

**CHAPTER 915. PLANNED DEVELOPMENT (P.D.) PROCESS AND STANDARDS FOR
DEVELOPMENT¹**

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¹Editor's note(s)—Section 1 of Ord. No. 2012-021, adopted July 10, 2012, repealed the former Ch 915, §§ 915.01—915.28, and enacted a new Ch. 915 as set out herein. The former Ch. 915 pertained to similar subject matter and derived from Ord. No. 90-16, § 1, adopted Sept. 11, 1990; Ord. No. 91-23, § 10, adopted May 15, 1991; Ord. No. 96-6, § 9, adopted Feb. 27, 1996; Ord. No. 2000-015, § 9, adopted May 9, 2000; and Ord. No. 2001-035, § 1, adopted Dec. 4, 2001.

Section 915.01. Title.

This chapter, the terms and provisions contained herein, shall be known as the "Planned Development (P.D.) Process and Standards for Development Ordinance" of Indian River County, Florida.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.02. Definitions.

All terms used in this chapter are defined in Chapter 901.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.03. Purpose and intent.

The purpose and intent of this chapter is to establish alternate schemes of land use controls, via a planned development (P.D.) zoning overlay district and development process or a P.D. special exception approval process, which promote the health, safety, comfort, order, appearance, convenience, and general welfare of Indian River County in a manner consistent with the Comprehensive Plan. This chapter is intended to:

- (1) Protect the environment by affording opportunities and incentives for preservation of environmentally sensitive and important areas;
- (2) Allow a diversity of uses, structures, facilities, housing types, and open space, buffers, and conservation areas in a manner compatible with existing, permitted, and planned uses on adjacent properties;
- (3) Allow for the residential development of agriculturally designated areas, with a more compact design which clusters units and preserves open space;
- (4) Encourage and allow for greater innovative design(s) that promote more efficient and environmentally sensitive use of the land than generally achievable through conventional zoning and development regulations;
- (5) Ensure that development will be compatible with existing, permitted, and planned uses on adjacent properties by having projects according to limitations and mixtures of use, design, density, open space, conservation areas, and other elements stipulated in an approved development plan;
- (6) Encourage and allow a more efficient use of public services and facilities through designs not generally achievable through conventional zoning and development regulations;
- (7) Encourage the preservation and conservation of environmentally sensitive lands by allowing the transfer of density from environmentally sensitive lands to uplands areas; and
- (8) Encourage the provision of affordable housing by allowing a density bonus for projects containing affordable housing.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.04. Applicability.

- (1) The P.D. process is an optional process that may be used, and shall be applied, under two (2) different schemes:
 - (A) As part of an application to rezone a property to a planned development zoning district, the P.D. process shall apply and all subsequent development of the property shall comply with all applicable P.D. procedures and standards; or
 - (B) As a special exception approval and development process applied to property zoned other than planned development.
- (2) The planned development zoning district may be applied for and used for properties having any number of comprehensive plan land use designations, subject to the planned development district regulations found in Chapter 911. The special exception approval development process may be applied for and used for properties having any comprehensive plan land use designation and lying within any zoning district(s) except for the RMH-6 and RMH-8 districts. No mobile homes shall be allowed in the project area, except as may be allowed as a temporary use (pursuant to Chapter 972).
- (3) Projects developed under the county's planned residential development (P.R.D.) regulations may continue under those regulations. Said projects may develop and continue to develop under the P.R.D. regulations in effect prior to September 11, 1990 and found in the section formerly known as "25.4 of Appendix A - Zoning." The regulations of the former section 25.4 are hereby adopted by reference and may only be used and applied to project applications filed with the planning division under the P.R.D. regulations prior to September 11, 1990.
 - (a) Projects previously approved under the P.R.D. regulations may be "converted" to a planned development (P.D.) project upon receipt of a written request by a P.R.D. project owner to the community development director. The letter shall state the reason(s) for the desired conversion. Within twenty (20) working days of receipt of the letter of request, the community development director shall send a response letter to the developer, detailing all information and plan revisions needed to bring the project plans and file information into conformance with P.D. application standards. Upon receipt of adequate responses to his response letter, the community development director shall present the request to the board of county commissioners. The board of county commissioners may approve, approve with conditions or deny the conversion request. Upon conversion to a P.D. project, all subsequent plan revisions and modifications shall comply with all applicable standards and requirements of this chapter.
 1. Notwithstanding these provisions for conversions of a P.R.D. project to a P.D. project, any P.R.D. project owner may apply for P.D. project approval as a new application under sections 915.22 through 915.27 of this chapter.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.05. Coordination with other regulations.

