

Chapter 522 Planned Unit Development Review Standards

522.01 Purpose

The purpose of this Chapter is to set forth review standards and a review process for proposed planned unit developments in Rice County.

522.02 Scope

Planned unit development review is required for the following proposed developments:

- A. Developments proposed under the planned unit development option for GDS, RDS, and NES Shoreland districts in Chapter 517
- B. Village extensions under Chapter 513
- C. Developments involving shoreland density transfers under Chapter 520
- D. Golf course cluster developments under Chapter 521

522.03 Additional Design and Development Standards Apply

This Chapter sets forth review standards that are in addition to the specific design and development standards contained in Chapter 517 for shoreland planned unit developments, in Chapter 520 for major density transfers and shoreland density transfers, and in Chapter 521 for major cluster developments.

522.04 Review Process Overview

The review process for a proposed planned unit development shall consist of the following steps that are detailed in sections below:

- A. A pre-application meeting
- B. Submission and review of a preliminary development plan
- C. Submission and review of a preliminary plat and final development plan
- D. Submission and review of a final plat

522.05 Pre-application Meeting

Before a planned unit development application will be accepted, a pre-application meeting between the applicant and the Zoning Administrator is required to discuss:

- A. The application and review process
- B. Applicable design and development standards
- C. Conceptual plans for mix of uses and locations of structures and roads
- D. Plans for providing drinking water and sewage and wastewater treatment
- E. Plans for stormwater management and erosion control
- F. Any proposed common ownership plans for land and structures
- G. Recommendation that the applicant meet with neighbors and lake associations if applicable

522.06 Preliminary Development Plan Information Requirements

After the mandatory pre-application meeting, an applicant proposing a planned unit development shall submit a preliminary development plan. The preliminary development plan is reviewed by the Planning Commission to determine if the proposed planned unit development will meet the provisions of this Ordinance. The applicant shall submit a preliminary development plan meeting the following requirements:

- A. The preliminary development plan shall be prepared at a scale of not less than one inch =200 feet

- B. Twenty (20) copies of the preliminary development plan shall be submitted to the Zoning Administrator
- C. The preliminary development plan shall show adjacent uses
- D. The preliminary development plan shall show streams, lakes and wetland locations
- E. The preliminary development plan shall generally describe existing vegetation
- F. The preliminary development plan shall illustrate the general street pattern, with particular attention to internal collector streets and connections to existing roads
- G. The preliminary development plan shall illustrate the general location, use and size of public and private open space, parks and other public areas
- H. The preliminary development plan shall show the proposed location of residential, commercial, multifamily residential or other proposed land uses
- I. The preliminary development plan shall illustrate and describe the methods proposed for sewage and wastewater disposal, drinking water supply, stormwater management and erosion control

522.07 Review of Preliminary Development Plan

The following steps shall be taken to review a preliminary development plan for a planned unit development:

- A. **Review for completeness.** Upon receipt of a preliminary development plan for a planned unit development, the Zoning Administrator shall review the application for completeness. If the application is complete, it shall be forwarded to the Planning Commission for review. If the application is not complete, the Zoning Administrator shall prepare and deliver a letter including, at a minimum:
 - 1. A statement that the preliminary development plan application is not complete
 - 2. A list of the incomplete or missing information
 - 3. A statement that the application will not be forwarded to the Planning Commission for review until it is submitted in a complete form
- B. **Planning Commission review.** After a complete preliminary development plan is received, the Zoning Administrator shall forward the plan to the Planning Commission for review and notify the applicant of the date of review. The Planning Commission shall review the preliminary development plan and make findings of fact that accept the plan, recommend changes to the plan or deny the plan. The findings of fact shall be based on the following review criteria:
 - 1. The proposed development shall meet the overall goals of this Ordinance
 - 2. The proposed development shall meet the goals for a planned unit development of its type
 - 3. The proposed development shall meet the standards as set forth in this Ordinance regulating that type of planned unit development and use(s)
 - 4. The proposed development is in harmony with uses in the surrounding area
 - 5. The proposed system of ownership and the means of developing, preserving and maintaining open spaces is sustainable and appropriate
 - 6. The proposed development, or a unit thereof, can be substantially completed within three years from date of approval
 - 7. That adequate sewage, water and wastewater utilities and public services are available or are proposed to be made available in the construction of the project

