



## Planning Department

700 W US Highway 67

Venus, Texas 76084

972-366-3348 extension 206

[www.cityofvenus.org](http://www.cityofvenus.org)

## Planned Development (PD) Regulations and Procedures

### A. General

#### 1. Planned Development (PD) Establishment

An application for a Planned Development (PD) zoning district shall be made to the Planning and Zoning Commission and City Council in the same manner that an Application for any Zoning Map Amendment (Rezoning) is made.

#### 2. Submission of PD related Plats and Site Plans

The subsequent applications for Plats and Site Plans within an established Planned Development (PD) shall be reviewed and approved separately and independently in accordance with established procedures.

#### 3. Area Required for a Planned Development (PD)

- a. Minimum of two (2) contiguous acres.
- b. May be less than two (2) acres when carrying out the recommendations of the Comprehensive Plan, as determined by the City Council and affirmed in the Planned Development (PD) documents.

### B. Plan Development (PD) submission requirements

- 1) The Developer or builder of a PD shall follow a five (5) step procedure:
  - a. Step 1. Preliminary Development Meeting;
  - b. Step 2. PD Application for Rezoning and Planned Development Master Plan;
  - c. Step 3. Preliminary Plat (if applicable);
  - d. Step 4. Final Plat (if applicable);
  - e. Step 5. Site Plan.
- 2) Approvals needed before proceeding
  - a. Each step must be completed and approved before the following step is reviewed.
  - b. Where appropriate, other methods authorized in the Subdivision Ordinance for regulations and development standards may be substituted in Step 3. Preliminary Plat and Step 4. Final Plat (for example: Replat or Minor Plat).
  - c. The Planning and Zoning Commission and the City Council may, however, review more than one step at the same public hearing.
- 3) Public Hearings (Rezoning and Plats)
  - a. Public hearings shall be held on the Zoning Map Amendment (Rezoning) application and the Planned Development Master Plan in accordance with the regular procedures for zoning applications.
  - b. Public hearings on required plats shall be held in accordance with regular procedures established in the Subdivision Ordinance and Development Standards.

### C. Planned Development (PD) steps for Creation and Development

- a. Step 1. Preliminary Development meeting
  - a. The intent of this step is to expedite and facilitate the approval of a Planned Development Master Plan.
  - b. At least ten (10) business days prior to submission of application for Zoning Map Amendment (Rezoning) to a Planned Development (PD), the applicant shall submit to the Planning Department a sketch plan drawn to approximate scale showing streets, lots, public areas, and other significant features. The applicant shall be aware and acknowledge that the Preliminary Development Meeting does not initiate a vested right.
  - c. The applicant should discuss with the Planning Department the procedure for adopting a Planned Development (PD) and the requirements for the general layout of streets and utilities, access to the

- arterials, or general design and narrative, the availability of existing services, and similar matters.
- d. The Planning Department shall also advise the applicant, where appropriate to discuss the proposed Planned Development (PD) with officials responsible to review the various aspects of the proposal coming within their jurisdiction.
  - b. Step 2. PD application for rezoning and Planned Development Master Plan
    - a. Procedures and Requirements
      - i. The PD Zoning Map Amendment (Rezoning) Application shall be filed in accordance with regular procedures and on application forms of the City.
      - ii. The Planned Development Master Plan, which is submitted with the Application for rezoning, shall consist of two components:
        - a. PD Design Statement and;
        - b. PD Concept Design Map.
      - iii. The applicant shall also provide other supporting map as necessary to meet the submission requirements of this checklist.
    - b. PD Design Statement

The PD Design statement shall be a written report containing a minimum of the following elements:

