

4.5 PLANNED DEVELOPMENT DISTRICTS

4.5.1 ADMINISTRATION

- A. Purpose: The purpose of utilizing Planned Development Districts (PDD) for guiding new development is to place emphasis upon a more flexible regulatory process as compared to rather rigid development regulations common to traditional zoning districts. The Planned Development process provides for a joint planning/design effort by developers and City officials rather than the City establishing maximum limits within which developers may perform.

There are two Planned Development Districts, and PUD process which are all included within this chapter. Each district and process will adhere to the general PDD process defined within this section. The three PDD in this ordinance include: Planned Unit Development (PUD), Planned Mixed-use Development (PMD), and Planned Industrial Mixed-use (PID). Benefits resulting from a more flexible regulatory process include an opportunity to protect and preserve valuable natural resources and amenities through negotiations and discussion between developer and City. The Planned Development process also assures a higher quality man-made environment because the developer and City work together to find solutions. In addition, Planned Development assures planning and development on a more comprehensive scale. It considers a complex set of associated uses and is planned as a single entity which helps ensure compatibility of land uses and consideration of relationships between different uses in the City.

a. Application Review Process

Procedures for applying for approval of a Planned Development project shall be essentially the same for all Planned Development Districts whether residential, commercial, industrial, and any combination thereof. All Planned Development Projects shall require a PDD permit to be applied for at the time of Preliminary Plan submittal. The permit shall be granted after the Final Plan and/or Plat are approved. The approved plan shall be granted either a PDD/PUD, PDD/PMD, or PDD/PID permit to proceed.

b. Pre-application Meeting

Prior to submission of any plan for consideration to the Planning Commission, the potential applicant shall meet with the City Planner and City Administration or their designated representative to discuss the proposed project relative to community development objectives for the area in question to learn what procedural steps and exhibits shall be required. During this meeting the Applicant shall be required to identify how the proposed PDD plan will support the goals and objectives as set forth in the adopted Comprehensive Plan.

c. Preliminary Plan Submittal Procedure

1. The applicant shall file a Letter of Intent with the City stating their intention to develop property under the PUD provisions along with the application fee and escrow deposit to cover all administrative, legal, engineering, planning and other costs required for review of the project. The amount to be deposited shall be determined by the Zoning Administrator based on an estimate of the costs to be incurred and fee schedule. Any escrow amount remaining after administration, planning, engineering and legal costs have been paid will be refunded to the applicant. If the deposit is not sufficient, the applicant must submit an additional amount to the Zoning Administrator before Preliminary approval will be granted.

2. The PUD Preliminary request shall be referred to the Planning Commission. The Planning Commission shall hold a public hearing and process the application. The applicant shall present at least eight (8) full size and eighteen (18) 11 x 17 copies of the information listed in 4.5.1.4. The Planning Commission and the City staff shall study such information and shall make a recommendation to the City Council after the required public hearing within forty-five (45) days.
3. The City Council shall approve or disapprove the preliminary PDD request with consideration of the Planning Commissions recommendation.
4. Upon the applicant's receipt of the preliminary approval from the City Council and any modification to the plans required by the Council, the applicant may proceed to file a request for final approval. Failure to do so within twelve (12) months of the date of the receipt of the preliminary approval shall make the preliminary approval null and void.
5. Preliminary approval shall not bind the City to subsequent final approval unless all terms of preliminary approval are met.

d. Preliminary Plan Required Exhibits

The following exhibits are required for presentation to and review by City staff, consultants, Planning Commission, and City Council at specified intervals during the Planned Development process as described below.

1. A narrative description of the developer's interest in the property in question. This narrative should also address how the proposed development fits into the overall vision for the community.
2. Abstractor's certified property certificate showing the names and addresses of property owners within 350 feet of the outer boundaries of the property;
3. Location map showing property in relation to the City as a whole and to the City's primary facilities and infrastructure including, but not limited to: thoroughfares, schools, parks, trails, and shopping areas;
4. A legal description of the property including approximate total acreage;
5. Boundary survey prepared by a registered surveyor of the property and 100 feet beyond, showing:
 - a) Existing property lines and dimensions.
 - b) Ownership of all parcels with current zoning and uses.
 - c) Platting and easements
 - d) Street and railroad rights-of-way
 - e) Proposed and existing buildings
 - f) Future building expansion, if relevant
 - g) Utility lines and facilities, including fire hydrants
 - h) Estimate of monthly electric, water, and wastewater usage, if public
 - i) General topographic features (2 foot contours)
 - j) Location and extent of canopy tree cover
 - k) Slope analysis (0-15, 16-25, 35+%)
 - l) Location and delineation of swamps, wetlands, and streams
 - m) Significant rock out croppings
 - n) Existing drainage patterns and ponding areas
6. Natural features map or maps of the property in question and 100 feet beyond showing:

- a) Description (visual or written) of relationship of proposed sites and conservation framework adopted as part of the comprehensive plan Contour lines at no more than two-foot intervals
 - b) Steep slopes of 18% and over
 - c) Hydrologic information including drainage patterns, wetlands and land subject to periodic flooding
 - d) Soil and subsoil conditions
 - e) Vegetation including classification of tree cover by species
7. Map or maps of the property in question and 100 feet beyond, showing:
- a) Land Use and occupancy
 - b) Existing Zoning
8. Map or maps and supporting narrative indicating in a schematic manner the proposed development including:
- a) Broad development objectives
 - b) Proposed land uses
 - c) Vehicular and pedestrian circulation
 - d) Housing types and densities
 - e) Open-space uses, ownership and method of maintenance, if applicable
 - f) Drainage and utility plans
 - g) Preliminary Plat
 - h) Preliminary Grading Plan
 - i) Preliminary Landscape Plan
9. Economic and related development data, if applicable (required as part of PMD or PID proposal), including:
- a) Method and schedule of development
 - b) Financial capability of owner and/or developer
 - c) Economic and fiscal resources available for development
 - d) Market area of project and demand trends within such area
10. Additional information that may be needed for clarification if requested by the Planning Commission and/or the City Council.
- e. Final Plan and Final Plat Submittal Procedures
 If a Final Plan covering at least five (5) dwelling units, or ten percent (10%) of the area, whichever is greater, has not been filed within six months from the date Council grants Final Plan approval, the approval shall expire. The Council, at its discretion, may extend the filing deadline for additional periods not in excess of six months each when such extension is shown to be for good cause.
- 1. The applicant shall file with the City a request for final approval along with the required fee to cover the costs of plan checking and processing, plus an escrow deposit to cover administration, planning, engineering, legal and other costs. The amount to be deposited shall be determined by the Zoning Administrator based on an estimate of the costs to be incurred by the City. Any amount remaining after administrative, planning, engineering and legal costs have been paid will be refunded to applicant. If the deposit is not sufficient, the applicant must pay the additional amount to the City before final approval will be granted.
 - 2. The request shall be referred to the Planning Commission. The Planning Commission shall hold a public hearing if in the sole discretion of the Planning Commission there

has been a change or changes in project. Eight (8) full size and eighteen (18) 11 x 17 copies of all information listed in section 4.5.1.6, and other data, as deemed necessary by the Zoning Administrator, shall be submitted for final review. The Commission shall make a recommendation to the Council within forty-five (45) days of the submission of the final PDD plans.

3. The City Council may require additional information as deemed necessary. Radial search be required and provided by the City.
4. The City Council shall evaluate the PDD request using all criteria consistent with this ordinance, the needs of the City of Chisago City, the adopted Comprehensive Plan Goals and Policies, and common land use planning principles and standards, and shall make its decision within sixty (60) days of the date of the Public Hearing.

f. Final Plan Required Exhibits

The following exhibits are required for presentation to and review by City staff and consultants, Planning Commission, and City Council at specified intervals during the Planned Development process as described in this chapter.