522.08 Preliminary Plat and Final Development Plan Information Requirements

The preliminary plat stage of the planned unit development process includes detailed subdivision planning, submittal, review and approval of the preliminary plat. The preliminary plat and final development plan submission are combined to coordinate review. To avoid delay in processing of an application, the applicant should carefully provide all the required information essential to determine the character and general acceptability of the proposed development. Upon review and approval of the preliminary development plan, applicants shall submit a preliminary plat and final development plan that shall contain the following information:

- A. A detailed narrative of how the preliminary plat and final development plan meets any changes required by the Planning Commission in its review of the preliminary development plan.
- B. (20) copies of a preliminary plan which shall mean a map or maps of the proposed development prepared in the manner and containing the data, documents, and information required by this section.
- C. The required number of site plans and/or plats for the projects, at a scale of not less than one inch = 200 feet, showing:
 1. name of planned unit development
 2. legal description of property and any proposed lot divisions
 3. names and addresses of applicant and owner, surveyor, and designer of the plan
 4. graphic scale and north arrow
 5. date of preparation
 6. total acreage of proposed plan and acreage of each proposed subdivision parcel
 7. existing conditions in the parcel(s) and within 300 feet surrounding the boundaries of the development
 8. all surface water features and wetlands correctly located and plainly shown and designated
 9. location of ordinary high water level
 10. layout of existing and proposed roads, showing right-of-way widths
 11. location and characteristics of required open space
 12. erosion control, drainage and stormwater management plan
 13. location and use of existing and proposed structures and other facilities
 14. proposed land alterations
 15. plans for and location of water supply systems and sewage and wastewater treatment systems including results of septic suitability tests
 16. refuse disposal for resort commercial PUDs
 17. proposed location of utilities
 18. all easements that cross the property
 19. topographic contours at 10-foot intervals or less
 20. location of all outdoor lighting
 21. all setbacks and buffering or screening of adjacent properties
 22. location of lake accesses and/or lake access lots
 23. landscaping plan
- D. A calculation showing the base density of the proposed development area conforming to the calculation rules in the Chapter regulating the specific type of planned unit development

- E. A calculation showing the proposed density increase and the basis on which a density increase is requested conforming to the provisions in the Chapter regulating the specific type of planned unit development
- F. A property owners' association agreement with mandatory membership provisions and showing of adequacy of dues covering anticipated maintenance and capital replacement costs. The agreement shall comply with Minnesota Statutes that govern common interest communities' platting and agreements.
- G. Copies of deed restrictions, covenants, permanent easements or other instruments that properly address:
 - 1. future vegetative and topographic alterations
 - 2. construction of additional buildings
 - 3. installation and maintenance of docks and other shoreland structures
 - 4. docking and beaching of watercraft
 - 5. address shared lake access provisions
 - 6. ensure the long-term preservation and maintenance of open space
- H. A master plan/drawing describing the project and the floor plan for any and all residential and commercial structures, indicating floor plans that intended to be variable such as lockouts, movable walls or doors.
- I. Any additional documents as requested by the Zoning Administrator and/or Planning Commission that are necessary to explain how the PUD will be designed and will function.
- J. A title binder indicating marketable title.

