

PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT (PUD) 500-9.1

(1) Purpose Planned Unit Developments are intended to provide for greater flexibility in design and to provide for a combination of uses in a manner compatible to each and to the surrounding environment. A Planned Unit Development (PUD) is any development to be constructed or maintained by a single owner or group of owners acting through a corporation located on a single tract, planned as an entity and, therefore, acceptable for development and regulations as one (1) land unit. Planned Unit Developments are established to encourage and promote improved environmental design in the Village of Campbellsport by allowing for greater freedom, imagination and flexibility in the development of land while at the same time maintaining insofar as possible the land use density and other standards or use requirements as set forth in the underlying basic zoning district. The (PUD) concept allows diversification and variation in the relationship of uses, structures, open spaces and heights of structures in developments conceived and implemented as comprehensive and economic development in regard to public services and encourage and facilitate preservation of open land.

(2) Permitted Use: Any use permitted in the underlying basic zoning district (RS, RN, RM, C, I or AG) or other applicable overlay zoning district.

(3) Permitted Accessory Uses: Any use permitted in the underlying basic zoning district (RS, RN, RM, C, I or AG) or other applicable overlay zoning district.

(4) Conditional Uses Any use permitted in the underlying basic zoning district (RS, RN, RM, C, I or AG) or other applicable overlay zoning district.

(5) Minimum Area Requirements Areas designated as (PUD) Planned Unit Development Overlay Districts shall be constructed by single or corporate ownership or control and shall contain a minimum development area of: Principal Uses Minimum Area of PUD Residential PUD one acre (1) acre Commercial PUD one (1) acres Manufacturing PUD five (5) acres.

(6) Density Requirements The district area, width and yard requirements of the underlying basic use district may be modified; however, the average density in the district shall not exceed the number of dwelling units that would have been permitted if the (PUD) Planned Unit Development Overlay District regulations had not been utilized, unless a variance is granted by the Village of Campbellsport Board of Appeals and does not exceed twice the density otherwise allowed in the underlying district.

(7) Lot Area and Width

(a) Individual lots sizes required by the underlying basic use district may be modified in order to make use of special topographic features of the site or to provide common

open space area. No individual lot shall provide an area less than two-thirds (2/3) the area required in the underlying basic use district.

(b) Individual lot widths required by the underlying basic use district may be modified; however, no lot shall be less than two-thirds (2/3) the width required in the underlying basic use district.

(8) Building Height

(a) Buildings in a (PUD) Planned Unit Development Overlay District shall not exceed the height permitted in the underlying basic use district.

(9) Setback and Yards

(a) Setbacks in (PUD) Planned Unit Development Overlay Districts shall be a minimum of twenty-five (25) feet from any street right-of-way.

(b) No principal structures in planned unit developments shall be located closer than fifteen (15) feet to another structure. There shall be a side yard not less than fifteen (15) feet in width every one-hundred twenty (120) feet for a row house.

(c) Structures in planned residential development structures shall have a rear yard of not less than twenty-five (25) feet.

(10) Procedure

(a) Pre-application conference.

(i) Before submitting an application for a PUD, an applicant shall meet with the Planning Commission and the Village to discuss the scope and proposed nature of the contemplated development.

(ii) The purpose of the pre-application conference shall be to familiarize both the applicant and the Planning Commission with each other's intentions with respect to the PUD before the applicant enters into binding commitments or incurs substantial expense.

(iii) At the pre-application conference, the Planning Commission shall familiarize the applicant with the PUD process and explain to the applicant issues that should be considered in planning the project. The applicant shall inform the Planning Commission of his development concept through general outlines and sketch plans. Any statement made by either the Planning Commission or the applicant concerning potential disposition of a PUD application or the final form of the development shall not be legally binding.

(iv) Implementation Schedule. The proponents of a Planned Unit Development shall submit a reasonable schedule for the implementation of the development to the satisfaction of the Planning Commission, including suitable provisions for assurance that each phase could be brought to completion in a manner which would not result in adverse effects upon the community as a result of termination at that point.

(b) Zoning Procedure. The procedure for zoning a PUD shall be the same as required for a zoning change/amendment, except that in addition the zoning may only be considered in conjunction with a specific development plan. The applicant shall file with the Planning Commission a specific development plan which shall include the following information.

(i) Statement of development concept, including the planning objectives and the character of the development to be achieved through the PUD.

(ii) An accurate map of the project area, including its relationship to surrounding properties and existing topography and key features.

