

PLANNED UNIT DEVELOPMENT (PUD) REQUEST SUBMITTAL CHECKLIST

The following must be turned in to the City Clerk's Office by the *submittal date* (see *schedule chart in this packet*) for your Planned Unit Development Request to be reviewed by the Planning Commission.

Incomplete applications will not be included on the agenda.

1. Pay review fee: 100.00
2. Submit **ten (10) Packets of information**, to include: **One (1) Packet will contain original signed documents.**
The applicant is responsible for all documents required for the packets. Missing documents will cause the application to be incomplete.
3. ***Submitted materials should be 8 ½ x 11 except the scaled drawing or Plat/Plans. All items must be legible. ***
(If you need extra copies of the plat for yourself, please include this number for yourself.)
 - The completed "Planned Unit Development Application Form" (attached). *Original copy must be submitted.*
 - A **Notarized Statement** that states the applicant is the owner or authorized agent of the owner of the property for which the rezoning application is proposed.
 - **Documentation** if the owner is identified as a business. Articles of incorporation, article of organization, by law or other paperwork stating who can act on the entity's behalf. Along with any minutes that state who the person is in that position at time of application
 - The **Legal description** of the property, and a copy of the **Warranty Deed** from Washington County. A copy is acceptable.
 - A **written statement with a description of the current zoning, and the proposed PUD plan that includes a list of the proposed land uses and the amount of land devoted to each use.**
 - A full-sized copy of the legible Scaled Drawing or the Plat of Survey/Plan either must be a minimum of **(11x17 or larger)** delineating:
 - The dimensions of the property.
 - The approximate location/s of any building/s with dimensions.
 - Land uses of the adjacent properties.
 - A vicinity map of sufficient clarity to show the location of the property with the proposed rezoning.
 - **Must be signed by surveyor and/or engineer.**
4. **Verification of the date the required 'Pre-application Conference' with Planning Commission was held.**
5. **Development Plan submittal**, containing at minimum the items listed below:
**** All plans must abide by the PUD regulations found in UDC Sec. 4.7.4 ****
 - (a) Name of Developer
 - (b) Name and address of owner
 - (c) Type of activity
NOTE: Each proposed land-use and the amount of land devoted to each shall be listed.
 - (d) Building footprints for the individual buildings to be included in the PUD except of buildings on lots designated as single-family residential or duplex lots.
 - (e) Topographic contours at two (2) foot intervals
 - (f) All easements existing or proposed
 - (g) Street rights-of-ways and street names
 - (h) All drives, sidewalks, access-ways, alleys, parking lots and any streets proposed to be dedicated
 - (i) Proposed landscaping, inclusive of any fencing, lighting, and other pedestrian amenities.
 - (j) Open space and community facilities, if any, proposed as part of the PUD
 - (k) Location of all existing and proposed private and public utilities.
 - (l) Names of the owners of adjacent properties
 - (m) Zoning classifications of adjoining properties
 - (n) Construction drawings as necessary to support the proposals outlined in the development plan.
 - (o) Exterior lighting and speakers

[SUBMITTAL CHECKLIST CONTINUES ON BACK.]

2.6.3 Applicability Further Charges Authorized.

In the event that review beyond the initial City planning or Engineering review fees exceed the original fee submittal amount, the owners and/or Developers shall reimburse the City of Lincoln for all additional expenses incurred throughout the review process. All fee reimbursement to the City by the owner/applicant must be received by the City prior to final approval by the City.

