

CHURCHILL COUNTY
PLANNED UNIT DEVELOPMENT

The intent of the PUD ordinance is to provide for well-designed developments that creatively utilize the physical features of a parcel of land and include design elements that protect surrounding properties, and provide features that mitigate potential impacts caused by development. Both mixed uses and higher densities than those designated in the underlying zoning district are permissible in a PUD. However, the type, intensity and location of proposed land uses must be justified and offset with design elements that demonstrate compliance with the Recreation and Open Space elements of the Master Plan and provide open spaces throughout the development that create an atmosphere of healthful, rural living such as common open space and large lots.

PUD Criteria: Planned unit developments can be used as a development alternative when the following criteria are met:

1. For residential PUDs, the project is within the urbanizing area of the county as described in the Churchill County master plan;
2. The project will provide water and sewer services;
3. The project is consistent with the master plan in the provision for potential sites for parks, schools, and utility treatment facilities;
4. The proposed development is consistent with the transportation plan in the identification of appropriate improvements.

Approval Requirements and Required Findings: In approving a PUD, the planning commission and the county commissioners shall find the following:

1. Growth and/or other development factors in the community support a change in the land use.
2. The change in land use represents orderly development, and that adequate services and infrastructure to support the proposed land use are available in the area.
3. The change in land use provides for an appropriate use of the land.
4. The proposed land use is in substantial conformance with the master plan and other adopted plans and policies.

General Provisions: General Development Provisions:

- a. A PUD is a specialized form of subdivision. A proposed PUD shall therefore conform to all subdivision requirements unless varied by the provisions of chapter 16.12.040.3 of the Churchill County Code.
- b. The minimum project size shall be five (5) acres. The minimum size requirement may be reduced if justified by the developer and supported by the planning commission.
- c. Buffering and setbacks for all planned unit developments will be based upon and further evaluated by the impacts to the adjacent properties. Exterior project setbacks and buffering will be at a minimum the underlying zoning

standards of the site. Interior setbacks shall be consistent with the standards of the highest density located within the development.

- d. Planned unit developments may be proposed in the E-1, R-1, R-2, C-1, C-2 and I zoning districts provided that the type and intensity of the use is justified and offset with appropriate design elements and the following criteria are met:
- (1) In the E-1 zoning district residential uses must be the predominant land use. Commercial uses shall not exceed five percent (5%) of the gross project area. The overall density of the residential component of the PUD may not exceed 3.2 units an acre unless the planning commission determines that the development provides benefits to the community such as protection and access to the Carson River corridor; protection of agriculture through the transfer of development rights from active agricultural lands or continuance of agricultural production within the development; or provision of affordable housing. The planning commission may allow up to five (5) units per acre should it determine that the benefits to the community warrant an increase in density.
 - (2) In the R-1 and R-2 zoning districts residential uses must be the predominant land use. Commercial uses shall not exceed twenty percent (20%) of the gross project area. Density may not exceed five (5) units an acre unless the planning commission determines that the development provides benefits to the community such as protection and access to the Carson River corridor, protection of agriculture through the transfer of development rights from active agricultural lands or continuance of agricultural production within the development; or provision of affordable housing. The planning commission may allow up to eight (8) units per acre should it determine that the benefits to the community warrant an increase in density.
 - (3) In the C-1 and C-2 zoning districts commercial uses must be the predominant land use. Residential uses shall not exceed five percent (5%) of the gross project area. Within the residential area residential density may not exceed eight (8) units an acre. The residential component must comply with all open space requirements and standards of a residential PUD.
 - (4) In the I industrial zoning district industrial and commercial uses must be the predominant land use. Residential uses shall not exceed five percent (5%) of the gross project area. Within the residential area residential density may not exceed an overall density of four (4) units an acre. The residential component must comply with all open space requirements and standards of a residential PUD.
 - (5) Type and intensity of land uses shall be incorporated into and approved as part of the PUD application process. Additional rezoning applications within a PUD are not required. Density and open space requirements of the residential components may be met by demonstrating community

benefit to the Planning Commission such as protection of agriculture through the transfer of development rights from active agricultural lands or continuance of agricultural production within the development; provision of affordable housing or protection of the floodplain.

Planned Unit Development Standards: Open space within a PUD, whether it is designated private or public is meant to primarily benefit the people living in the development.

Open space Requirements:

Residential PUDs:

For exclusively residential projects, and the residential components of Industrial and commercial PUDs, except as provided below, a minimum of twenty percent (20%) of the project site must be retained in common open space that must be improved in a park-like setting with active recreational areas.

- (1) A single-family residential project may be exempted from providing fifteen percent (15%) of the twenty percent (20%) required common open space if the project utilizes transfer of development rights from lands protected through conservation easements.
- (2) A residential project may be exempted from providing fifteen percent (15%) of the required common open space if the project provides open space for a community or neighborhood park as designated in the Master Plan recreation element and recommended by the Parks and Recreation Department.

Commercial and industrial PUDs:

- (1) Twenty percent (20%) of the project site to be developed for industrial and commercial uses must be devoted to common open space improved in a park-like setting with active recreational areas. Fifty percent (50%) of this requirement may be satisfied by some or all of the following:
 - (A) Protection of agriculture and open space through the transfer of development rights;
 - (B) A payment in lieu for the development of community or regional parks that will benefit the residents of the County;
 - (C) Protection of the flood plain by setting aside unimproved land that is located within the 100-year flood plain.
- (2) The residential component of any commercial or industrial PUD must meet all the same requirements for open space and density of a residential PUD.