(iii) The pattern of proposed land use including shape, size and arrangement of proposed use areas, density and environmental character (single-family, multiple-family, commercial, public, etc.).

(iv) The pattern of public and private streets. (v) The location, size and character of recreational and open space areas reserved or dedicated for public uses such as recreational areas and common open space areas.

(vi) Preliminary engineering plans, including site grading, street improvements, drainage, public utility extensions and landscaping plans.

(vii) Preliminary building plans, including floor plans and exterior designs or elevations.

(viii) Development schedule indicating the appropriate date when construction of the PUD can be expected to begin and be completed, including initiation and completion dates of separate stages of a phased development.

(ix) General outline of intended organizational structure related to property owners' association, deed restrictions and private provision of common services.

(x) Statement of financing plan, including projected sources and amounts of funds.

(xi). Statement of intentions regarding the future selling or leasing of all or portions of the PUD, such as land areas, dwelling units and public facilities.

(xii) A general summary of the estimated value of structures and site improvement costs, including landscaping and special features.

(xiii) Any proposed departures from the standards of development as set forth in the Village zoning regulations, land division ordinance, sign ordinance, other Village regulations or administrative rules, or other standard guidelines.

(xiv) Said plan shall include all data required for land division pre-application by Chapter 420 titled "Subdivision of Land," of the Village of Campbellsport Code of Ordinances.

(xv) Any additional information as required by the Planning Commission necessary to evaluate the character and impact of the proposed PUD.

(xvi) The application shall be accompanied by the appropriate fee to defray the cost of giving notice, investigation and other administrative processing.

(xvii) Enter into a Developer's Agreement

(11) Referral and Public Hearing

(a) After completion of the filing of the petition for approval of a specific development plan, the Planning Commission shall forward the petition to the Village Board with a recommendation that the plan be approved as submitted, approved with modifications or disapproved.

(b) After receipt of the Planning Commission's recommendations, the Village Board shall determine whether or not to initiate a proposed zoning change to permit the proposed PUD and to schedule the required public hearing.

(c) Approval of the rezoning and related specific development plan shall establish the basic right of use for the area in conformity with the plan as approved, which shall be recorded as an integral component of the district regulations, but such plan shall be conditioned upon approval of a final implementation schedule and shall not make permissible any of the uses as proposed until a final implementation schedule is submitted and approved for all or a portion of the specific development plan.

(12) Criteria for Approval. Approval of the specific development plan shall be granted only upon determination by the Planning Commission and Village Board that the specific development plan:

- (a) Conforms with the development controls set forth in this chapter.
- (b) Provides benefits to the Village which outweigh its adverse effects; in making this determination, the Planning Commission and Village Board shall consider the following:
 - 1. Quality of site design, including integration of a variety of land uses, building types and densities, preservation of natural features; compatibility with adjacent land uses; provision and type of open space; provision of other amenities designed to benefit the general public.
 - 2. Traffic flow and safety.
 - 3. Adequacy of utilities and other public works.
 - 4. Impact on existing public facilities within the Village.
 - 5. Potential fiscal impact.

(13) Abandonment of Project. In the event that Planning Commission approval is granted but prior to final approval the applicant or developer elects to abandon said development plan and notifies the Commission in writing, the approval shall be deemed to be revoked. In the event that Village Board approval of a specific development plan is granted, but prior to approval of a final implementation schedule, the applicant or developer elects to abandon said development plan, the approval shall be deemed to be revoked. All areas within the development plan shall be controlled by the zoning and subdivision regulations applicable before the development plan and rezoning was approved, and the revocation of approval shall be noted on the Zoning District Map and in the records of the Planning Commission and Village Board.

(14) Final Implementation Schedule.

(a) In the event the specific development plan and the rezoning are granted approval, with or without conditions, the applicant shall submit a final implementation schedule or a final implementation schedule of that segment to be developed to the Village Board within one (1) year from the date of approval. In the case of a phased development, the time period between submitting for final approval of each phase shall be determined by the Village Board at this time.

(b) At the time that the final implementation schedule is submitted, the developer shall submit a final specific development plan consisting of final versions of all statements and graphics presented in the specific development plan as required in Subsection (12) and containing any revisions which were required by the Village Board at the time of tentative approval of the specific development plan. The final specific development plan

and any related materials shall be a proposed planned unit development and shall be suitable for recording with the Fond du Lac County Register of Deeds.

(c) Following a review of the final implementation schedule and final specific development plan, the Village Board shall approve as submitted, approve with modifications or disapprove.