All projects shall comply with the adopted comprehensive plan and the regulations specified in this chapter.

- (1) All other land development regulations shall apply; however, in the event of conflict between this section and other zoning and subdivision regulations in the county, the provisions of this section shall prevail to the extent of such conflict.

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- (2) In the event of conflict between this section and the building and safety codes of the county, the provisions of the building and safety codes shall prevail to the extent of such conflict.
 - (3) Pursuant to section 915.15, waivers to various land development regulations may be approved by the board of county commissioners. In addition, the board may impose on planned development project approvals such other conditions or restrictions which the board feels necessary, notwithstanding that such restrictions or conditions may not be expressly provided for in the county's land development regulations.
 - (4) Construction of structures, including homes, may commence prior to the issuance of a certificate of completion for the planned development, or applicable planned development phase, once all items identified in Sections 972.08(i)(1)a. through 972.08(i)(1)c. have been installed, inspected, and approved for temporary use by appropriate county staff.

(Ord. No. 2012-021, § 1, 7-10-12; Ord. No. 2018-021, § 3, 9-18-18)

Section 915.06. Uses allowed.

- (1) Projects within P.D. zoning districts shall comply with the uses allowed in the underlying comprehensive plan land use designation(s) and as allowed in sections 915.11—915.15 of this chapter.
- (2) Planned development projects within any zoning district(s) other than a planned development zoning district shall comply with the uses allowed in the underlying comprehensive land use plan designation(s) and the underlying zoning district(s) regulations with the following modifications.
 - (A) In the agricultural and single-family residential districts, dwellings may be attached as provided for in section 915.13.
 1. Special restrictions apply to residential development within agriculturally designated areas. These restrictions are found in section 915.13.
 - (B) In the agricultural and residential districts, certain restricted commercial uses may be allowed as provided for in section 915.12.
 - (C) In the residential districts, certain restricted agricultural uses may be allowed as provided for in section 915.14.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.07. Planned development project area.

The planned development area is the area covered by an approved planned development conceptual plan.

- (1) The project area may be reduced, reconfigured, or expanded by approval of a new or modified planned development conceptual plan. Said new or modified planned development conceptual plan shall be approved pursuant to the provisions of this chapter.
- (2) A planned development project area may be reduced or otherwise modified by division of the original project area into other separate project areas by approval of a new or modified planned development conceptual plan. Said new or modified planned development conceptual plan shall be approved pursuant to the provisions of this chapter.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.08. Density allowed.

- (1) The gross residential density of a P.D. project shall not exceed the maximum density permitted in the underlying zoning district or, in cases where the P.D. zoning overlay district is used, the maximum density allowed in the applicable underlying comprehensive plan land use designation(s). In addition to these densities, additional units may be allowed as provided for in this chapter for transfer of density from environmentally sensitive lands, TND density bonus, and affordable housing bonus density provisions; however, except for TND projects, no density transfer or density bonus may be applied to any residential development of a site or portion of a site designated as agricultural on the comprehensive land use map.
- (2) Transfer of density from environmentally sensitive lands to uplands portions of P.D. project areas is allowed via an approved P.D. conceptual plan, in compliance with the comprehensive plan and the provisions of Chapter 928.
 - (A) The maximum density permitted on the upland project area receiving the density transfer shall not increase by more than:
 1. Twenty (20) percent of the maximum density allowed by the receiving site's underlying comprehensive plan land use designation(s) where the receiving site is not adjacent to the area from which density is transferred;
 2. Fifty (50) percent of the maximum density allowed by the receiving site's underlying comprehensive plan land use designation where the receiving site is adjacent to the area from which density is transferred.
 - (B) In project areas where density transfers are used, no construction of dwelling units may commence until deed restrictions and/or easements have been approved and recorded which ensure protection and preservation of the area from which the density has been transferred. Said restrictions and/or easements shall effectively restrict development within the environmentally sensitive area(s) pursuant to provisions of Chapter 928, and shall be in a form approved by the county attorney's office for legal form and sufficiency. The substance of such easements and restrictions shall substantially conform to the conservation easement language set forth in the Florida Statutes.
- (3) A density bonus for providing affordable housing may be granted upon approval of a planned development that meets the criteria specified herein. The amount of the density bonus allowed shall be as specified in Chapter 911, Zoning, for the planned development district.
- (4) Maximum dwelling unit computation. Except for TND and mixed use projects, the maximum number of dwelling units allowable within a planned development project shall be computed as follows:
 - (A) Gross area of the planned development project in acres— _____
..... acres
 - (B) Minus areas designated on the planned development conceptual plan for non-residential uses(s), not including accessory commercial as provided in section 915.12— _____
..... acres
 - (C) Minus the total area of environmentally sensitive lands within the project area from which density is to be transferred— _____
..... acres
 - (D) Equals the effective base residential area= _____
..... acres
 - (E) Sum the total maximum number of dwelling units allowed within the effective base residential area as follows:

