

PLANNED UNIT DEVELOPMENT PROCESS/APPLICATION CHECKLIST

A checklist has been prepared to set forth the process for a Planned Unit Development (PUD) in the City of the Baxter. This checklist, which summarizes the steps and requirements of Section 10-6 of the Baxter Zoning Code, is intended to assist developers in completing the required application(s) and informing them how the approval process works. A Complete copy of Section 10-6 is available at the City's website at www.ci.baxter.mn.us or is available upon request for a nominal fee. If any of the items set forth in this checklist are not submitted, or are not submitted in a timely manner, the application will be deemed incomplete and returned to the applicant. An outline summarizing the overall PUD approval process and the application steps/requirements are shown below:

OVERALL PUD APPROVAL PROCESS

- I. **Sketch Plan/Pre-Application Requirements**
 - a. Preparation of sketch plan & drainage plan and other info by applicant.
 - b. Pre-application meeting with Staff. Determination of any necessary environmental review.
 - c. City Council review of sketch plan and other information submitted.
- II. **Application for PUD**
 - a. Preparation of any necessary preliminary plat and other info by applicant. (Subdivision application must occur simultaneous with PUD application.)
 - b. Submittal of conditional use permit (CUP), rezoning, certificate of survey and other zoning applications, fees, and required information.
 - c. Review by Long Range Planning Commission - if a rezoning involves amending the comprehensive plan.
 - d. Public hearing on zoning applications by Planning & Zoning Commission (P&Z).
 - e. Utility Commission review of water, sewer, and drainage.
 - f. Parks Commission review of dedicated land/park fees.
 - g. Final approvals of project by City Council. (Note: Decision will be delayed or denied if any necessary environmental review is not complete).

PUD APPLICATION STEPS/REQUIREMENTS

FIRST STEP: Sketch Plan Preparation:

*The following must be prepared and submitted for City Staff review **BEFORE** a Staff pre-application meeting can be scheduled:*

- Four (4) copies of a general sketch plan noting the following:
 - A. Proposed zoning changes.
 - B. Certificate of Survey
 - C. All permits required.
 - D. Explanation of relationship of proposed plat to:
 - 1. Community facilities that serve it.
 - 2. Neighboring subdivisions and developments.
 - 3. Topography.
- Four (4) copies of a drainage and storm water handling plan.

SECOND STEP: Determination of Complete Sketch Plan Information

The second step in the process is to determine if the Sketch Plan submissions are complete. (No time limit is set forth in the ordinance but Staff needs at least ten (10) business days to determine if the information submitted is complete). After determining the sketch plan, drainage and storm water handling plans are complete, staff will take the following actions:

- Notify the applicant that the pre-application information is complete and schedule a pre-application meeting.
- Hold a pre-application meeting to review applicable ordinances, regulations, and plans for the area to be developed.
- Prepare a written response outlining issues raised by City Staff within 15 business days.
 - At that time, Staff will also determine any necessary environmental review.
- Schedule City Council review of sketch plan (next scheduled City Council meeting).
Note: Needs to be scheduled at least five (5) business days before meeting.

THIRD STEP: PUD Application

*The third step in the PUD process is submitting the actual application(s) that will require a public hearing by the P&Z Commission. After City Council review of the sketch plan, application(s) for a PUD may be made. In addition to all the information required for a preliminary plat as set forth in Section 11-1 of the City Code, the following **MUST** be submitted by the application deadline time and date (**currently 4:30 p.m. three weeks before the P & Z meeting**):*

- A preliminary plat application and information as set forth in Section 11-1 of the City Code. (See subdivision checklist). Must include storm water design, all easements and other information needed for a preliminary plat.
- A copy of the proposed covenants/association documents.
- Utility Design (Must note if size of proposed water and sewer mains are larger than 8”).
- A Conditional Use Permit (CUP) application and detailed narrative describing the project.
- Preliminary landscaping plans (Use requirements in Landscaping Ordinance 10-4-4). Also include percentage of the property that is remaining green space.
- Lighting plan (both proposed street lighting and any decorative lighting).
- Scaled floor plans and architectural elevations for structures, surface material (including color and building material) list for each structure.
- Time schedule for completion of the development. If staged a timeline and what will be complete.
- Description of the expected uses of each structure, i.e. office, retail, service, warehouse, manufacturing, housing, (type, tenure, etc.).
- Calculation of dwellings or commercial units, and overall net densities (Density is based on buildable lot area; do not count wetlands, or rights-of-way).
- Overlay district analysis (if applicable). Provide an analysis of existing recreational use of surface waters, impact on the shoreline, and like increases in water use associated with the PUD; possible erosion concerns during and after the development; level of current development in the area; and amounts and types of ownership of surrounding land.
- Affidavit of ownership.
- Verification of zoning district and minimum acreage.
 Check applicable one:

<u>Zoning District</u>	<u>Minimum Acreage</u>
___ R-1	___ 5 acres
___ R-2, R-3	___ 2 acres
___ C-1, C-2, OS, I	___ 0 acres

- Compliance with design standards Section 10-6-3 E (1-12).
- Special/unique signage requested (if any).
- Park fee if applicable.

If the Proposal is a Mixed Use PUD

A Mixed Use PUD is allowed under certain conditions. A Mixed Use is defined as one that may be permitted within the PUD that is not a permitted or conditional use within the underlying zoning district. The test for a Mixed Use PUD is shown below:

- o There is only one zoning district and proposed uses are permitted or conditionally permitted in zone - **not Mixed Use.**
- o The PUD covers more than one zoning district and the proposed uses comply with the respective zoning districts – **not Mixed Use.**
- o The proposed use is permitted within the PUD but is not a permitted or conditional use within the underlying zoning district – **is Mixed Use, but can only be permitted after rezoning to PUD Mixed Use Overlay zoning district.**

Rezoning to PUD Mixed Use Overlay District

The following factors must be considered before rezoning to PUD overlay district:

- o Must be accompanied by a CUP application.
- o If zoned residential, a minimum of 10 acres.
- o Not allowed in shore land overlay district or industrial district.
- o Proposed uses are consistent with the Baxter Comp Plan and compatible with adjacent uses.
- o Proposed adjacent uses must be adequately screened and blended.

Administration/Maintenance for All PUDs

The PUD regulations require various guarantees that ensure long term preservation and maintenance of project. Those guarantees are as follows:

- Developer’s agreement, deed restrictions, covenants, permanent easements, public dedications, and other measures acceptable to the City.
- Homeowner covenants for residential PUD’s.
- Financial guarantees deemed necessary.
- Completion within one year unless done in approved phases.
- Substantial departure from the approved plan requires City approval and public hearing.

Incomplete Application

After receiving a PUD application, staff will review the application for completeness. If it is determined that the application is incomplete, it will be returned to the applicant within ten (10) business days with an indication of what information was missing. If an application is returned, it will most likely cause the application to be postponed to the next P&Z meeting due to public hearing requirements and other deadlines.

Representation At Meetings

All applicants should attend the P&Z meeting or have someone there to represent them. Staff prepares a written report outlining findings of fact and conditions of approval before the P&Z public hearing. Additional conditions of approval may be added or modified as the project moves through the various boards and commissions. Although the City Council has final approval for all applications, they look to these commissions for recommendations.