(15) Recording of Final Specific Development Plan and Amendment of Zoning District Map.

(a) A final specific development plan, or any part thereof which has received final approval shall be so certified by the Village Board and filed by the applicant or developer with the Fond du Lac County Register of Deeds. Evidence of such recording shall be provided to the Village Board in the form of one (1) true and correct reproducible copy of the plan as recorded. No development shall proceed until such time as the final specific development plan has been placed on record. Upon the recording of the final specific development plan, the Zoning District Map shall be amended to designate the area covered by the recorded final specific development plan as a "Planned Unit Development District."

(b) Following such action by the Village Board, the zoning and subdivision regulations otherwise applicable to the land included in such final specific development plan shall cease to apply thereto and the recorded final specific development plan shall govern.

(16) Zoning Administration – Permits.

(a) The Building Inspector may issue permits for site or building construction for that part of the final specific development plan that has been approved in the area covered by the approved final implementation schedule for work in conformity with the final specific development plan and with all other applicable ordinances and regulations.

(b) However, the Building Inspector shall not issue an occupancy permit for any building or structure shown on the final specific development plan of any stage of the planned unit development unless the open space and public facilities allocated to that stage of the final implementation schedule have been conveyed to the proper authorities. He shall issue a certificate of occupancy for any completed building or structure located in an area covered by the approved final implementation schedule if the completed building or structure conforms to the requirements of the approved final specific development plan and all other applicable regulations and ordinances.

(17) Enforcement.

(a) The developer shall begin construction of the (PUD) within twelve (12) months of the date of the recording of the final specific development plan. The Village Board may grant in writing an extension of this time period of up to twelve (12) months upon demonstration of good cause by the developer. If the developer fails to commence construction of the (PUD) within the specified time, the Village Board shall proceed with actions as specified in Subsection (c) below.

(b) If the (PUD) is to be developed in stages, then the developer must begin the construction of each stage within the time limits specified in the final implementation schedule. Construction in each phase shall include all the elements of that phase specified in the final specific development plan.

(c) The Village Board, or its designee, shall periodically monitor the construction of the PUD with respect to start of construction and development phasing. If the Village Board or its designee, finds that either the developer has failed to begin development within the specified time period or that the developer is not proceeding in accordance with the approved development phasing with respect to either timing or construction of an approved mix of project elements, then the Village Board shall give written notice to the developer to appear before the Village Board within thirty (30) days to report on the status of the PUD. Upon review of the PUD, the Village Board may extend the time for start of construction or the length of time needed to complete a phase, recommend that the developer amend the final implementation schedule subject to the procedures specified in Subsection (18) below or terminate the project and repeal the zone change. When the Village Board deems it necessary to terminate the project and repeal the zone change, it shall repeal the zoning change subject to the procedures in 16.27. At the time of such zoning change, existing completed or partially completed structures and Updated July 2015 uses thereon that do not conform to the regulations for the district in which located shall be deemed nonconforming as defined by this Chapter.

(18) Amendments to Final Specific Development Plan

(a) After approval of the final specific development plan by the Village Board, the developer may seek amendments to the plan as recorded, only if related to difficulties encountered in constructing the PUD which could not have been reasonably foreseen.

(b) Minor changes in the location, siting and height of buildings and structures may be authorized by the Village Board without additional public hearings if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by this Subsection may cause any of the following:

1. A change in the use of character of the development.

2. An increase in overall coverage of structures.
3. An increase in the intensity and density of use.
4. An increase in the problems of traffic circulation and public utilities.
5. A reduction in approved open space.
6. A reduction of off-street parking and loading space.
7. A reduction in required pavement widths.

(c) All requested amendments to the final plan shall include notification to neighbors. If a public hearing is required per Section 500.9-.1 (11), notification shall be in accordance with the public hearing procedure. If a hearing is not required, neighbors shall be notified by mail two weeks prior to the meeting at which the Planning Commission will make their recommendation. The post mark of the letter will determine the two-week time frame.

(d) All changes in use, or rearrangement of lots, blocks and building tracts, or any changes in the provision of common open spaces and changes other than listed above must be made by the Village Board after review and recommendation by the Planning Commission subject to the procedures specified in Subsection 500-9.1 (11). Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the final specific development plan was approved or by changes in community policy. Any changes which are approved in the final plan must be recorded as amendments in accordance with the procedure established for the recording of the initial final plan documents.

Village Board Approval: Date _____ AYE: _____ NAY: _____

Thomas Dornbrook, Village President

Angel Rettler, Village Clerk-Treasurer