
Sec. 94-207. - Planned development (PD) district.

a. Intent and districts established.

1. *Intent.* The intent of this section is to encourage through incentives, the use of innovative land planning and development techniques to create more desirable and attractive development in the city. Incentives include, but are not limited to:
 - a. Relaxing or waiving of height, setback, lot dimensions and lot area requirements;
 - b. Allowing an increase in density and/or floor area ratio as long as the limits do not exceed those allowed in the Comprehensive Plan, Future Land Use Element Policy 1.1.3; and
 - c. Permitting uses or a mixture of uses not normally permitted in the underlying zoning district.
2. *Planned development districts established.* Planned development districts can occur in residential, commercial, community service and industrial districts. Planned developments are not permitted in historic districts.

b. General provisions and requirements.

1. *Compliance with other sections.* All planned developments shall comply with subsection 94-35(c) (site design qualitative development standards), section 94-33 (comprehensive plan consistency), ARTICLE XII of this chapter (natural resource protection), and ARTICLE XVII of this chapter (flood prevention and control).
2. *Conflict with other regulations.* The provisions of this section shall apply generally to the creation and regulation of all planned development districts. Where conflicts exist between these special planned development provisions and general zoning, subdivision, or other applicable regulations, these special regulations shall apply.
3. *Dedication of public facilities.* Dedication, reservation or improvement of property for public rights-of-way, streets, schools, parks, mass transit facilities, or other public facilities may be required as a condition or requirement of the planned development ordinance.
4. *Effect of planned development approval.* When approved pursuant to the provisions of this chapter, the master development plan and all information and documents formally incorporated application shall constitute an amendment to this chapter. Development within a planned development shall occur in conformity with the approved master development plan and development phasing.
5. *Utilities.* All utilities, including telephone, cable television, and electrical service systems, shall be installed underground. However, the following facilities may be exempt from this requirement:
 - a. Accessory facilities normally associated with such systems that require above-ground installation, provided such facilities are screened adequately; and
 - b. Primary facilities such as electric substations, providing service to the planned development or to service areas not located within the planned development. Primary facilities shall be screened or landscaped pursuant to ARTICLE XIV of this chapter.
6. *Visibility triangle.* In all planned developments, visibility at all street and alley intersections shall be provided pursuant to subsection 94-305(e).
7. *Establishment of planned development districts.* Planned development districts will be established from designated existing zoning districts by amendment of the official zoning map for tracts of land suitable in location, extent, and character for the structures and uses proposed.
8. *Unified control.* All land included for purpose of development within a planned development district shall be owned or under the control of the petitioner for such zoning designation, whether that petitioner be an individual, partnership or a corporation, or a group of individuals, partnerships or corporations. The petitioners shall present firm evidence of the unified control of the entire area within the proposed planned development district and shall agree that when the development proceeds:
 - a. It will be in accordance with:
 1. The ordinance officially adopted for the district; and
 2. Regulations existing when the planned development was approved.

