
Sec. 14. PUD Planned unit development district.

The purpose of the planned unit development district is to provide for the development of planned total communities that provide a full range of residential types as well as certain commercial, office, or light industrial uses designed to serve the inhabitants of the districts consistent with the comprehensive plan. For purposes of this ordinance a planned unit development shall be a tract of land at least four acres in area, under single, corporation, firm, partnership or association ownership, planned and developed as an integrated unit, in a single development operation or a programmed series of development operations and according to an approved preliminary site plan.

- A. *Preliminary site plan required.* The PUD district shall be established only upon application, after public hearing as specified in the amendatory procedures of Article XIV and shall require an approved preliminary site plan which when zoning is granted will govern the development of the land and all development plans thereof.
- B. *Minimum district area.* The minimum area for a PUD district shall be four acres.
- C. *Permitted uses:* A list of permitted uses within each planned unit development must be submitted with the application for establishment of the district and the preliminary site plan and must be approved by the Planning Commission and board of aldermen upon application by the owner of the property.
 - 1. The use of Convenience stores with fuel pumps shall be subject to the special regulations in Article 5, Section 16.
- D. *Procedures.* An application for rezoning to PUD district shall be accompanied by a preliminary site plan and text presenting the following information:
 - 1. Proposed land uses and population densities.
 - 2. Proposed primary circulation pattern.
 - 3. Proposed parks and playgrounds.
 - 4. Delineation of the units or phases to be constructed together with a proposed timetable.
 - 5. Proposed means of dedication of common open space areas and organizational arrangements for the ownership, maintenance and preservation of common open space.
 - 6. Relation to the City comprehensive plan, land uses in the surrounding area and to the general plan of the PUD.

Rezoning procedures shall be in accordance with Article XIV of this ordinance. Following the initial rezoning procedure, the proposed development shall follow all applicable procedures and requirements governing the subdivision of land.

No building permit shall be issued until a final plat of the proposed development or portion thereof, is approved, filed, and recorded.

No building designed or intended to be used, in whole or in part, for commercial purposes shall be constructed prior to the construction of less than 25 percent of the dwelling units proposed in the plan or construction of 100 dwellings units, whichever is smaller.

If construction of the PUD district is not started within two years of the date of approval, the mayor and board of alderman may consider, subject to state law, rezoning the site to its previous classification.

The applicant, by showing good cause why he cannot adhere to the proposed timetable described in (d)(4), may seek an extension of not more than one year at a time. A request for extension shall be submitted in writing to the Planning Commission.

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- E. *Review standards.* The site plan must provide for and conform entirely to the following standards and requirements:
1. In order to encourage ingenuity, imagination, and high quality design, regulations on residential areas will not specify minimum lot area per dwelling unit but will limit density in residential areas to five families per acre in single-family dwellings or 20 families per acre in multifamily dwellings. This will allow clustering of dwellings to provide maximum open space.
 2. Street widths and improvements thereof as well as off-street parking facilities must conform to generally applicable City standards.
 3. Provisions for water supply, sanitary sewers, stormwater drainage, and connections shall be made to the satisfaction and requirements of the governing authority and the appropriate state authority.
 4. All improvements are to be installed and maintained by the developer unless other arrangements approved by the governing authority are made.
 5. The governing authority may require other special improvements as they are required if they are deemed reasonable and essential, and may require that appropriate deed restrictions be filed that are privately enforceable for not less than 20 years.
 6. The developer shall also submit sketches of the plan for the entire project showing the relationship of uses, street patterns, open space and the general character of the proposed development, including a schematic drawing illustrating a typical segment of the development.
 7. After approval, filing, and recording of the Final Plat, a building permit may be issued in accordance with the approved plan.
 8. Required open space:
 - a. Dedication, maintenance: A minimum total area of ten percent of the gross area of the subject property shall be set aside as parks, playgrounds, or other common open space. Of this ten percent, a maximum of five percent may be covered with water. Parks and playgrounds must be suitably improved for their intended use as parks and playgrounds. Areas dedicated for common open space uses shall be freely accessible, and shall be topographically suitable for public use. Level floodplain areas adjacent to drainage ways may be dedicated as common open space with the approval of the City.
 - i. Where the common open space is to be maintained by the owners of property within the proposed development, the developer shall incorporate a homeowners association for this purpose prior to the recording of the plat.
 - ii. At the recording of the plat, the developer shall, concurrently, transfer the ownership of all common elements to the homeowners association.
 - b. Payments in place of land dedication: As an alternative to the dedication of open space within a planned unit development, the applicant may voluntarily propose a payment to the City in place of the land dedication. The amount of the payment shall be established by multiplying the total number of lots within the development by \$350.00. In those instances where the applicant proposes a payment in place of the land dedication, such proposal shall be submitted to the Planning Commission and the board of aldermen with the submission of the preliminary development plan. The request to provide a payment in place of the land dedication by the applicant shall be accompanied by all supporting documentation. It shall be completely at the discretion of the board of aldermen to either accept the payment in place of the land dedication, or require dedication of the common open space within the development.

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- i. In those instances where the payment alternative is accepted by the City, the payment shall be deposited by the applicant with the City prior to the recording of the plat for the development. Where the subdivision will be developed in a series of phases or sections, individual payments may be made prior to the recording of the plat for each phase or section.
 - ii. In those instances where payments are accepted by the City in place of the required land dedication in planned unit developments, such funds shall be deposited by the City in a park development fund. Payments made on behalf of a specific planned unit development shall be solely dedicated to the purchase and development of parks and public open space serving that particular portion of the community within which the donating development is located.
- c. Alternative land dedication: As an alternative to dedication of open space within a planned unit development, the applicant may propose to donate land to the City in an area outside of the proposed development. The area of the alternative land proposed for donation shall be at least as much as that amount of land which would otherwise be dedicated as common open space within the development. Alternative property donated in lieu of required common open space shall be freely accessible, and shall be topographically suitable for public use. The applicant shall submit his request to donate alternative land in lieu of the dedication of common open space to the Planning Commission and the board of aldermen with the submission of the preliminary development plan. In no case, shall any alternative land proposed for donation to the City in lieu of common open space dedication be located within the 100-year floodplain as designated by the Federal Emergency Management Agency, upon a reclaimed landfill, or upon any other environmentally impacted land. The request to donate alternative land in lieu of the dedication of common open space shall include a metes and bounds description, a topographic survey of the property proposed for donation, a floodplain certification, and an environmental audit report, each prepared by a registered engineer licensed to do business within the State of Mississippi. A certificate of clear title shall also be provided from an attorney licensed to practice in the State of Mississippi. It shall be completely at the discretion of the board of aldermen to either accept the donation of land outside the planned development or require the dedication of common open space within the planned unit development.

(Ord. No. 11-15-22(1), § 2; Ord. of 12-17-24(1))