

City of Statham
County of Barrow
State of Georgia

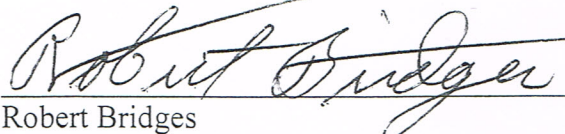
Pud

AN ORDINANCE TO AMEND THE STATHAM ZONING ORDINANCE TO AMEND CHAPTER 2.10, RESERVED; TO CREATE A PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE; TO PROVIDE INTENTS AND PURPOSES; TO PROVIDE TYPES OF PLANNED UNIT DEVELOPMENT DISTRICTS; TO PROVIDE ELIGIBILITY CRITERIA; TO PROVIDE FOR A REVIEW PROCESS; TO PROVIDE SUBMITTAL REQUIREMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.


BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STATHAM, GEORGIA THAT THE STATHAM ZONING ORDINANCE SHALL BE AMENDED AS FOLLOWS:

1. The text of Chapter 2.10, Reserved, is deleted in its entirety and the Planned Unit Development ordinance attached hereto as Exhibit A is inserted in lieu thereof:
2. All ordinances, parts of ordinances, or regulations in conflict with this ordinance are hereby repealed.
3. This ordinance shall become part of the Statham Zoning Ordinance of the City of Statham, Georgia.
4. This ordinance shall be effective immediately upon adoption as provided in Chapter 5.01 of the Zoning Ordinance.

SO ORDAINED THIS 25th DAY OF September, 2012.


Robert Bridges
Mayor

ATTEST:


Susan Gabriel

Susan Gabriel
City Clerk

Approved as to form:

A handwritten signature in black ink, appearing to read 'T. Mitchell', is written over a horizontal line.

Thomas Mitchell, City Attorney

Planned Unit Development Zoning District

Section 2.10.1 Intent and Purpose

The Planned Unit Development (PUD) district is intended to offer design flexibility for projects that further the goals of the City of Statham but may not meet all of the specific regulations of this Ordinance. It is intended to permit quality mixed use projects by allowing flexibility in the normal use, area, and height, bulk, and placement standards of this Ordinance while providing reasonable protection to uses within and near the PUD district.

The submittal requirements and review standards of the PUD Chapters are intended to guide preparation of submittals and serve as the basis for the review by the Planning Director, City Staff, City Council and Mayor. The standards are based on the following objectives:

- A. Encourage innovation and creativity in land use planning and development.
- B. Allow design flexibility that benefits the community and the environment and results in a better overall project than would be permitted under conventional zoning.
- C. Allow flexibility that enables a development to move land uses within the project to respond to current market conditions
- D. Permit the combining and coordinating of land uses, building types, and building relationships within a planned development, which otherwise would not be provided under a conventional zoning district.
- E. Provide for more usable and suitably located recreational facilities, open spaces and scenic areas, either commonly or publicly owned, than would otherwise be provided under a conventional zoning district.
- F. Encourages pedestrian and transportation alternatives.
- G. Provide regulations for land uses that because of their character or size require a specialized review process.

Section 2.10.2 Types of Planned Unit Development District

- A. **Planned Unit Development (PUD):**
General Planned Unit Development district

Section 2.10.3 Eligibility Criteria

Land considered for rezoning to the PUD District must satisfy all of the following requirements:

- A. **Recognizable Benefit:**
The Planned Unit Development must create a greater benefit to the City than a development permitted under the conventional zoning of the property.
- B. **Minimum Required Area:**
 - 1. The site proposed for a planned unit development must contain an area of 20 acres or more unless specifically approved by the City.

ZONING ORDINANCE
2.10 – PLANNED DEVELOPMENT DISTRICT

C. Coordination:

A Planned Unit Development shall be under the control of one owner or unified group of owners and shall be capable of being planned and developed as one integral unit. A Planned Unit Development initiated by the City shall be capable of being developed in a coordinated manner. If a PUD is approved the requirements shall be transferred to all future owners, and any changes shall require approval of both the City and the affected landowner(s) within the PUD.

D. Must meet the review standards as contained in Zoning Ordinance.

Section 2.10.4 Review Process

This Section describes the process to rezone property to a Planned Unit Development (PUD) Zoning District.

