface;
8. Drainage plan;
9. Development staging, if appropriate.

b. The written statements shall contain an explanation of:

1. The character of the proposed development and the manner in which it has been designed to take advantage of the planned development concept;

2. The proposed sewage disposal facilities;
 3. Water supply and surface drainage provisions;
 4. Evidence of adequate financial stability to complete the proposed project;
 5. The present ownership of all of the land included within the planned development project;
 6. The method proposed to maintain private common open areas, buildings or other facilities, including copies of all legal documents necessary to accomplish this;
 7. A schedule of development.
- B. The Planning Commission shall hold a public hearing prior to granting preliminary approval to proceed with the planned unit development.
- C. Construction of the planned unit development shall be in conformance with the approved site plan. Any deviation from the approved site plan must be reviewed and approved by the planning commission, which has the authority to require reasonable plan changes as a prerequisite to approval.

12.3 USES PERMITTED.

Uses permitted by right in the planned unit development are those normally necessary to make up a total neighborhood community, specifically including the following:

- A. Residential Uses: Any use permitted by right in the zoning district, which the planned unit development is located.
- B. Commercial Uses: Permitted commercial uses shall be those of retail type and personal service type commercial associated with local neighborhood shopping and high quality office park type development.
- C. Public and Semi-Public Facilities: Community centers, schools, parks and other recreational facilities, churches, clubs, public utilities, libraries and other public buildings and structures required to provide essential public services and any other use which primarily serves the residents of such a development.

12.4 REGULATIONS.

- A. Residential Lot Size: No minimum lot sizes are required so that housing can be clustered or otherwise concentrated or arranged in planned locations on the site to take advantage of its natural features.
- B. Open space Reservation: In any planned unit development the amount of land not used by residential buildings, accessory structures, and yards but required by the residential zoning of the site, shall be served collectively in contiguous units accessible to all the building sites in the development as maintained open space for the purpose of providing parks, recreational facilities, ways for pedestrian movement and circulation, and conserving visually pleasing elements of the environment. Prior to the sale of any lot, site, home or other structure a bond of sufficient surety shall be posted with the Robertsdale City Council for completion of said open space improvements prior to such sale. The open space developed will constitute no less than an equivalent proportional amount to the area being developed in the case of partial development.
- C. Development Density: Commercial uses in any planned unit development district shall not constitute over twenty-five (25) percent of the land area of such development and land area occupied by residential, commercial, public and other buildings and accessory structures shall not exceed forty-five (45) percent of the total land area of such development. Parking areas for commercial facilities are considered a commercial use of land. Be it further provided that commercial development may not be started until the residential development is at least one-fourth (1/4) complete.
- D. Home Association: As part of the plan proposed for any planned unit development, the developer shall submit a set of covenants and other legal documents running with the land providing for an automatic membership home association, to be an incorporated nonprofit organization, operating under recorded land agreements, through which each property owner in the planned unit development is automatically subject to a charge for an appropriate proportionate share of the expenses for maintaining the common property, open space and/or other activities of the association. Once established the covenants shall continue and remain in force during the entire existence of the planned unit development.
- E. Responsibility for Open Space: Nothing in this section of the ordinance shall be construed as a responsibility of the City of Robertsdale, either for maintenance or liability of the following, which shall include but not be limited to: any private open areas, parks, recreational facilities, and a hold harmless clause shall be incorporated in the covenants running with the land to this effect. It shall be provided further, however, that when an owner of a planned unit development desires to dedicate certain land areas to the city for public parks and recreational facilities, and the city approves the nature and location of such lands, and accepts the dedicated areas, then

the city shall be responsible for the operation and maintenance of these lands and properties.

- F. Appearance of Public Utility Facilities: Public utility facilities and structures shall be architecturally compatible, or shall be properly screened and landscaped in keeping with the character and appearance of the neighborhood, all as approved by the Planning Commission.

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