The Final Plan submittal has essentially the same information as presented in the Preliminary Plan, however, shall include a more finalized plan and updated and/or recommended changes included for review by both the Planning Commission and/or the City Council. The submittal shall include:

1. Plan or plans at a scale of one inch equals 100 feet and supporting narrative description depicting in a detailed manner the proposed site development including:
 - Broad development objectives
 - Proposed land uses
 - Location of structures
 - Location of future expansion (if applicable)
 - Vehicle and pedestrian circulation facilities
 - Parking area and number of stalls (multifamily, commercial, and industrial)
 - Open space uses, ownership and method of maintenance
 - Grading plan
 - Landscaping plan including species and size
 - Tree Preservation
 - Lighting plan
2. Utility plans at a scale of one inch equals 100 feet indicating size and placement of water, sanitary lines, and stormwater management plans, fire hydrants, drainage facilities, and any other pertinent utility related information;
3. Preliminary architectural plans at one-eighth (1/8) inch equals one foot, showing floor plans and elevations of all building types
4. A tabulation indicating the proposed number of dwelling units and gross density, if applicable.
5. Final Plat, if applicable

g. Construction and Maintenance

1. **Staging.** It is recognized that certain PDD requests may involve construction over several years. If it is proposed to develop a project during a period which will exceed two years, the applicant may request approval for the entire project and permission to submit detailed information respecting only the first stage or stages of the project. If permission pursuant to such a request is granted by the City Council, a separate

Public Hearing may nevertheless be required for each successive stage of the project and detailed plans shall be submitted in accordance with the approved phasing schedule outlined in the concept PDD approval.

2. Covenants, Easements and Restrictions. The final Plan shall contain such proposed covenants, easements, and other provisions relating to the bulk, location and density of residential units, non-residential uses and public facilities as are necessary for the welfare of the PDD and are consistent with the best interest of the entire City.
 3. Streets, Utilities, Services and Public Facilities. The uniqueness of each proposal for Planned Development requires that specifications and standards for streets, utilities and services shall be subject to minor modifications from the specifications and standards established in this and other City ordinances governing their construction. The City Council may therefore waive or modify the specifications or standards where it is found that they are not required in the interest of the PDD occupants or of the entire City. The plans and profiles of all streets, utilities and services shall be reviewed, modified, if necessary, and approved by the City Engineer, Fire Chief, and Building Official, prior to approval of the Final Plan by the City Council. All PDD projects shall be served by public or community water and sewer systems.
- h. Planned Development District Review/Revision
1. Review. The zoning administrator shall review all PDDs as deemed necessary, and shall update the City Council and the Planning Commission as to the status of the development. The purpose of the review is to ensure that development is happening in a reasonable amount of time and to make sure that the development is consistent with the goals of the PDD agreement and the adopted Comprehensive Plan.
 2. Final Plan Revisions and Amendments to Planned Developments. Minor changes that respond to requirements made by engineering related to location, placement, and heights of buildings and structures may be authorized by the Zoning Administrator if the circumstance does not significantly alter the approved plan. All other changes are subject to review by the City Council and Planning Commission and shall be approved by the necessary authority to ensure the proposed changes are consistent with the approved Final Plan. If major changes to the approved plan are proposed, the Applicant may be asked to submit a set of full size plans and resubmit for formal review by the Planning Commission and the City Council.
 3. Certificate of Occupancy Permit. Occupancy of a Planned Development will not be allowed until the Building Official authorizes issuance of a Certificate of Occupancy Permit.

4.5.2 PLANNED UNIT DEVELOPMENT (PUD)

- a. Purpose. The purpose of a PUD is to provide a means for ensuring variety, innovation and flexibility in the development of land and its improvements, and for purposes of this section focuses primarily on residential development but may be applied to small commercial and light industrial development.

The PUD process is intended to encourage a mixture of uses and unit styles in an integrated and well planned area to improve neighborhood design and promote a better, and healthier living environment. The PUD provides a more comprehensive development plan which promotes attention to the relationship between buildings and the environment, and buildings and people. Oftentimes developments become overly focused on site regulations and ultimately the best design is not permitted because of these restrictions. The purpose of the PUD is to avoid such situations, and to consequently allow a strong and joint relationship between the City and the developer, and ultimately create the best development which considers the environment, the site, the relationship with the greater City which will improve and enhance the City. Shoreline development will not be considered under this section of the ordinance. Shoreland development will follow the provisions of Chapter 4.7.3 Shoreland Overlay District.

- b. Qualifications and Requirements

The following criteria will either promote or require an applicant to utilize the PUD process when proposing a development in the City.

