

## **Division 3-I-8 Planned Unit Development PUD**

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### **3-128 Intent**

The PUD District is intended to permit a comprehensive planned cluster-type development under one ownership or control. This district plan shall show the location of improvements, permit a variety of housing accommodations in an orderly relationship to one another and allow the greatest amount of usable open spaces and the least disturbance to natural features. A planned unit development may include commercial facilities to the extent necessary to serve the needs of the particular PUD.

### **3-129 Permitted Uses**

1. In the Planned Unit Development District PUD, any building erected or land to be used shall be for the following uses:
  1. Single-family dwellings.
  2. Two-family dwellings.
  3. Townhouses or Townhouse complexes.
  4. Apartment buildings or apartment complexes.
  5. Public and semipublic uses, such as schools, churches and libraries.
  6. Professional offices.
  7. Neighborhood commercial uses intended to serve the needs of the residents of the planned unit development. Not more than 5% of the gross area of the PUD project shall be devoted to commercial uses.
  8. Recreational uses, including club houses, golf courses, pools, tennis courts and similar recreational improvements and facilities.
  9. Accessory buildings as permitted by Section 3-114(a)(3) of this article.
  10. Public utilities as prescribed in Section 3-114(a)(4) of this article.
  11. Off-street parking as prescribed in Section 3-180 of this article.
  12. Parking of one commercial vehicle per dwelling unit subject to the following limitations:

1. No garbage, truck, tractor and/or trailer of a tractor-trailer truck, dump truck with a gross weight of 12,000 pounds or more, cement-mixer truck, wrecker with a net weight of 12,000 pounds or more or similar such vehicles or equipment shall be parked on any public street in any residential district.
2. Any commercial vehicle parked in any residential district shall be owned and/or operated only by the occupant of the dwelling unit at which it is parked.

### **3-130 Permitted Accessory Uses (Reserved)**

### **3-131 Special Uses**

1. The following uses are permitted when authorized by the Town Council of Bowling Green after a recommendation from the Planning Commission:
  1. Day-care center.
  2. Minor Event Facilities.

### **HISTORY**

*Amended by Ord. O-2018-002 on 3/1/2018*

### **3-132 Specifications And Requirements**

1. Area.
  1. The minimum permitted size for any PUD District shall be five contiguous acres. Additional land may be added to an existing PUD if it is adjacent (except for public roads) thereto and forms a logical addition to the existing PUD and is under the same ownership or control.
  2. The procedure for an addition shall be the same as if an original application were filed.
2. Density. The permitted density for dwelling units in a PUD District shall not be more than 10 units per gross acre.
3. Required open space.
  1. Open space shall comprise at least 50% of the total gross area of the PUD development.
  2. "Open space" shall be defined, for the purpose of this article, as any area not covered by buildings, parking structures or accessory structures (except recreational structures) and as land which is accessible and available to all occupants of dwelling units for whose use the space is intended. Said open space shall not include proposed street rights-of-way, open parking areas and driveways

for dwellings, side yards between buildings nor yards located between buildings and parking lots.

3. All open space, including public recreational facilities, shall be specifically included in the development schedule and be constructed and fully improved by the developer at a rate equivalent to or greater than the construction of residential structures.
4. Management of open space.
  1. All open space shall be preserved for its intended purpose as expressed in the final site plan.
  2. The developer shall establish a nonprofit association, corporation, trust or foundation of all individuals or corporations owning residential property within the planned development to ensure the maintenance of open space.
  3. When the development is administered to open space through an association, nonprofit corporation, trust or foundation, said organization shall conform to the following requirements:
    1. The developer must establish the organization prior to the sale of any lots.
    2. Membership in the organization shall be mandatory for all residential property owners, present or future, within the planned community, and said organization shall not discriminate in its members or shareholders.
    3. The organization shall manage all open space and recreational and cultural facilities; shall provide for the maintenance, administration and operation of said land improvements and any other land within the planned community; and shall secure adequate liability insurance on the land.
    4. The organization shall conform to the Condominium Act, § 55-79.86 et seq. of the Annotated Code, as amended.
5. Height. The maximum height of any building or structure in a PUD District shall be 35 feet, subject to the provisions of this article and subject to approval of the Town Council.
6. Streets. Private streets shall not be permitted in a PUD development.
7. Utilities. Within a PUD development, all utilities, including telephone cable and electrical systems, shall be installed underground. Appurtenances to these systems which require aboveground installations must be effectively screened and, thereby, may be exempted from this requirement.
8. Site plans required. Before a zoning permit shall be issued or construction begun on any permitted use in this district, detailed site plans indicating compliance with the substantive provisions of Article I, Division 14 of this chapter shall be submitted to the Zoning Administrator for study. Modifications of the plans may be required.