

# Article 5

## Planned Development

These regulations are intended to promote and enhance the public health, safety, and welfare by providing comprehensive regulations and requirements for unified planning and development of tracts of land held in common ownership or control. Planned Development (PD) provides for the development of new neighborhoods and the revitalization or extension of existing neighborhoods, structured upon a fine network of interconnecting pedestrian oriented streets and other public spaces. In considering petitions for concept plan approval, the City Council shall consider the extent to which the proposed planned development fulfills the following objectives:

- (a) To promote a harmonious mixture of land uses and housing types and housing cost which will allow people to work and shop in the neighborhood in which they live.
- (b) To encourage creative design to complement and enhance the City's visual character.
- (c) To ensure adequate provision and efficient use of open space and recreational facilities.
- (d) To provide for the enhancement and preservation of property with unique features such as historic significance, sensitive environmental resources, and scenic qualities.
- (e) To promote good transportation design to minimize new traffic generation and separate pedestrian, bicycle, local residential and through motor vehicle traffic.
- (f) To reduce public utility maintenance costs by encouraging efficient land use patterns.
- (g) To promote energy-conserving buildings and site designs and land use patterns.

### **Section 5.1. Applicability**

The provisions of this Article apply to Planned Development Districts approved by the City Council for Planned Development Neighborhoods [PDN]; Planned Development Villages [PDV]; Planned Employment Centers [PEC]; and Planned Mixed Use [PMU]; all called "Planned Developments" in this Article. Planned Development Districts are not permissible within the Traditional Punta Gorda (TPG) Zoning District.

### **Section 5.2. Minimum Site Area**

- (a) Each PDN District shall be a minimum of 1 acre and no larger than 40 acres.

- (b) Tracts larger than 40 acres shall be developed as a Planned Development Village (PDV) or Planned Mixed Use (PMU). Each PDV or PMU\_District shall be a minimum of 40 acres and no larger than 200 acres in area.
- (c) Tracts larger than 200 acres shall be developed as multiple districts.
- (d) Each Planned Employment Center (PEC) District shall be at least 5 acres in area unless the proposed planned development is a logical extension of an existing commercial or employment area.
- (e) PMU Districts have no minimum or maximum site areas.

### **Section 5 .3. Development Standards**

- (a). The area of the PD shall be divided into blocks, streets, lots, and open space.
- (b). Along existing streets, new buildings shall respect the general spacing of structures, building mass, scale, and street frontage relationships of existing buildings.
- (c). New buildings which exceed the scale and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume.
- (d). On new streets, allowable buildings and lot types will establish the development pattern.
- (e). Public streets or private platted, improved streets shall provide access to all tracts and lots.
- (f). Streets and alleys shall, wherever practicable, terminate at other streets within the neighborhood and connect to existing and projected streets outside the development.
- (g). Cul-de sacs shall not exceed 250 feet in length, must be accessed from a street providing internal or external connectivity, shall be permanently terminated by a vehicular turnaround, and are permitted where topography makes a street connection impracticable. Vehicular turnarounds of various configurations are acceptable so long as emergency access is adequately provided.
- (h). No block face should have a length greater than 500 feet without a dedicated alley or pathway providing through access.
- (i). A continuous network of rear alleys is recommended for all lots in a PD.
- (j). Rear alleys shall provide vehicular access to lots 60 feet or less in width.
- (k). Utilities may run along alleys.