PUD Approval Process	
<i>Step 1 – Planning Director and City Staff Review of Conceptual Plan</i>	
Submittal Requirements	Application and fees See Section 2.10.5 “Conceptual Master Plan – Submittal Requirements”
Review Standards	“Section 2.10.1 – Planned Unit Development General Review Standards”
Planning Director and City Staff Action	Review and recommended changes to be made before City Council review. Review shall be made within 15 days of submission
<i>Step 2 – City Council Review of Conceptual Master Plan and Rezoning Request</i>	
City Council Action	The City Council shall review the Conceptual Master Plan and the Planning Director’s recommendation. The City Council shall review the Conceptual Master Plan and the PUD rezoning request according to the standards of review set forth in this ordinance and shall deny, approve, or approve with conditions the rezoning according to these standards following the procedures for rezoning.
Public Hearing	Required.
<i>Step 3 – Review of Phases or Individual Buildings after Rezoning Approval</i>	
Site Plan Review	For each area to be developed within a PUD the owner shall submit a preliminary plat for consideration. These plats will be evaluated based on their conformity to the City’s regulations, and conformity to the master plan and conditions of zoning that were submitted and approved
Planning Director Action	The Planning Director shall review and approve changes to the approved conceptual master plan and/or conditions of zoning.
City Council Action	The City Council shall review and approve significant changes proposed to the approved conceptual master plan and/or conditions of zoning if the following criteria is met: <ul style="list-style-type: none"> • An increase in the total number of individual housing units to be developed greater than 10% of the approved total, accumulated for the life of the development • Non residential square footage increased greater than 10% per land use over the approved total, accumulated for the life of the development • A decrease in the amount of land held as "open" areas • A change in the approved locations of vehicular access points to the site that will affect surrounding traffic flow patterns.
Owners Action	The owner shall provide a revised conceptual master plan as part of the preliminary plat submittal. The revised conceptual master plan shall include updated development summaries and open space percentages to reflect the preliminary plat.

ZONING ORDINANCE
2.10 – PLANNED DEVELOPMENT DISTRICT

Section 2.10.5 Conceptual Master Plan - Submittal Requirements

Applicants must submit the following information for the Planning Director and City Staff review. The Planning Director may request additional information that is found to be reasonably necessary to evaluate the rezoning request. The City Council may also waive any of the requirements, if it finds that information is not necessary to evaluate the rezoning request.

A. **Rezoning Application.** On forms approved by the Planning Department.

B. **Project Narrative.** Must include:

1. A narrative describing:
 - a. The overall objectives of the PUD.
 - b. Proposed uses and accessory uses.
 - c. Proposed setbacks, buffers, and building heights
 - d. List of prohibited uses within the PUD
 - e. Provide the total square footage of non residential uses, total number of residential units, and percentage of open space.
 - f. Proposed method of providing sewer and water service as well as other necessary public and private utilities.
 - g. Proposed method of providing storm drainage.
 - h. Aesthetic design guidelines, Architectural controls and character images for proposed uses.
 - i. Description and proposed location of vehicular and pedestrian access to site.
 - j. Proposed road sections including:
 1. Right-of-way width
 2. Number and size of travel lanes
 3. Median size (if applicable)
 4. Curb type and size
 5. Planting strip location and size
 6. Sidewalk or multi-use trail location and size
 7. On street parking (if applicable)
 8. Proposed cross slopes
 9. Lighting type and location
 10. Utility locations
 - k. Environmentally sensitive areas and open space.
2. Current proof of ownership of land to be rezoned or evidence of a contractual ability to acquire such land.

C. **Conceptual Master Plan.** A conceptual master plan to scale showing:

1. Location and area of the different types of uses.
2. Overall property lines with dimensions.
3. Size, location, and uses of all areas devoted to open space or recreational uses.
4. Access points, streets, parking areas, and other transportation arrangements, including pedestrian, motorized and non-motorized transportation.
5. Existing vegetation, proposed landscaped areas, and buffer strips.
6. Wetlands and bodies of water.
7. Existing topographical contours at a minimum of 2-foot contours.
8. Easements benefiting or encumbering the site.

D. **Developments of Regional Impact:** If the requested project requires DRI review, upon request by the Planning Director, the applicant shall provide the necessary information to submit to the Northeast Georgia Regional Commission.