

ARTICLE VI (C)

Section 1. "PUD" Planned Unit Development District

- A. Intent and Purpose of District:** To further the public health, safety, and welfare in an urbanizing area developing housing of all types and designs, commercial, industrial and recreational, but must be in harmony and compatible with the different uses in the district and surrounding area.
- B. District Regulations:** In district "PUD", no building shall be used and no or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the uses listed in Section D.
- C. Definitions:** For the purpose of this Ordinance, certain words and terms used shall be defined as follows:
1. **Common Open Space:** A parcel or parcels of land or an area of water or combination of land and water within the site designated for a Planned Unit Development, designed and intended for the use of residents and owners of the Planned Unit Development.
 2. **Development Plan:** A development plan is the total site plan drawn in conformance with the requirements of this Ordinance.
 - a. **Preliminary Development Plan:** A plan prepared at a scale not smaller than one inch equals one hundred feet (1"=100'), showing areas of different density, the internal relationships between land uses and open space, the relationship of the proposed development to adjacent land, the street system, off-street parking and the proposed development phases.
 - b. **Final Development Plan:** A plan proposed at a scale not smaller than one inch equals one hundred feet (1"=100'). The final development plan shall contain all the requirements of the preliminary plan, plus additional information that is outlined in this Article. The final development plan shall meet Planning Commission & City Commission approval before development may commence.
 - c. **Development Schedule:** A development schedule is a comprehensive statement showing the type and extent of development to be completed, the order in which the development will be completed, and the time limit for each portion of the development. A development schedule shall contain an exact description of the improvements to be developed at the end of each specified time period.
 - d. **Planned Unit Development** is an area of land developed as a simple entity, or in approved stages in conformity with a final development plan by a developer or group of developers acting jointly which is planned to provide a use or a variety of residential and other compatible uses with common open space.

D. Use Regulations:

1. All residential uses as defined in other sections of this Ordinance.
2. General Non-Residential Uses: Non-residential uses of a religious, public, or semi-public, cultural, recreational, commercial or industrial character. Non-residential uses shall be compatible with adjacent land uses and shall be in compliance with the comprehensive plan.

E. General Requirements:

1. A Planned Unit Development shall not be less than one (1) acre size.
2. An applicant for a "PUD" zoning district must satisfy the Planning Commission that they have the ability to carry out the proposed plan and shall prepare and submit a schedule for the improvements and construction. The proposed improvements and construction must begin within eighteen (18) months after the development plan is approved by the Governing Body of the City of Liberal.
3. The applicant for a "PUD" zoning district shall submit a preliminary development plan showing the following:
 - a. The location and size of the site.
 - b. The density of land use to be allocated to parts of the site to be developed.
 - c. The location of any common open space and the agency proposed to own and maintain the common open space.
 - d. The proposed covenants, grants of all easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures within the development.
 - e. Location of vehicle parking, access drives, and streets, alleys, and other public ways.
4. In addition to the preliminary development plan, a plat of the land meeting all the requirements of the Subdivision Regulations of the City of Liberal shall be filed and recorded in the Register of Deeds.
5. The preliminary plan shall include a development schedule containing the following information:
 - a. The date and order of construction of each phase including all common open space and complimentary building and improvements.

F. Public Hearings and Preliminary Development Plan Submitted:

1. A public hearing conforming with the amendments section of this Ordinance must be conducted prior to the approval of a preliminary plan.
2. The fee for a preliminary plan is \$100.00 plus \$2.00 per lot and shall be paid at the time the preliminary plan is submitted.

G. Final Development Plan

1. The final development plan shall be submitted to the secretary of the Planning Commission a minimum of thirty (30) days prior to the regularly scheduled Planning Commission meeting.
2. The final development plan shall include drawings, specifications, covenants, easements, and conditions as set forth in the approval of the preliminary development plan.
3. The final plan may be for all or any part of the approved preliminary plan.

H. Standards for Development: All Planned Unit Development Districts shall conform to the following minimum standards.

1. All common open space as well as public and recreational facilities shall be included in the development schedule and be constructed and completed by the developer at the same rate as the completion of residential structures.
2. If the developer elects to administer common open space through an association or non-profit corporation, said organization shall conform to the following requirements.
 - a. The agreement will be established with the non-profit corporation or other organization prior to the sale of any lots.
 - b. If the association or organization shall at any time fail to maintain the open space, the City will serve a written notice that the property is not being maintained in a reasonable manner. The written notice shall include a description of the deficiencies. If the deficiencies are not corrected within fifteen (15) days, the City will have the right to enter the property and correct deficiencies as required to bring the property into compliance with the agreement and the City Environmental Code, and all costs incurred by the City for maintenance of the property will be assessed equally against all lots in the Planned Unit Development and shall become a tax lien on said properties.

I. Building Arrangement: The size and location of all structures as shown on the final development plan will not be changed without approval of the Planning Commission. There is no minimum lot size, no maximum percentage or lot coverage, and no minimum lot width except as may be determined by the Planning Commission during review of the development plan. All single-family dwellings shall have access to a public street, court, walkway, or other area dedicated for the use of the occupants within the Final Development Plan or the public. No addition or alteration may be made to any structure within the development unless reviewed and approved by the Planning Commission.