1. Land to be improved that may be a PUD shall include:
 - a) Any parcel split resulting in 3 or more lots including outlots; or
 - b) At least (3) acres in size, and in the R-1, R-2, R-3, or R-4 Zoning District, or
 - c) At least (1) complete City block in size, or
 - d) Have a density of more than 9 dwelling units per acre, or
 - e) Contains unusual physical features, or
 - f) Contains land also included in the Conservation Overlay as defined on the Zoning Map, or
 - g) Is of special historical interest.
2. Permitted uses in a Residential PUD may, at the city's discretion, include detached, attached, clustered or multi-storied dwelling unit structures, or any combination thereof, and any nonresidential use designed to serve the residents of the PUD and the vicinity, and approved by the City Administrator.
3. Permitted uses in nonresidential PUD' s shall be limited to those permitted either specifically or by Conditional Use Permit in the zoning district in which the proposed PUD is to be located.
4. The density of structures and maximum building heights on privately or commonly owned property shall not exceed the limits imposed by the zoning district in which the structures are located.
5. Copies of all covenants and easements relating to the provision, use and maintenance of common open space shall be filed with the City Clerk and approved by the City Council. The requirements of these provisions shall be legally binding upon all who are a party to them. When a homeowners association or other entity is formed to maintain open space or facilities, the City shall be empowered to abate any nuisance resulting from the lack of maintenance and shall have the authority to assess the cost of the abatement of the nuisance to all property owners holding membership in the association. The City reserves the right to file a lien against

property which is in violation of the city nuisance ordinance.

6. The PUD development shall be designed and constructed to harmonize with both existing and proposed developments including the trail network, sidewalks, parks and open space in the area surrounding the site. All developments shall be reviewed by the City's Comprehensive Plan and Park Board, and shall be subject to their review and recommendation.
 7. Land shall be dedicated to the City of Chisago City for recreation or other open space purposes consistent with the standards and criteria contained in the subdivision ordinance, Park Plan or Comprehensive Plan. Trails shall be designed, located and improved as contained in the Comprehensive Plan and the Park and Trailway Ordinance. All public utilities and communications transmission facilities shall be installed underground. (Utility and drainage easements shall be as approved by City Council.) Landscaping, sidewalks, natural area buffering and trails shall be provided according to the approved plan and consistent with the Comprehensive Plan. All private or public streets, sidewalks, parking areas, parks and storm sewer systems shall be built in accordance with the City's established subdivision ordinance and utility design standards and specifications.
 8. A building setback from the property line which is adjacent to the PUD site and which is zoned or being used for a less intensive use shall be at least equal to twice the proposed building's height for the building adjacent line.
- c. Performance and Architectural Standards
1. For all residential developments the following shall apply:
 - a) No two same or similar facades shall be permitted adjacent to each other; and
 - b) All proposed PUD developments having 25 units or more shall have a minimum of 4 different unit types that shall be of considerable difference, which shall apply to all developments including single family, townhome, multi-family and/or any combination thereof, and
 - c) All proposed structures shall have a primary façade, however, attention to all sides of the structure shall be required. Each side shall have a minimum of ten percent (10%) of the surface area dedicated to fenestration, or accessory materials (i.e. brick, stone, etc.) to encourage attractive structures from all sides.
 - d) Any PUD development may be required to connect the development to the community trail system, even if that requires the developer to construct trails outside of its development boundaries.
 - e) All PUDs shall follow the landscaping requirements as set forth in the Subdivision ordinance Section 5.00
 - f) Housing choice and variety at a mix of income levels shall be considered a priority
 2. All proposed PUDs shall have sidewalks on both sides of each street and shall be connected to the community trail system
 3. All structures shall have a clearly defined entrance and should be easily navigable
 4. Each structure should have a clearly marked house number that is visible from the primary road.
- d. Lot Requirements and Standards
1. All proposed structures shall meet and follow the regulations as defined in the applicable zoning district.
 2. Residential Clustering and Open space development shall be encouraged for all developments, and shall be required for those developments that have a minimum of 50 percent of the property located in the Conservation Overlay corridors as defined in

the adopted Comprehensive Plan.