- (l). Except in PMU Districts, building height shall be limited to a maximum of 60 feet above Base Flood Elevation (BFE) and Freeboard required by the Florida Building Code except where additional height is approved by City Council based on one or more of the following conditions:
  - (1). Primary building use is a hotel.
  - (2). Land is dedicated to the City of Punta Gorda for uses including, but not limited to public safety facilities, recreational opportunities, Public Park, library, or school.
  - (3). Site plans that exhibit a full integration of residential, shopfront and workplace uses while physical details that enhance the site's level of sustainability or climate resiliency as described within the goals, policies, and objectives of the City's Comprehensive Plan, including the Coastal Management Element. Examples could include meeting the standards for LEED ND, wetland/natural habitat restoration, wildlife corridor protection, among numerous other opportunities.
- (m). In PMU Districts, applicants shall select a regulating district or districts for their property, which will dictate the development standards, as codified in Section 3.2.
- (n). PD districts shall comply with the provisions of Articles 7, 9, 10, 11 and 12 of Chapter 26.
- (o). To prevent the buildup of vehicular speed, disperse traffic flow, and create a sense of visual enclosure, long uninterrupted segments of straight streets shall be avoided.
- (p). Methods designed to calm the speed and disperse the flow of traffic shall be utilized in the internal street network. These methods include, but are not limited to:
  - (1). Special paver and/or raised crosswalks or intersections
  - (2). Roundabout
  - (3). Chicanes
  - (4). Center islands
- (q). Emergency access must be provided.
- (r). A minimum percentage build-out at the build-to-line shall be established on the plan along all streets and public square frontages.
- (s). Civic lots shall be within or adjacent to a square or park or on a lot terminating a street vista.
- (t). Uses on the perimeter of a PD shall be compatible with surrounding development.
- (u). Setbacks for uses on the perimeter shall be consistent with the adjoining land use where such use is developed for single-family residential purposes.

## **Section 5.4. Lot Size**

Except in PMU Districts, no Planned Development shall be approved which contains lots with areas or widths less than provided below for the dwelling types shown:

### **(a) Single-Family Detached:**

- (1). Minimum lot area: 5,000 square feet
- (2). Minimum lot width: 50 feet

### **(b) Single-Family Attached (development type with attached structures on individual lots):**

- (1). Minimum lot area: 2,000 square feet
- (2). Minimum lot width: 20 feet

### **(c) Duplex:**

- (1). Minimum lot area: 8,000 square feet
- (2). Minimum lot width: 75 feet

### **(d) Multi-Family:**

- (1). Minimum lot area: 10,000 square feet
- (2). Minimum lot width: 75 feet

### **(e) Commercial and mixed-use:**

- (1). Minimum lot area: No minimum
- (2). Minimum lot width: No minimum

In PMU Districts, lot sizes shall be as provided by Section 3.2 for the approved regulating district(s); see Section 5.9.

## **Section 5.5. Calculation of Density**

The maximum number of dwellings permitted in a Planned Development shall be calculated by multiplying the applicable Comprehensive Plan density limit expressed in dwellings per acre by the gross total acreage of the planned development. All lands included within the calculations must be under the ownership or control of the applicant.

## **Section 5.6. PDN, Planned Development Neighborhood District**

Planned Development Neighborhood [PDN] Districts are intended to encourage the development of a mixture of housing types and price ranges and to promote the organization of residential development into efficient neighborhoods with appropriate supportive community facilities and services.

### **(a) Permitted Uses.** The following uses are permitted in a PDN District:

- (1). Single-family, two-family, and multi-family.
- (2). Government/Office.

- (3). Neighborhood commercial/shopfront.
- (4). Cemetery.
- (5). Fire and/or rescue facility.
- (6). Group homes.
- (7). Park, public.
- (8). Place of worship.
- (9). Recreation facility.
- (10). School, general education.
- (11). School, public.
- (12). Essential services 1, 2 and 3.
- (13). Any other uses designated in the PD application with City Council approval.

**(b) Open Space.**

- (1). Community recreational sites shall be provided at a rate of 0.25 acres for each 100 dwelling units minimum.
- (2). Recreational areas and facilities such as playgrounds, tennis courts, basketball courts, swimming pools and community buildings shall be provided to meet the anticipated needs of residents and occupants of the planned development.
- (3). All open space including public recreational facilities shall be included in the development schedule and be constructed and fully improved by the developer at a rate equivalent or greater than the rate of construction of dwellings.

**Section 5.7. PDV, Planned Development Village District**

Planned Development Village [PDV] Districts are intended to promote the development of self-sufficient communities which are organized around a mixed-use center of commercial, employment, community facility and high density residential uses.

The intent of the PDV District is to encourage efficient land use patterns which conserve energy and natural resources and provide a variety of living and working environments integrated with adequate open space and recreational facilities.

**(a) Permitted Uses. The following uses are permitted in a PDV District:**

- (1). Single-family, two-family and multi-family.
- (2). Civic uses.
- (3). Neighborhood commercial/shopfront.
- (4). Mixed Use Center, see (b) below.
- (5). Office.
- (6). Cemetery.
- (7). Fire and/or rescue facility.
- (8). Group homes.