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6. If applicable, submit **Architectural Drawing Elevations** showing each side of the structure(s), all entrances, window, site objects, and fixtures, to include color and type of material.
7. Submit **Landscape Plans** in conformance with Sec. 5.3 Must be signed.
8. If the project requires an easement, **a draft Easement Deed must be presented as part of this packet** and filed with the Circuit Clerk if approved. A filed copy must be returned with filed plat.
9. Submit **Traffic Statement** (impact of development based on expected increase in vehicle traffic).
* Must demonstrate no reduction in level of service (LOS) to the surrounding traffic system. *
10. Submit a **Drainage Statement** explaining the expected impact.
 A full Drainage Report may be required.
11. Submit the **Gallon Per Minute (GPM) fire flow at the nearest adjacent hydrant** (if known).
 All fire flows must meet minimum State Fire Code standards. A flow test or engineered hydraulic study may be required.
12. If a **septic system** will be needed, submit a **copy of soil work performed by a Designated Representative (D.R.)** of the Arkansas Health Department.
13. Submit **one (1) PDF copy of ALL required materials** by email to cityhall@lincolnarkansas.com
 Please state the project name in the subject line of the email. Plat must be to scale and submitted separately.
14. **PUD's are representative of Zoning Districts, and therefore are required to have a public hearing. Notice of such hearing shall be published at least one time at least fifteen (15) calendar days prior to the date of the public hearing in a newspaper of general circulation in the City of Lincoln.**
 - The applicant shall be responsible for this publication, bear the cost of such advertising, and provide an Affidavit of Publication as proof of the notice.
 - At least seven (7) calendar days prior to the public hearing, the applicant must provide proof of publication that the required public notice has appeared in a newspaper of general circulation at least fifteen (15) calendar days prior to the public hearing.
15. **Notice of such hearing shall be given by conspicuously posting a sign on the subject property, involved by the applicant, at least fifteen (15) calendar days prior to the hearing.**
 - Posting of the sign by the prescribed time shall be the responsibility of the applicant.
 - The applicant shall use the signs provided by the City of Lincoln and shall pay a refundable deposit.
 - After the hearing, the sign shall be returned, and a refund of the deposit will be issued for signs in good condition.

Minimum Requirements enforced by the City Fire Official

Disclaimer: These minimum requirements do not inhibit the City Fire Official from enforcing other State Fire code issues.

- INGRESS AND EGRESS. The number of entrances, exits, and turn radii adequate to provide uninterrupted emergency services to all areas of the proposed development.
- WATER SUPPLY. The water supply should be adequate to support fire hydrants and maintain a reasonable amount of fire flow water to the development.
- HYDRANT SPACING should comply with code according to type of development
- APPROVED ACCESS ROADS for fire apparatus shall be constructed in a way that will support a minimum of 75,000 pounds in all weather conditions.
- DEAD END ROADS in excess of 150' long shall be provided with an approved turn around or cul-de-sac.

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PLANNED UNIT DEVELOPMENT INFORMATION

*** please reference City Unified Development Code (UDC) Sec. 4.7 for details ***

Planned Unit Development (PUD):

Defined as "A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements".

In concept, the PUD is a combination of zoning designation and development plan. **A detailed development plan is required for permitting and must follow the development plan exactly.** Failure to follow plans exactly will result in reversion of the property to the original zoning. Although design innovation is encouraged, and flexibility is allowed, the PUD may not be used simply as a method of avoiding zoning regulations.

Although design innovation is encouraged, and flexibility is allowed, the PUD may not be used simply as a method of avoiding zoning regulations. **The Planning Commission shall consider a PUD proposal only if it meets at least one of the following threshold criteria.**

- (a) The PUD will allow the development of an infill parcel in the developed portion of the City that could not be made productive under standard zoning regulations.
- (b) The PUD would further the City's goal of providing housing for all economic segments of the City and its Planning Area Boundary.
- (c) The PUD involves a large parcel in which flexibility would allow high quality or innovative urban design.
- (d) The PUD would aid in the elimination of slums and blight within the City and its Planning Area Boundary.
- (e) The PUD design results in a minimum of 30 percent of the total development reserved as permanent open space.

PUDs may be residential, commercial, industrial or mixed-use in nature. The development plan shall clearly depict the proposed land uses.

4.7.4 PUD Regulations

The regulations for PUD are as follows:

- (a) Residential Lot Size: No minimum lot sizes are established, so the housing can be clustered or otherwise concentrated or arranged in planned locations on the site to take advantage of its natural features.
- (b) Open Space Reservation: In any Planned Unit Development, the amount of land not used by buildings, accessory structures, and yards but required by the zoning of the site, shall be maintained open space for the purpose of providing parks, recreational facilities, ways for pedestrian movement and circulation, and conserving visually pleasing elements of the environment. Prior to the sale of any lot, site, home or other structure a bond of sufficient surety determined by the Administrative Official shall be posted with the City for completion of said open space improvements prior to such sale. The development plan shall clearly depict the amount of land to be maintained as permanent open space.
- (c) Development Density: The development plan shall clearly depict the proposed density by land use category. The resulting density shall not exceed the density allowed with the underlying zoning of the site.
- (d) Property Owners' Association: As part of the plan proposed for any Planned Unit Development, the Developer shall submit a set of covenants running with the land providing for an automatic membership in the Property Owners' Association, to be an incorporated nonprofit organization, operating under recorded land agreements, through which each property owner in the Planned Unit Development is automatically subject to a charge for an appropriate proportionate share of the expenses for maintaining the common property, open space and/or other activities of the Association. Once established, the covenants shall continue and remain in force during the entire existence of the Planned Unit Development.
- (e) Responsibility for Open Space: Nothing in this Section of the Code shall be construed as a responsibility of the City of Lincoln, either for maintenance or liability of the following, which shall include but not be limited to any private open areas, parks, recreational facilities. A hold-harmless clause shall be incorporated in the covenants running with the land to this effect.
- (f) It shall be provided further, however, that when an owner of a Planned Unit Development desires to dedicate certain land areas to the City for public parks and recreational facilities, and the City approves the nature and location of such lands, and accepts the dedicated areas, the City shall be responsible for the operation and maintenance of these lands and properties.
- (g) Common Open Spaces: The size, shape, dimension and location of the common open spaces shall be determined by the Planning Commission in conjunction with the Developer or applicant with consideration being given to the size and extent of the proposed development and the physical characteristics of the land being developed. Consideration should also be given in providing parks, recreational facilities, both active and passive, and pedestrian walkways.
- (h) Common open space shall be guaranteed by a restrictive covenant describing the open space and its maintenance and improvement running with the land for the benefit of the residents of the Planned Unit Development. The Developer shall file, at the time the approved final plat is filed, legal documents that will produce the aforesaid guarantees and, in particular, will provide for restricting the use of common open spaces for the designated purpose.
- (i) Landscaping Plan: In order to minimize the disturbance of the natural environment, a general landscaping plan shall be required at the time of development plan submission showing the spacing, sizes, and specific types of landscaping material. The Planning Commission shall review the landscaping plan in conjunction with the review of the development plan.

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- (j) The preservation of the natural amenities within the Planned Unit Development shall be given due consideration which shall include topography, trees, ground cover, natural bodies of water, and other significant natural features. Existing trees shall be preserved wherever possible. The location of trees shall be considered when planning the common open space, location of buildings, underground services, walks, paved areas, playgrounds, parking areas, and finished grade levels. The Planning Commission shall inquire into the means whereby trees and other natural features will be protected during construction. Excessive site clearing of topsoil, trees and natural features before the commencement of building operations shall be discouraged by the Planning Commission.
- (k) Transportation: The vehicular circulation system shall be designed so as to permit smooth traffic flow with minimum hazards to pedestrian traffic. The design of collector or arterial streets shall conform to the City's Master Street Plan and shall not be interrupted by gates.
- (l) The pedestrian circulation system and its related walkways shall be insulated as reasonably as possible from the vehicular movement. This shall include, when deemed to be necessary by the Planning Commission, pedestrian underpass or overpass in the vicinity of schools, playgrounds, local shopping areas, and other neighborhood uses that generate a considerable amount of pedestrian traffic.
- (m) Land Subdivision: In the construction and installation of all subdivision improvements in the Planned Unit Development, said improvements shall conform to all requirements and standards as set forth in the City's Subdivision Regulations, unless exceptions to the requirements are specifically approved by the Planning Commission and the by the City Council as part of the PUD design.

Planning Commission Approval:

The Planning Commission shall review the proposed PUD after proper submittal of all documents and review by the appropriate City staff. The following criteria will govern the approval or disapproval of the PUD application by the Planning Commission.