3. The residential density in a PUD shall be equal to the density of the residential zone district. In a residential PUD density shall be calculated by subtracting wetlands and sloped areas with slopes of 25% or greater, parks, drainage areas, and road right-of-ways from gross land area and dividing that net developable area by the minimum lot size requirement.
4. All proposed lots and structures shall have a buildable area exclusive of steep slopes, wetlands, woodlands, and other natural amenities to encourage conservation and preservation of natural resources in the community.

4.5.3 PLANNED MIXED-USE DEVELOPMENT DISTRICT (PMD)

- a. Purpose. The purpose of a PMD is to provide areas in the community where a mix of residential and commercial and/or retail services can be accommodated in an integrated pattern. The district will allow different unit types in the community and shall permit development of housing in conjunction with commercial opportunities to create a unique and diverse land use pattern on paved roads where PMD development is well suited.

This zoning district is identified geographically on the adopted Zoning Map which clearly identifies areas in the community that are suited for this type of development and proposed intensification.

b. Qualifications and Requirements

Properties zoned on the official zoning map as PMD shall be required to utilize the standards and requirements in this chapter. If a property is adjacent to a PMD, and is owned by the same owner, and the Applicant is proposing a master planned PMD area, the applicant may be permitted to do so after approval from the Zoning Administrator and/or the Planning Commission.

c. Performance and Architectural Standards

1. All proposed structures included in a PMD shall be of similar architectural quality and integrity so as to present a consistent style and sense of place.
2. The following shall apply to the residential development in the PMD district:
 - a) No two same or similar facades shall be permitted adjacent to each other; and
 - b) A minimum of 25 percent of planned residential structures should be attached
 - c) All structures shall have articulation, fenestration, and architectural details to promote four-sided architectural interest
 - d) All structures shall have a clearly defined entrance and should be easily navigable and lighted for safety
 - e) Each structure shall have a clearly marked house number that is visible from the primary road.
3. A minimum of 25 percent of all PMD areas must be allocated for commercial or retail uses, and the following shall apply:
 - a) All commercial and retail businesses shall be oriented to pedestrians and shall be accessible to adjacent residential properties also a part of the proposed PMD.
 - b) The combined gross floor area of all buildings within any single NC District shall not exceed 50,000 square feet and the gross floor area of any single business establishment shall not exceed 20,000 square feet to promote smaller scale establishments and support of the goals and policies identified in the adopted Comprehensive Plan.
 - c) All facades of such structures shall have a minimum of 30 percent of their façade dedicated to fenestration, or articulation of some nature to promote architectural interest.
 - d) Articulation shall occur a minimum of every 25 feet across the primary façade to encourage visual interest and to avoid long facades with little or no detail.
 - e) All parking requirements shall be applied based on industry standards for the proposed use of the structure and shall meet the requirements set forth in Section 6.06 of this ordinance.
4. Trail connections shall be encouraged between residential and non-residential uses in a PMD area.
5. Bicycle facilities shall be provided at all business and retail establishments design as a part of the PMD

d. Lot Requirements and Standards

1. The residential development proposed as a part of the PMD shall follow minimum lot size requirements and density limitations based on the requirements set forth as a part of section 4.2.6. The following regulations apply to all single family detached, and attached homes located or proposed in the PMD district. The regulations are as follows:
 - a) Permitted and Conditional Uses in the PMD district shall be consistent with those uses identified in the R-3 zoning district founding section 4.2.6.
 - b) All detached homes shall have a minimum of 6,000 Square Feet per dwelling unit.
 - c) All attached townhomes, defined as units with private entry, shall have a minimum of 4,500 square feet of lot per unit and shall meet all setback requirements and lot standards.
 - d) All attached or multifamily homes shall have a minimum 3,500 square feet of lot area per unit.
2. All proposed residential development shall be compatible with proposed retail and commercial uses in the PMD District.
3. Screening and vegetation shall be used between residential and commercial uses to help create a transition between uses.
4. The following uses are allowed for commercial and retail establishments within the PMD district:
 - a) Permitted uses
 1. All permitted uses in the Highway Commercial District
 2. Motor fuel stations
 3. Strip commercial retail centers including sale of general retail merchandise
 4. Liquor store – off sale
 5. Physical Fitness Center
 6. Day care facilities including pre-school
 7. Recreational entertainment
 - b) Conditional Uses
 1. On and off-sale drinking establishment
 2. Retail with majority warehouse
 3. Laundromat
 4. Convention Center