      - i. Title of PD;
      - ii. List of owners or developers;
      - iii. Statement of the general location and relationship to adjoining land uses, both existing and proposed;
      - iv. Description of the PD concept, including a acreage or square foot breakdown of land use areas and densities proposed, a general description proposed, a general description of building use types, proposed restrictions, and typical site layouts;
      - v. The existing PD zoning districts in the development area and surrounding it;
      - vi. Selection of one conventional zoning district as a base zoning district to regulate all uses and development regulations not identified as being modified (multiple base zoning districts may be selected to accommodate a mixture of land uses in different geographic areas);
      - vii. A list of all applicable special development regulations or modified regulations to the base zoning district; plus a list of requested Subdivision Waivers to the Subdivision Regulations and Development Standards or other applicable development regulations;
      - viii. A statement identifying the existing and proposed streets, including Right-of-Way standards and street design concepts;
      - ix. The following physical characteristics: elevation, slope analysis, soil characteristics, tree cover, and drainage information;
      - x. A topographic map with minimum five (5) foot contour intervals;
      - xi. Drainage information, including number of acres in the drainage area and delineation of applicable flood levels;
      - xii. A statement of utility lines and services to be installed, including lines to be dedicated to the City and which will remain private;
      - xiii. The proposed densities, and the use types and sizes of structures;
      - xiv. A description of the proposed sequence of development; and
      - xv. Any additional materials or information deemed necessary by the City to further the purpose of the PD.
    - c. PD Concept Design Map
      - i. The PD Concept Design Map shall be a graphic representation of the development plan for the area of a Planned Development (PD).
      - ii. The Planning Department shall establish an Application form outlining all requirements of the PD Concept Design Map and shall be responsible for maintaining and revising the Application form.
    - d. Approval of the Planned Development Master Plan
      - i. Upon final approval by the City Council of the Planned Development Master Plan and the appropriate ordinance of rezoning, these elements shall become a part of the Zoning District Map.
      - ii. The ordinance of rezoning shall adopt the Planned Development Master Plan by reference, and it shall be attached to said ordinance and become a part of the official records of the City.
    - e. Expiration of Planned Development Master Plan
      - a) If, after two (2) years from the date of approval of a Planned Development Master Plan, no substantial development progress has been made within the Planned Development (PD), then the Planned Development Master Plan shall expire unless otherwise agreed to by development agreement.

b) If a Planned Development Master Plan expires, a new Planned Development Master Plan must be submitted and approved according to the procedures within this section.

a) An extension to the two (2) year expiration shall be granted if a development Application for the Planned Development (PD) has been submitted and is undergoing the development review process or if the Director of Planning determines development progress is occurring.

f. Use and Development of the Property

After adopted by City Council, the Planned Development Master Plan shall control the use and development of the property, and all building permits and development requests shall be in accordance with the plan until it is amended by the City Council.

3. Step 3. Preliminary Plat

a. If subdivision of land is to occur, then after City Council approval of the Zoning Map Amendment (Rezoning) with the associated Planned Development Master Plan, the developer shall prepare a Preliminary plat for the entire development area.

b. Where a recorded Plat exists and where there will be no extensive easements, no Homeowners' or Property Owners' Associations, no plat restrictions, and no sale of lots that do not conform to the platted lot lines, the City Council may waive the platting requirement.

4. Step 4. Final Plat

a. Where a subdivision Plat is required, the Developer shall prepare a Final Plat for review, approval, and filing of record according to procedures established by the City Council. In addition to these procedures, the Final Plat shall include:

i. Provisions for the ownership and maintenance of common open space and detention/retention ponds. Said open space shall be dedicated to a private association or dedicated to the public provided that a dedication to the public shall not be accepted without the approval of the City Council.

ii. A Homeowners' or Property Owners' Association shall be created if other satisfactory arrangements have not been made for improving, operating, and maintaining common facilities, including private street drives, fire lanes, service and parking areas, and recreation areas.

b. If no Plat is required, then proof of the items identified in subparagraphs a.i and a.ii above shall be submitted and approved as a part of the Planned Development Master Plan at the time the Zoning Map Amendment (Rezoning).

5. Step 5. Site Plan

6. A Site Plan shall be submitted upon the Application for a Building Permit and reviewed in accordance with procedures established in Section 26-144 Site Plans.

**D. Planned Development (PD) Modifications**

1. Minor PD Amendment and Adjustment

The Planning Department may approve or defer to City Council consideration of a Minor PD Amendment and Adjustment to the Planned Development Master Plan provided all of the following conditions are satisfied:

The project boundaries are not altered.

a. Uses other than those specifically approved in the Planned Development Master Plan are not added. Uses may be deleted but not to the extent that the character of the project is substantially altered from the character described within the PD Design Statement.

b. The allocation of land to particular uses or the relationship of uses within the project are not substantially altered.

c. The density of housing is not increased more than ten (10) percent or decreased by more than thirty (30) percent.

d. The land area allocated to nonresidential uses is not increased or decreased by more than ten (10) percent.

e. Floor Area, if prescribed, is not increased or decreased by more than ten (10) percent.

f. Floor Area ratios, if prescribed, are not increased.

g. Open space ratios, if prescribed, are not decreased.

2. Planning Department Approval

- a. The Director of Planning shall determine if proposed amendments to an approved Planned Development Master Plan satisfy the above criteria.
- b. If the Planning Department finds that these criteria are not satisfied, an amended Planned Development Master Plan shall be submitted for full review and approval according to the procedures set forth in these regulations.

E. Reversion

1. Property Owner Request

- a. If the property owner decides to abandon the PD concept and nullify the Planned Development Master Plan, he/she shall make application for rezoning either to the original status or to a new classification.
- b. Said Application shall be heard according to regular rezoning procedures by the Planning and Zoning Commission and City Council.