- (9). Library.
- (10). Museum.
- (11). Nursing home.
- (12). Park, public.
- (13). Place of worship.
- (14). Recreation facility.
- (15). School, general education.
- (16). School, public.
- (17). Essential Services 1, 2 and 3.
- (18). Any other uses designated in the PD application with City Council approval.

**(b) Mixed Use Centers required. In PDV Districts, a mixed used center is required.**

- (1). A minimum of five percent of the gross area of a PDV shall be designated for shopfront or workplace buildings. The City Council may eliminate the requirement for lands used for shopfronts and/or workplaces subject to a finding that the proposed alternative arrangement more fully integrates the project into an existing neighborhood.
- (2). Mixed use centers are a cluster of residential, commercial, employment and community facility uses designed to serve as the focus of a residential village.
- (3). Uses shall be supportive of and compatible with surrounding residential development.
- (4). Non-residential uses shall be confined to the first two floors when located in the same building as residential uses.
- (5). Residential uses shall be provided with separate entrances.
- (6). The negative effects of employment facilities, such as noise, dust and fumes, shall be completely contained within individual buildings.
- (7). The transportation system shall not create conflicts between local and regional uses or generate through traffic in residential areas.

**(c) Open Space.**

- (1). Open space shall be provided and maintained as required by this Article.
- (2). Community recreational sites shall be provided at a rate of 0.25 acres for each 100 dwelling units.
- (3). A minimum of 0.25 acres for each 100 dwelling units shall be dedicated for open space. City Council may eliminate or reduce this

requirement subject to a finding that the proposed development plan offers additional development benefits to the public.

- (4). Recreation areas and facilities, such as playgrounds, tennis courts, basketball courts, swimming pools and community buildings should be provided to meet the anticipated needs of residents of the planned development.
- (5). All common open space, including public recreational facilities, shall be included in the development schedule and be constructed and fully improved by the developer at a rate equivalent to or greater than the construction of residential units.

### **Section 5.8. PEC, Planned Employment Center District**

The Planned Employment Center [PEC] District is intended to encourage innovative and creative design of retail, office, and industrial development. The PEC District regulations are designed to promote attractive employment areas which complement surrounding land uses through high quality layout, design, and construction techniques.

(a) **Permitted Uses.** The following principal uses are permitted in a PEC District:

- (1). Convention center.
- (2). Hotel and motel, Inn.
- (3). Office [business, professional or government].
- (4). Commercial, retail uses.
- (5). Recreational facilities.
- (6). Light intensity industrial so long as use is rendered unobjectionable because noise, heavy truck traffic, odor, fumes, and other potential nuisances are effectively mitigated by performance standards set out in the ordinance establishing the use.
- (7). Fire and/or rescue facility.
- (8). Group homes.
- (9). Park, public.
- (10). Recreation facility.
- (11). Hospitals, schools, technical and special instruction.
- (12). Essential services, classes 1, 2 and 3.
- (13). Any other uses designated in the PD application with City Council approval.

(b) **Support Uses.** The following support uses are permitted in a PEC District when subordinate to principal office or industrial uses:

- (1). Service station.
- (2). Service and supply establishments.
- (3). Convenience retail food stores.
- (4). Bank, with drive-in facility.
- (5). Health club or spa.

- (6). Parking structure, private.
- (7). Service, personal.
- (8). Pharmacies, retail pharmacies.
- (9). Repair service establishments.
- (10). Eating establishments and fast food.
- (11). All principal and accessory residential uses intended as living quarters for employees or owners of establishments within the District if located and designed in a manner appropriate to the character and function of the District.

(c) **Use Limitations.** The following limitations apply to uses of land in a Planned Employment Center in addition to any limitations provided in the ordinance establishing the District.

- (1). All operations shall be conducted within a fully enclosed building unless the City Council finds that outdoor operations are compatible with the planned employment center.
- (2). The gross land area of all residential uses shall not exceed 15 percent of the total land area of the district. Land where residential uses occur over non-residential uses shall not be included in the calculation of this percentage.
- (3). Automobile service stations may include accessory uses such as vehicle or tool rental; however, shall not include the outdoor storage of any inoperable, wrecked or abandoned vehicles on the site for more than 72 hours.