- b. Agreements, contracts, and/or deed restrictions and covenants will be provided to the city to ensure that the development will occur in accordance with the master development plan; and that the developer, his successors, assignees, or heirs, are responsible for the continued maintenance and operation of common areas and facilities.
9. *Master development plan.* Any petition for planned development district zoning shall be accompanied by a professionally prepared master development plan of the development comprised of at least the following elements:
- a. A site development plan, drawn to acceptable scale, which shall indicate:
 - 1. The title of the project and name of the developer.
 - 2. The scale, date, a north arrow, and a general location map.
 - 3. A survey prepared by a registered surveyor, indicating the boundaries of the subject property, all existing streets, all buildings, water courses, easements, section lines, the existing topography at a contour interval of one foot or less, and other important physical features within and adjoining the proposed project.
 - 4. The proposed use of all land within the project boundaries, including the location and function of all areas proposed to be dedicated or reserved for community or public use.
 - 5. The location and size as appropriate, of all existing and proposed drainage, water, sewer, and other utility service systems.
 - 6. The existing vegetative cover and soil conditions in sufficient detail to indicate suitability for proposed structures and uses.
 - 7. The location of proposed mass transit facilities.
 - b. A written legal description of the subject property, together with names and addresses of all owners of record.
 - c. Agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the planned unit development and any of its common areas or facilities.
10. *Supporting information.* Applications for planned development approval shall include the following documentation:
- a. A statement indicating the manner in which the proposed project complies with the comprehensive plan.
 - b. A general description of the proposed development, including the total acreage involved in the project; the number and percentage of acres devoted to various categories of land use; the number and type of dwelling units proposed and the overall project density in dwelling units per gross acre; the minimum design standards for such features as lot shape and size, building size and lot coverage, open space, off-street parking and loading, signs, and landscaping.
 - c. The proposed schedule of development which identifies the anticipated project start and completion dates, stages of development (if any), and the area and location of common open space to be provided at each stage.
 - d. A detailed traffic impact analysis study prepared pursuant to [ARTICLE X](#) of this chapter.
 - e. A detailed market analysis study prepared pursuant to commonly accepted professional practices. This study may be required at the discretion of the planning and zoning administrator.
 - f. Schematic, architectural drawings (floor plans, elevations, perspectives, etc.) of all proposed structure types and improvements in the proposed project, except single-family residences and related accessory buildings.
11. *Professional services required.* A master development plan for any proposed planned development district shall be prepared utilizing the professional services of individuals possessing appropriate licensure or registration.
12. *Application fees.* Application fees for planned development districts shall be charged pursuant to subsection [94-41\(a\)\(4\)c](#).
13. *Parking waivers.* A waiver of section [94-486](#), Table XV-6 may be granted, at the discretion of the city commission, for all new planned development districts, on the merits of each case presented, located east of Interstate 95, or east of Australian Avenue between Okeechobee Boulevard and Belvedere Road, providing that the applicant shall meet a minimum of three or more of the following:
- a. The waiver shall be for no more than 30 percent of the required parking spaces.

- b. The applicant shall demonstrate that the project requiring such a waiver shall conform to the concepts of new urbanism, as determined by the city planning, zoning and building department.
 - c. The applicant shall submit relevant empirical evidence, surveys or studies of state communities or other pertinent standards that the proposed use warrants the parking waiver.
 - d. The applicant shall provide for, or illustrate that there currently exists on-street parking along the frontage of the project site which will assist in meeting the parking needs of the project.
 - e. The applicant shall show that other parking facilities, within 300 feet of the subject property, are available to the users of the proposed use in order to satisfy the parking space requirements. Such parking facilities may include on-street parking; public or private parking lots, or structures, which are open to the public, etc.
- c. *Residential planned development (RPD) specific requirements.*
- 1. *Location.* Residential planned developments may be created in any residential district.
 - 2. *Minimum area required.* The minimum area required for a residential planned development district shall be ten acres, unless otherwise provided in this chapter. However, any area of lesser size may be approved for residential planned development zoning upon findings by the planning board and the city commission that one or more of the following conditions exist:
 - a. Particular circumstances justify such reduction.
 - b. Requirements for residential planned development zoning and the benefits to be derived from such zoning can be derived in such lesser area.
 - c. Permitting such lesser area for residential planned development zoning is in conformity with the comprehensive plan.
 - 3. *Permitted uses.* Within any residential planned development any use permitted in the underlying zoning district is permitted. Other uses may be permitted provided that the total floor area devoted to commercial and professional office uses, excluding off-street parking located in a structure, shall not exceed five percent of the total floor area devoted to residential uses. However, upon recommendation of the city commission the five percent devoted to commercial and/or office uses can be waived.
 - 4. *Required setbacks.* Unless otherwise established in the residential planned development ordinance, residential buildings shall be located at least 20 feet from any outermost perimeter property line of a residential planned development district or any public right-of-way. Excluding residential structures, other structures or buildings shall be located at least 40 feet from any property line of a residential planned development district or any public right-of-way.
 - 5. *Parking and loading space requirements.* Parking and loading spaces for all uses within a residential planned development district shall be provided pursuant to [ARTICLE XV](#) of this chapter.
 - 6. *Landscaping.* Landscaping, tree protection, screening and buffering shall be provided pursuant to section [94-443](#). However, additional landscaping, screening, and buffering may be required to provide additional privacy and protection for residents within a planned development district and adjacent property owners.
 - 7. *Signs.* Signs may be erected pursuant to the provisions of [ARTICLE XIII](#) of this chapter.
- d. *Commercial and industrial planned development (CPD, ILPD and IPD) districts.*
- 1. *Location.* Commercial planned developments may be located in any commercial or industrial district. Industrial planned developments may be located in the industrial districts.
 - 2. *Minimum area required.* The minimum area required for a commercial or industrial planned development district shall be five acres; however, an area of lesser size may be approved for commercial planned development zoning upon findings by the planning board and the city commission of the following:
 - a. Particular circumstances justify such reduction.
 - b. Requirements for planned development district zoning and the benefits to be derived from planned development district zoning can be derived in such lesser area.
 - 3. *Permitted uses.* Permitted uses within a planned commercial or industrial development are those uses permitted by the city commission and specified in the adopting ordinance. The permitted uses may include all uses permitted in all districts.
 - 4. *Required setbacks.* Required setbacks shall be as provided in [ARTICLE VIII](#) of this chapter.
 - 5. *Maximum floor area ratio.* The maximum floor area ratio for a commercial or industrial planned development shall be in accordance with [ARTICLE VIII](#) of this chapter.