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- (1) Define the area of all zoning districts within the effective base residential area.
 - (2) Multiply the area of each zoning district by the maximum density allowed within that district.
 - (3) Add together each maximum dwelling unit result for each zoning district=
_____ dwelling units
 - (F) Plus the maximum number of dwelling units transferrable from environmentally sensitive areas*+
_____ dwelling units
 - (G) Plus the maximum number of dwelling units credited for affordable housing provisions*+
_____ dwelling units
 - (H) Equals the maximum number of residential dwelling units allowed= _____ dwelling units
- *Note: No density transfer and no density bonus can be applied to any residential development of a site or portion of a site designated as agriculture on the comprehensive land use map.
- (5) Where a planned development project area has more than one (1) underlying zoning district, or in cases where the planned development zoning overlay district is used and there is more than one (1) underlying comprehensive plan land use designation, density may be distributed throughout a project area as approved in the planned development conceptual plan. Density shall be distributed and integrated into the overall project design in a manner compatible with existing, permitted and planned adjacent properties. However, in no case shall environmentally sensitive areas be developed at any density greater than allowed under the appropriate comprehensive plan land use designation.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.09. Unified control.

The planned development project area shall at all times be under the ownership or control of an individual, a legal entity, a legally established association or organization (which may include related sub-associations and entities), or a group of associations or organizations bound by reciprocal rights or obligations that ensure compliance with the approved planned development plan. The legal entity or entities shall be responsible for the ownership and maintenance of all required improvements and common facilities, infrastructure, amenities, elements, and areas.

- (1) No final planned development plan shall be approved unless the applicant has documented, to the satisfaction of the county attorney's office, that unified control as described in this section is ensured.
- (2) All legal entities established to have unified control of the project shall be legally established in a manner that ensures that the entity (or entities) has adequate powers and ability to maintain all required improvements and common facilities, infrastructure, amenities, elements and areas. All documents legally establishing said association(s) shall be reviewed and approved by the county attorney's office prior to any approval of a final planned development plan.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.10. Phasing.

Planned development projects may be phased. Phasing shall be shown on all P.D. conceptual plans and may be (P.D.) modified as allowed in section 915.28, "Modifications to Planned Development Plans."

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- (1) Phasing shall be arranged and designed in such a manner that at any point in a project's development the initial phase or any successive groups of phases shall be able to "stand alone", meeting all applicable standards set forth and referenced in this chapter, including density.
 - (2) The initial phase and any successive phases shall be able to "stand alone" and function adequately in regards to required improvements, infrastructure, facilities, and all project conditions so as to be independent from any future phase or phases and improvements or areas contained therein.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.11. Industrial use standards.

- (1) *Location.* Industrial uses may be established within a P.D. project area, in a manner consistent with the applicable compatibility standards of sections 915.11(3) and 915.16, where the underlying comprehensive plan land use designation allows such uses.
- (2) *Uses allowed.*
 - (A) All uses allowed in the IL, Light Industrial and IG, General Industrial districts may be allowed where industrial uses are allowed to be located in accordance with subsection 915.11(1).
 1. All uses having specific land use criteria for the IL and IG districts as found in Chapter 971, Specific Land Use Criteria, shall comply with the applicable criteria and standards of Chapter 971.
- (3) *Compatibility.*
 - (A) Compatibility between uses within the P.D. project area shall be addressed by individual project design through the use of location, buffering, transition, integration of uses, or other means, as approved by the county.
 - (B) Compatibility with properties adjacent to the P.D. project area shall be ensured by compliance with the applicable standards of section 915.16.
- (4) *Site development standards.* The applicable site development standards of Chapter 913, Subdivisions and Plats, and Chapter 914, Site Plan, shall apply.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.12. Commercial use standards.