(d) **Open Space.**

- (1). At least 30 percent of the gross area of a Planned Employment Center shall be open space.
- (2). Any common open space provided shall be maintained as required by this Article.
- (3). All open space shall be included in the development schedule and be fully improved by the developer at a rate equivalent to or greater than the construction of all structures.

**Section 5.9. PMU, Planned Mixed Use District**

Planned Mixed Use [PMU] Districts are intended to encourage a mixture of housing types and price ranges and may include the thoughtful integration of community facilities and/or business uses.

Permitted uses and development standards shall be based on standards in Section 3.2 of this code for the Traditional Punta Gorda (TPG) District:



- (a) An applicant for the PMU District shall propose a TPG regulating district for the PMU site. Larger sites may include two or more contiguous but not overlapping regulating districts.
- (b) The Concept Plan and Planned Development [PD] Plan shall identify where each TPG regulating district would apply and shall follow the standards for that regulating district to establish the proposed locations of streets, blocks, lots, and other physical features.
- (c) If any code modifications are requested, the PD Plan shall include a detailed and complete listing of each proposed modification of an TPG standard or an otherwise applicable code requirement, and shall identify where on the site each modification would be used. Requests for code modifications may include a request for a special exception.
- (d) Land in an approved PMU District shall be regulated by the terms and conditions of the ordinance approving PMU zoning including the approved PD Plan and approved code modifications, and by standards in the designated regulating district in Section 3.2 other than those modified or restricted by the PMU ordinance. Allowable uses shall be those shown as permitted uses for the regulating district, except as may be restricted by the terms and conditions of the PMU ordinance, plus any uses approved by the City Council as special exceptions.

**Section 5.10. Procedures**

Planned Development Districts shall be established in accordance with the following standards and procedures:

- (a) **Concept Plan.** A concept plan of the proposed development shall be submitted to the Zoning Official or their designee. The Concept Plan application shall include a map of the property and land area within 200 feet showing:
  - (1). The general location and arrangement of proposed uses, including open space and recreational uses.
  - (2). The general alignment of major arterials or primary thoroughfares, minor arterials, or major thoroughfares, through collector roads and general alignment of pedestrian ways.
  - (3). The location of sensitive and critical environmental features as defined in the Comprehensive Plan [floodplains and wetlands].
  - (4). The approximate number of dwellings by type and the approximate floor area of non-residential uses.
  - (5). Such other information as is necessary and appropriate to show compliance with Comprehensive Plan policies.

If a concept plan is determined to be consistent with the Comprehensive Plan by the Zoning Official, a Planned Development Plan [PD] may be prepared. If the Zoning Official determines that the concept plan is not consistent with comprehensive plan, the applicant may appeal the decision to the City Council under the provisions of

Section 16.2.

- (b) **Planned Development [PD] Plans.** A PD Plan is the detailed development plan for the proposed planned development and must cover all of the land area to be included in the planned development.
- (c) **Application Filing.** PD Plan applications shall be filed with the Urban Design Department. The required application form must be completed and signed by the applicant and owner/s of the property. Upon receipt of an application, the Zoning Official or their designee shall acknowledge acceptance or rejection of the application in writing within ten working days from the date of submittal. Upon acceptance of a completed application, the application shall be forwarded to the Development Review Committee (DRC) and review and comment. Once all comments have been received by the Urban Design Department, comments generated shall be forwarded to the applicant.
- (d) **Developer's Statement.** Each PD Plan application shall contain a statement by the applicant describing how the proposed development departs from the otherwise applicable [conventional district] standards of this code with citations referencing the specific code requirement for each deviation proposed. The Developer's statement should explain how the proposed development, on balance, will benefit the City as a whole more than would a development approved under otherwise applicable standards.
- (e) **Submittal Requirements.** PD Plan applications shall include all of the following information:
  - (1). The proposed classification of the planned development, the existing district classification of the subject property and the property adjacent to the subject property.
  - (2). Proposed maximum numbers and types of dwellings.
  - (3). Proposed non-residential uses by category.
  - (4). Proposed maximum floor area of non-residential buildings by type of use.
  - (5). Proposed location and types of all uses, including open space.
  - (6). Proposed public facility sites, areas, and locations.
  - (7). Concept plan delineating the general location of major features of including but not limited to blocks, lots, streets, sidewalks, paths, bicycle facilities, landscape buffers, park/recreational areas, stormwater management areas, environmentally sensitive features, wetlands, buildings, and/or parking. Zoning Official shall determine the adequacy of features included based on the developer's statement of the Planned Development.
  - (8). Proposed maximum building heights.
  - (9). Proposed minimum lot areas, depth, and width.
  - (10). Proposed minimum yard requirements.