6. *Parking and loading space requirements.* Parking and loading spaces shall be provided pursuant to [ARTICLE XV](#) of this chapter.
7. *Landscaping/buffering.* Landscaping and buffering shall be provided pursuant to [ARTICLE XIV](#) of this chapter.
8. *Illumination.* Any source of illumination located within a commercial or industrial planned development district shall not exceed one footcandle at or beyond the boundaries of such development.
9. *Outdoor storage.* Outdoor storage facilities are prohibited in any commercial planned development district, unless outdoor storage is expressly approved by the city commission as part of the ordinance adopting the commercial planned development. Approval of outdoor storage in a commercial planned development district shall include mitigation measures to protect adjacent properties from the impacts of the outdoor storage. However, this prohibition shall not apply to the following:
 - a. The outdoor display of automotive vehicles for sale or rent.
 - b. The incidental display of goods or chattels for sale or rent in a commercial planned development by an establishment having activities that occur within a building. These goods or chattels shall be secured within the building when the business is not open.

e. *Amendments to approved planned developments.*

1. Major amendments to approved planned developments shall only be determined by the city commission following the procedure set out in section [94-32](#). Major amendments shall include the following requests:
 - a. An increase in the total square footage of any building by more than ten percent; the number of structures, the number of residential dwelling units, to the densities as specified by the adopted master plan;
 - b. Any boundary change of the planned development;
 - c. Any change in the conditions of approval;
 - d. Relocation of more than ten percent of the total square footage indicated as being covered by structures; or
 - e. Any increase in traffic in excess of either: (i) 3 percent of the average daily traffic (ADT), or (ii) 100 ADT trips, over the traffic impacts for the project as established in the original master plan approved by the city commission.
2. Minor amendments to approved planned developments shall be approved by the planning and zoning administrator. Such minor amendments shall include all amendment requests which are not listed in subsection (e)(1) of this section.
3. Amendments to approved planned developments within the downtown master plan affected area, while exempt from the requirements of the downtown master plan, shall be consistent with the design guidelines for the downtown master plan area, as prescribed by the city urban designer and approved by the city commission.

(Code 1979, § 33-86; Ord. No. 3996-06, § 2, 10-23-2006; Ord. No. 3996-06, § 2, 10-23-2006; Ord. No. 4449-13, § 17, 3-19-2013; Ord. No. 4660-16, § 5, 12-5-2016; Ord. No. [4828-19](#), § 3, 02-25-2019; Ord. No. [5015-22](#), § 4, 08-22-2022)