

AN ORDINANCE AMENDING SECTION 405.285 OF THE MUNICIPAL CODE OF THE CITY OF WARRENTON, MISSOURI, PERTAINING TO "PLANNED UNIT DEVELOPMENTS"

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARRENTON, MISSOURI, AS FOLLOWS:

SECTION I. Section 405.285, "Planned Unit Development" of the Municipal Code of the City of Warrenton, Missouri is hereby deleted in its entirety and a new Section 405.285 shall be inserted to read as follows:

Section 405.285 ⁵ *Planned Unit Development*
~~Individual Lot Multi-Family Development~~

- A. The planned unit development is intended to provide for developments incorporating a single type or a variety of related uses which are planned and developed as a unit on a parcel of land at least three (3) acres in size. The detailed standards set forth herein are minimum requirements, and it is the intent of this Section that the City of Warrenton may impose conditions and safeguards in excess or, in addition to, the specific minimal requirements. Satisfying the minimum standards set forth herein does not per se indicate that an application is entitled to an approval and notice is hereby given to that effect. The standards for development may be modified if it is demonstrated that said modification is consistent with the Comprehensive Plan and it is found that no detriment to the public health, safety and welfare will be created and while safeguarding the present &/or future use and development of areas surrounding the proposed Planned Unit Development.

- B. The purpose of the planned unit development is to permit:
 - 1. A maximum choice in the types of enforcement available to the public by allowing a development that would not be possible under the strict application of the other Sections of this Chapter.
 - 2. Permanent preservation of common open space and recreation areas and facilities.
 - 3. A pattern of development to preserve natural vegetation, topographic and geologic features.
 - 4. A creative approach to the use of land and related physical facilities that results in better development and design and the construction of aesthetic amenities.
 - 5. An efficient use of the land resulting in more economic networks of utilities, streets, schools, public grounds and buildings and other facilities.
 - 6. A land use which promotes the public health, safety, comfort, morals and welfare.
 - 7. Innovations in residential, commercial and industrial development so that growing demands of the population may be met by greater variety in type, design and layout of buildings and by the conservation and more efficient use of open space ancillary to said buildings.

8. Residential, non-residential or a combined residential/non-residential development.

- C. After review and report by the Planning and Zoning Commission, the Board of Aldermen may approve a PUD of less area than specified above if it finds that the land has unique historical character, topography, landscape features or is an isolated problem area which justifies the application for a smaller area.

Application for a planned unit development shall be made in accordance with subdivision regulations. The minimum lot and yard requirements and maximum height requirements of the zoning district in which the development is located shall apply, however, the Board of Aldermen may increase &/or decrease any minimum requirement on a site specific, case by case basis.

In addition to requirements of the subdivision regulations, the following information should be submitted with the preliminary plat &/or site plan for a planned unit development:

1. Statement of the proposed use of lots stating type of residential building with number of proposed dwelling units, type of commercial use, so as to reveal the effect of the development on traffic, fire hazards or congestion of population; general location, purpose and height of each building.
2. Internal use of each building or structure, as well as the specific overall land use of the premises including all common ground &/or common site amenities.
3. Character. Explanation of the character of the planned development and the reasons which it has been planned to take advantage of the flexibility of these regulations.
4. Ownership. Statement of present and proposed ownership of all land within the project. This should include management and use of all open space.
 - a. The Planned Unit Development shall be constructed upon one (1) lot.
 - b. The applicant must submit a detailed "Plan of Ownership", including how it will be maintained over the life of ownership. The "Plan of Ownership" must be part of the site specific, conditional use permit.
 - c. It shall be required that any transfer of ownership or lease of the property within the Planned Unit Development include in the transfer of ownership or lease agreement a provision stating the purchaser or lessee agrees to be bound by the conditions of the ordinance authorizing the Planned Unit Development.
 - d. The applicant must submit a detailed "Plan of Maintenance" for all common ground &/or common site amenities. To insure proper maintenance of all common ground &/or common site amenities, the Board of Alderman may require the applicant to provide a surety bond of evidence of an escrow account or an irrevocable letter of credit with the City Finance Officer to cover the estimated cost of maintenance for the common ground &/or common site amenities. The "Plan of Maintenance" must be part of the site specific, conditional use permit. Common ground &/or common site amenities shall be used for the collective

enjoyment of the occupants of the development or for the general public if so dedicated. Common ground &/or common site amenities shall be distributed equally throughout the development as practicable and be highly accessible to the dwelling units it is intended to serve and shall not be isolated to areas of unusable land.

5. Schedule. Development schedule indicating:
 - a. Stages in which the project will be built with emphasis on area, density, use and public facilities such as open space to be developed with each stage. Overall design of each stage should be shown on the plat &/or site plan and through supporting graphic material. If construction of the development is to occur in stages, then common ground &/or common site amenities should be developed in reasonable proportion to the number of dwelling units intended to be developed and to be served during any given stage of construction as approved on the final plat &/or site plan by the Board of Aldermen.
 - b. Approximate dates for beginning and completion of each stage.
 - c. Each phase of the proposed Planned Unit Development shall not be dependent upon completion of subsequent phases of the same development for facilities and services.
6. Covenants and restrictions. Proposed agreements, provisions of covenants which will govern the use, maintenance and continued protection of the planned development and any of its common open space.
 - a. The covenants and restrictions are to be approved by the City Attorney.
 - b. The covenants and restrictions should include all site specific, site plan &/or conditional use permit requirements.
 - c. The covenants and restrictions must be recorded with the final plat &/or site plan.
7. Density. Information on the density of the residential uses, including dwelling units per acre, the number of dwelling units by type and the number of buildings by type.
8. Non-residential use. Information on the type and amount of ancillary and non-residential uses within the Planned Unit Development, including the amount of open space.
9. Service facilities. Provide information on all service facilities and off-street parking facilities.
10. Architectural plans. Preliminary architectural plans for all primary buildings should be submitted in sufficient detail to permit an understanding of the style of the development, the design of the building and the number, size and type of dwelling units.
11. Landscaping. Including, but not limited to, landscaping for all open space areas, plazas and buffering from adjacent activities or uses where necessary. Additional buffering,

landscaping and screening may be required on a site specific, case by case basis to limit the impact upon adjoining properties.

12. Miscellaneous. Such additional documents as may be required by the Planning and Zoning Commission &/or Board of Aldermen.

- a. In review of the Planned Unit Development plan for approval, the Planning and Zoning Commission &/or the Board of Aldermen may elect to utilize qualified technical personnel or professional consultants to provide traffic impact analysis, stormwater and erosion control analysis &/or address any site specific concern. The cost of such professional assistance shall be borne by the applicant.
- b. To insure completion of the common ground &/or common site amenities, the Board of Alderman shall require the applicant to file a surety bond of evidence of an escrow account or an irrevocable letter of credit with the City Finance Officer to ensure the actual construction of such improvements according to the plans and specifications approved by the Board of Aldermen. All common ground &/or common site amenities must be completed within one (1) year of the start of the specific phase in which they are included. The time limit as set above may be extended upon approval by the Board of Aldermen.

SECTION II. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION III. Except as herein amended the above sections shall remain in full force and effect.

SECTION IV. This Ordinance shall take effect and be in full force from and after the passage and approval thereof.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 3rd day of May, 2016.




President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 3rd day of May, 2016.



Mayor

ATTEST:



City Clerk