- (11). Proposed limitations and requirements on buildings and land uses including accessory buildings and uses, ~~such as home occupations.~~
  - (12). Deed, legal description and survey of the boundary and existing easements made and certified by a certified land surveyor.
  - (13). Names and mailing addresses of owners of the planned development.
  - (14). Proposed name of the planned development.
  - (15). The names of all abutting subdivisions and the names and mailing addresses of owners of record of abutting property.
  - (16). Location, names and width of existing and proposed streets, parks, and other public open spaces within and immediately adjacent to the proposed planned development.
  - (17). All parcels of land and easements [existing or proposed to be dedicated] for public use and the conditions of each dedication.
  - (18). Date, true north point, scale, and a key map showing the general location of the proposed planned development.
  - (19). The proposed plan for development phasing indicating the time schedule for submittal of final development plans for the planned development.
  - (20). Supporting calculations and documentation to support findings of additional benefit to the public health, safety and welfare that justify additional residential density or floor area ratio of non-residential buildings.
  - (21). Conceptual architectural plans and elevations for any proposed multi-family, non-residential, or mixed-use buildings proposed as part of the PD. This provision does not apply to Planned Mixed Use (PMU) as all PMU developments are subject to the specific requirement of Section 3.2 including building types and Article 7 Architectural Provisions.
- (f) **Code Modifications.** The PD Plan shall include a detailed and complete listing of all proposed modifications of otherwise applicable code requirements. For proposed code modifications in the PMU (Planned Mixed Use) district, also see Section 5.9. The request for code modifications shall be processed concurrently with the PD Plan and Zoning Amendment.
- (1). The regulations of the PD District sought shall apply after the amendment is approved unless the City Council approves a modification to the requirements that would otherwise apply.
  - (2). No modification shall be approved unless the City Council finds that such modification to the regulations are consistent with the goals, objectives, and policies of the adopted City of Punta Gorda Comprehensive Plan.

(g) **PD Plan Approval Criteria.** No PD Plan shall be considered unless the City Council finds the proposed planned development is consistent with the goals, objectives and policies of the adopted City of Punta Gorda Comprehensive Plan. To this end an applicant for approval of a planned development shall show and the City Council shall find that a proposed planned development:

- (1). Is in conformity with the Comprehensive Plan.
- (2). Is compatible with the surrounding neighborhood.
- (3). Mitigates conflicts of use with adverse impacts on existing and planned development.
- (4). Provides adequate public facilities and amenities.
- (5). Adequately accommodates anticipated motor vehicle traffic volumes, including minimizing potential vehicle traffic impacts and providing emergency vehicle access.
- (6). Preserves ecologically sensitive areas to the extent practical.
- (7). Mitigates unfavorable topographic and geological conditions.
- (8). Includes appropriate buffering of non-compatible uses within or surrounding the proposed PD.
- (9). Maximizes bicycle and pedestrian connectivity

(h) **Planned Development Map Amendment.** Final approval for a Planned Development comes in the form of a Zoning Map Amendment using the process delineated in Section 16.11 Zoning Map Amendments as supplemented by the requirements of this Article. The coding the subject property shall be to the applicable Planned Development District.

(i) **Planned Development Map Amendment Approval.**

- (1). No ordinance approving a Planned Development Map Amendment shall become effective until the owner of the tract of land involved has signified acceptance and agreement to the terms and conditions of the ordinance.
- (2). To the extent authorized by this article, the ordinance approving a Planned Development Map Amendment may supersede specific provisions of this code to the contrary.
- (3). Any changes proposed in an approved planned development shall be by amendment of the ordinance in accordance with procedure provided herein for adoption of such an ordinance.