522.09 Review of Preliminary Plat and Final Development Plan

The following steps shall be taken to review a preliminary plat and final development plan for a planned unit development:

- A. **Review for completeness.** Upon receipt of a preliminary plat and final development plan for a planned unit development, the Zoning Administrator shall review the application for completeness. If the application is complete, it shall be forwarded to the Planning Commission for review. If the application is not complete, the Zoning Administrator shall prepare and deliver a letter including, at a minimum:
 - 1. A statement that the preliminary plat and final development plan application is not complete
 - 2. A list of the incomplete or missing information
 - 3. A statement that the application will not be forwarded to the Planning Commission for review until it is submitted in a complete form
- B. **Planning Commission review.** After a complete preliminary plat and final development plan is received, the Zoning Administrator shall forward the plat and plan to the Planning Commission for review and notify the applicant of the date of review. The Planning Commission shall review the preliminary plat and final development plan and make findings of fact that accept the plan, recommend changes to the plan or deny the plan. The findings of fact shall be based on the following review criteria:
 - 1. The proposed development shall meet the overall goals of this Ordinance
 - 2. The proposed development shall meet the goals for a planned unit development of its type
 - 3. The proposed development shall meet the standards as set forth in this Ordinance regulating that type of planned unit development and use(s)
 - 4. The proposed development is in harmony with uses in the surrounding area

5. The proposed system of ownership and the means of developing, preserving and maintaining open spaces is sustainable and appropriate
6. The proposed development, or a unit thereof, can be substantially completed within three years from date of approval
7. That adequate sewage, water and wastewater utilities and public services are available or are proposed to be made available in the construction of the project

522.10 Final Plat Information Requirements

Upon review of the preliminary plat and final development plan, the Planning Commission may recommend approval or denial the preliminary plat, or recommend conditional approval of the plan with the requirement that additional information be provided by the applicant. Required additional information shall be detailed in the minutes of the Planning Commission meeting and in a letter from the Zoning Administrator to the applicant sent to the applicant within seven days of the conditional approval of the preliminary conditional use application. Any additional information required shall be provided by the applicant within one year after conditional preliminary plat approval and prior to the scheduling of final plat review. Delay by the applicant in providing the additional information shall indicate applicant's agreement to a delay in scheduling final plat review. If the additional information is not received within one year of conditional approval of the preliminary plat, the application shall be denied. Final plat submission shall meet the requirements for preliminary plats as well as an explanation of how the preliminary plat and final development plan address any changes required by the Planning Commission.

522.11 Review of Final Plat

The following steps shall be taken to review a final plat for a planned unit development:

- A. **Review for completeness.** Upon receipt of a final plat for a planned unit development, the Zoning Administrator shall review the application for completeness. If the application is complete, it shall be forwarded to the Planning Commission for review. If the application is not complete, the Zoning Administrator shall prepare and deliver a letter including, at a minimum:
 1. A statement that the final plat application is not complete
 2. A list of the incomplete or missing information
 3. A statement that the application will not be forwarded to the Planning Commission for review until it is submitted in a complete form
- B. **Planning Commission review.** After a complete final plat is received, the Zoning Administrator shall forward the plat to the Planning Commission for review and notify the applicant of the date of review. The Planning Commission shall review the final plat and make findings of fact that recommend approval of the plat, recommend changes to the plat or deny the plat. The findings of fact shall be based on the following review criteria:
 1. The proposed development shall meet the overall goals of this Ordinance
 2. The proposed development shall meet the goals for a planned unit development of its type
 3. The proposed development shall meet the standards as set forth in this Ordinance regulating that type of planned unit development and use(s)
 4. The proposed development is in harmony with uses in the surrounding area
 5. The proposed system of ownership and the means of developing, preserving and maintaining open spaces is sustainable and appropriate
 6. The proposed development, or a unit thereof, can be substantially completed within three years from date of approval
 7. That adequate sewage, water and wastewater utilities and public services are available or are proposed to be made available in the construction of the project

522.12 Minor changes after final approval

During the development of an approved planned unit development the Zoning Administrator may approve minor changes in the location, placement and height of buildings if such changes are required by engineering or other circumstances not foreseen at the time the final plat and plan were approved, provided the changes are indeed minor and do conform to the review criteria applied by the Planning Commission.