1. Open Space Standards

Common open space: where possible, on-site recreation areas should be linked with any appropriate transportation, bicycle, open space, trails or other similar approved plan. When the property is on a trail or biking lane or path designated by an adopted plan, the trail or separated bike path shall be provided and that area developed for the trail or separated bike path may be counted as part of the required open space, even if the trail or bike path is dedicated to the county.

Open space areas that enhance circulation within a site, promote pedestrian use and safety, and improve a site's aesthetic qualities are expected to satisfy the following criteria:

- (A) Open space should be designed to provide a mix of active and passive activity areas. Small pocket areas should be avoided whenever possible and combined into one aggregate area which includes amenities.
- (B) Open space areas should be accessible to all property owners within the development and connected by a comprehensive on-site pedestrian circulation system.
- (C) Open space areas, including plazas and courtyards, should be designed, located and landscaped to take advantage of solar orientation, maximize water conservation measures and afford summer shade and winter sunshine.
- (D) Open space shall consist of connected, contiguous areas that are greater than or equal to 200 square feet with widths no smaller than 10 feet and shall not include the following: required street landscaping, drives or driveways, streets and sidewalks, parking lots or bays and loading areas, and utility or service areas. Perimeter landscaping and entranceways may not be included in the open space calculation.

Types of Open Space:

- (A) Common open space may be comprised of one (1) or more of the following and shall be accessible to all the living units it serves:
 - 1.) Courtyard
 - 2.) Large lawn area
 - 3.) Playground
 - 4.) Tennis court
 - 5.) Basketball court
 - 6.) Swimming pool
 - 7.) Similar outdoor recreation facilities as approved by the planning commission.
- (B) Community benefit open space:
 - 1.) Public access to the Carson River
 - 2.) Floodplain protection
 - 3.) Wildlife habitat
 - 4.) Designated wetlands
 - 5.) Irrigated agricultural fields in production
- 2. Streets within the development may be public or private, constructed to Churchill County design standards.
- 3. Residential units within the development may consist of attached or detached single-family units, townhouses, cluster units or condominiums, or commercial uses approved by the planning commission.
- 4. Drainage shall be designed pursuant to the Churchill County design standards.
- 5. Lighting for the project shall be designed in accordance with recommendations from the county engineer and road department.
- 6. All public facilities, sewer storm drainage, etc., shall be designed in accordance with Churchill County standards.

Review Procedures and Requirements

The following process has been prepared to guide the applicant through the submittal process for Planned Unit Developments within Churchill County. The steps are as follows:

- 1) Initial meeting with Planning staff to discuss the Planned Unit Development project concept and requirements for submittal. (Establish if there is an actual project, and if a PUD is the best alternative).
- 2) Applicant prepares Conceptual Planned Unit Development application and required supporting information in accordance with the Conceptual Planned Unit Development submittal requirements and checklist.
- 3) Conceptual plan is discussed in general terms with the Planning Commission at a workshop.
- 4) Applicant submits Conceptual Planned Unit Development application and required supporting information to the Planning Department.
- 5) Planning staff reviews the application for completeness and either deems the application complete or incomplete. (One week after submittal).
- 6) If application is deemed complete the staff initially reviews the submittal to identify key issues and general information regarding the proposal and drafts a summary for the Planning Commission.
- 7) The Planned Unit Development conceptual plan along with supporting material and the staff summary is then presented to the Planning Commission for discussion only at a public hearing.
- 8) Following input from the Planning Commission on the Conceptual Planned Unit Development application, the applicant can move forward to prepare the Planned Unit Development Application. The applicant should meet with staff following the public hearing to determine the design elements and development standards and discuss the comments of the Planning Commission. Applicant must request placement on the staff monthly meeting (fourth Thursday of every month at 10:00 a.m.) agenda.
- 9) Upon completion of the Planned Unit Development Application and supporting information the applicant can submit it to the Planning Department.
*Submittal should specifically address all concerns and comments that were raised by the staff and Planning Commission during the conceptual review process.
- 10) The Planning staff will review the submittal for completeness and accept or reject the application (one week following submittal).

- 11) When the request is deemed complete the staff begins thorough review.
- 12) Approximately 2-3 weeks after initial submittal, staff may have a meeting with the applicant to review the request, and ask for any additional information needed and review comments from other county departments. This meeting may not be necessary if no additional information is needed.
- 13) Upon completion of staff review, the request will then be placed on the agenda for the next Planning Commission meeting for review and recommendation.
- 14) Following the Planning Commission meeting the item will be forwarded to the Board of County Commissioners for action.
- 15) Following approval of the Planned Unit Development application, the applicant may proceed with preparation of tentative maps(s). Tentative maps must be prepared in accordance with subdivision regulations and requirements of the Consolidated Development Code. Where a tentative map will be filed **simultaneously** with a PUD application, the applicant must meet with staff following the public hearing on the Conceptual Map to determine development standards and design elements. Applicant must request placement on the staff monthly meeting (fourth Thursday of every month at 10:00 a.m.) agenda.