5. Setbacks

The following minimum requirements shall be observed for Commercial development within the PMD District subject to the additional requirements, exceptions and modifications set forth:

Lot Area	20,000 square feet
Lot Width	150 feet
Setbacks – Front Yard	40 feet
Setbacks – Rear Yard	30 feet
Setbacks – Side Yard	20 feet
Setbacks – Public Right of Way	30 feet
Setbacks – Highway 8 Right of Way	50 feet
Maximum Impervious Surface	70%

4.5.4 PLANNED INDUSTRIAL MIXED-USE DEVELOPMENT (PID)

- a. Purpose. The purpose of a PID is to provide areas in the community where a mix of residential and light industrial services can be accommodated in an integrated and compatible pattern. The district will provide opportunities for different residential unit types in the community and shall permit development of housing in conjunction with Light Industrial uses. The purpose of providing an area suitable for master planning residential and light industrial uses is to encourage residents to live near downtown and near jobs. The PID district is an extension of the Light Industrial area that provides opportunities for future mixed residential and light industrial development.

This zoning district is identified geographically on the adopted Zoning Map which clearly identifies areas in the community that are suited for this type of development and proposed intensification.

b. Qualifications and Requirements

Properties zoned on the official zoning map as PID shall be required to utilize the standards and requirements in this chapter. If a property is adjacent to a PID, and is owned by the same owner, and the Applicant is proposing a master planned PID area, the applicant may be permitted to consider the area comprehensively after approval from the Zoning Administrator and/or the Planning Commission.

c. Performance and Architectural Standards

1. The entire acreage of the PID district shall be considered and applied to the following requirements:
 - a) Of the entire PID acreage, a minimum of 50% of the developable land shall be dedicated to light industrial uses
2. All residential development shall implement the following:
 - a) No two same of similar facades shall be permitted adjacent to each other; and
 - b) A minimum of 15 percent of planned structures should be attached residential structures; and
 - c) All structures shall have articulation, fenestration, and architectural details on all sides of a structure to promote four-sided architectural interest; and
 - d) All structures shall have a clearly defined entrance and should be easily navigable and lighted for safety
 - e) Each structure shall have a clearly market house number that is visible from the primary road.
3. All light industrial development shall implement the following standards:
 - a) All proposed light industrial development shall provide adequate buffers between light industrial uses and residential structures; and
 - b) Light industrial structures, when facing a residential unit, shall be required to soften the visual impact through upgraded façade treatments, fenestration, or architectural detail so as to present a more compatible relationship
 - c) Structures nearest to residential units shall be required to construct their facility of bricks and mortar, with a foundation
 - d) Temporary, structures may be permitted in the interior of an industrial area provided such structure is not adjacent or visually connected to a residential structure.
 - e) Light industrial uses shall be required to provide vegetation and landscaping in accordance with the City's landscape ordinance.

d. Lot Requirements and Standards

1. The residential development proposed as a part of the PID shall follow minimum lot size requirements and density limitations based on the requirements set forth as a part of section 4.2.5. The following regulations apply to all single family detached and attached homes located or proposed in the PID district. The regulations are as follows:
 - a) Permitted and Conditional Uses in the residential development in a PID shall be consistent with those used defined in the R-3 residential zoning district.
 - b) All detached homes shall have a minimum of 6,000 Square Feet per dwelling unit.
 - c) All attached townhomes, defined as units with private entry, shall have a minimum of 4,500 square feet of lot per unit and shall meet all setback requirements and lot standards.
 - d) All attached or multifamily homes shall have a minimum 3,500 square feet of lot area per unit (6 units or greater).
 - e) Parcels containing a residential structure and a light industrial structure shall be required to have a minimum of 5 acres, and shall be limited to a single family structure. All lot requirements stated in the RR-1 district shall apply.
2. Screening and vegetation shall be used between residential and light industrial uses to help create a transition between uses.
3. Light Industrial establishments shall be held to the minimum lot standards and requirements defined in the Light Industrial District, which is found in Section 4.4.1. Permitted and Conditional Uses in the Light Industrial district shall be consistent with those identified as a part of the Light Industrial District.

(Adopted: January 2000. Amended: October 2006, June 2007, February 2013)