- (a) The PUD shall provide public benefits that would not be achievable through the standard zoning regulations
- (b) The PUD shall not reduce the level of service (LOS) for the surrounding traffic system.
- (c) The PUD shall conform in size, shape, and bulk to those in surrounding developments. The Planning Commission may make exceptions when adequate buffering is included with the PUD to shield adjoining uses from the adverse effects of higher land use intensities. The Planning Commission may also make exceptions when the PUD clearly represents a transitional development between developments or neighborhoods of differing densities or intensities of use.
- (d) The PUD shall be compatible with the all adopted plans and policies of the City, including the Master Street Plan. If the PUD is not consistent with any of such plans or policies, the application must include with the PUD submittal a request to amend such plans or policies.
- (e) The PUD shall be designed in such a manner as to protect the public health, welfare and safety of the residents of the neighborhood in which it is located.
- (f) The PUD must be of a character and contain such uses that are needed in the area of the proposed project.
- (g) Approval of a PUD cannot result in the violation of regulations in the Arkansas Fire Prevention Code or in regulations issued by the Arkansas Health Department. Approval of the PUD cannot result in the reduction of standard Engineering practices or in the drainage or water quality requirements of the City.

City Council Approval:

Planned Unit Developments represent zoning districts and must be approved by the City Council. However, the development shall be in accordance with the approved development plan. The Planning Commission must approve any contemplated deviation from the approved development plan except as specified in Section 4.7.7. Upon approval by the Planning Commission, all recommendations shall be submitted to the Lincoln City Council for approval. The Lincoln City Council has the authority to require reasonable plan changes for the Planned Unit Development as a prerequisite to approval. Any dedications of streets or easements to the City must be included in the ordinance approving the PUD.

4.7.7 Amendments

Following City Council approval, the Planning Commission may approve minor revisions to the site plan if:

- (a) No changes are made to either the access or the egress to the PUD.
- (b) Any changes to internal traffic arteries do not alter overall traffic patterns, size of streets, or functional classification of streets.
- (c) No new streets are proposed for dedication.
- (d) No new private streets are proposed.
- (e) Overall residential density is not increased.
- (f) Overall drainage patterns are not altered.
- (g) No additional loads are placed on municipal utilities.
- (h) Retail and office space are not increased by more than five percent.
- (i) No open space is dedicated for public maintenance.

Design Standards and Required Improvements:

Please see the City of Lincoln "Unified Development Code" code for a comprehensive understanding of the requirements.

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PLANNED UNIT DEVELOPMENT (PUD) REQUEST APPLICATION

Notice: PUD Applications to be placed on Planning Commission meeting agenda must have applications turned in to the City Clerk by the submittal date (shown on the attached schedule.)

Name of Development: _____

Applicant: _____

Address: _____ Phone: _____
Preferred?
Email: _____ Preferred?

APPLICANT/REPRESENTATIVE: *I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the city might not approve what I am applying for or might set conditions on approval.*

Signature of Applicant: _____ Date: _____

Property Owner: _____

Address: _____ Phone: _____
Preferred?
Email: _____ Preferred?

PROPERTY OWNER(S)/AUTHORIZED AGENT: *I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. **(If the applicant is an authorized agent, a notarized letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)***

Signature of Property Owner or Agent: _____ Date: _____

Additional Contacts: _____

Address: _____ Phone: _____
Preferred?
Email: _____ Preferred?

Name: _____
Address: _____ Phone: _____
Preferred?
Email: _____ Preferred?

Please submit a separate sheet of paper if you need more space to include everyone who needs to be contacted for this project.

[APPLICATION CONTINUES ON BACK.]

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Property Information:

Address, Proposed Land Use, and Brief Description of Project:

Utility Information:

(Check box if utility has existing lines on or fronting the property and write the name of the company.)

Water company name: _____ Electric Company name: _____
 Gas company name: _____ Telephone company name: _____
 Cable company name: _____ Sewer System _____ Septic *(check if applicable)*

Parcel Information:

Tax Parcel Number(s): _____ - _____ - _____
Total Parcel Acreage: _____ Current Zoning: _____
Floodplain: yes no FIRM / Map #: _____ Floodplain type (A, AE, etc.): _____
Proposed # of Lots: _____ Proposed Use of Lots: _____

Road Information:

U.S., State, or City Street(s) giving access to property: _____
Road surface (asphalt, gravel, unimproved, etc.): _____ Right of way width: _____

ALL SIGNATURE LINES MUST BE SIGNED FOR THE APPLICATION TO BE PROCESSED.

OFFICE USE ONLY:

Planning Commission Approval: _____ City Council Approval: _____

Tabled Dates: _____

Date of Denial: _____ Appeal Filed _____

Notes: _____