- (1) *Location.* Commercial uses may be established within a P.D. project area in a manner consistent with the applicable compatibility standards of subsections 915.12(2)(b), 915.12(3), and 915.16, where:
 - (A) The underlying comprehensive plan land use designation or existing or proposed zoning district (other than P.D.) allows such uses, or where;
 - (B) Accessory commercial uses are allowed as provided for in this subsection 915.12(2)(b), of this ordinance.
- (2) *Uses allowed.* The following uses may be allowed as specified herein.
 - (A) All uses allowed within the CN, Neighborhood Commercial, CL, Limited Commercial, and CG, General Commercial districts may be allowed where commercial uses can be located in accordance with subsection 915.12(1)(a). All uses having specific land use criteria for the CN, CL, or CG districts as found in Chapter 971 shall comply with the applicable Chapter 971 criteria standards.

(B) Accessory commercial uses may be allowed within any P.D. project area where accessory to residential development. Except for TND and mixed use projects, the following restrictions and provisions shall apply to P.D. accessory commercial uses.

1. Only uses allowed in the CN, Neighborhood Commercial, district are allowed within a residential development area of a P.D. project.
2. All P.D. accessory commercial areas shall contain a minimum of thirty (30) percent open space.
3. The total land area of any P.D. accessory commercial area shall not exceed three (3) percent of the total P.D. project residential development area.
4. P.D. accessory commercial buildings, displays, and signs shall be either located a minimum of two hundred (200) feet from any perimeter property boundary, or located and designed such that they shall not be visible from any public road right-of-way or residentially designated area adjacent to the P.D. project area. No P.D. accessory commercial area may be located within one hundred (100) feet of an adjacent property (outside of the project) having a residential land use designation.
5. No P.D. accessory commercial use shall be allowed within a project which is to contain less than one hundred (100) residential dwelling units.
6. Buildings containing P.D. accessory commercial uses are restricted in size by the number of dwelling units proposed within the residential portion of a P.D. project. Buildings may be approved up to a maximum size of twenty (20) square feet of gross floor area per dwelling unit within the residential development area of the project. For example, a four hundred-unit project would be allowed four hundred (400) by twenty (20) or eight thousand (8,000) square feet of commercial floor area.
7. The amount of P.D. accessory commercial building area receiving a certificate of occupancy (C.O.) is limited by the number of dwelling units having a C.O. At no time shall a C.O. be issued for a building or building portion containing a P.D. accessory commercial use unless the total number of C.O.'d residential dwelling units within the P.D. project multiplied by twenty (20) square feet equals or exceeds the total gross floor area of the entire accessory commercial building(s) already C.O.'d and requested to be C.O.'d. For example, if at a point in time, a project has one hundred (100) C.O.'d dwelling units, then one hundred (100) by twenty (20) (sq. ft.) or two thousand (2,000) square feet of total accessory commercial building area may C.O.'d at that point in time.
8. All other regulations and standards for commercial development including but not limited to parking, loading, landscaping, and lighting shall apply. Reductions in the normal parking requirements found in Chapter 954 based upon pedestrian access and proximity to customers served may be approved by the board of county commissioners after receiving a recommendation from the technical review committee. The technical review committee recommendation shall be based upon a review of a parking study submitted by the applicant providing information and analysis required by the county traffic engineer.

(C) Commercial uses allowed in the A-1 district may be permitted in agriculturally designated areas. All commercial uses having specific land use criteria for the A-1 district as found in Chapter 971 shall comply with the applicable Chapter 971 criteria and standards.

(3) *Compatibility.*

(A) Compatibility between uses within the P.D. project areas shall be addressed by individual project design, through the use of location, buffering, transition, integration of uses, or other means, as approved by the county.

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- (B) Compatibility with properties adjacent to the P.D. project area shall be ensured by compliance with the applicable standards of section 915.16.
- (4) *Site development standards.* The applicable site development standards of Chapter 913 and Chapter 914 shall apply.
- (Ord. No. 2012-021, § 1, 7-10-12)

Section 915.13. Residential use standards.

- (1) *Location and restrictions.* Residential uses may be established within a P.D. project area, in a manner consistent with the applicable compatibility standards of this section (915.13) and section 915.16, where the underlying comprehensive plan land use designation allows such uses and where such uses are approved as accessory to an allowable use.
- (A) *PDs on Agriculturally Designated Land.* Residential development may be allowed in areas designated as agricultural (AG) on the comprehensive plan land use map, subject to the following restrictions.
1. Except for TND projects that include AG designated land, the density of the project shall not exceed the maximum density of the underlying AG land use designation; no density transfers from off-site lands and no density bonuses shall be permitted within PD projects in AG designated lands, except for TND projects.
 2. For non-TND projects, at least eighty (80) percent of the project's overall area shall be open space.
 3. For TND projects, at least sixty (60) percent open space shall be provided for AG designated land within the TND project area.
 4. Except for TND projects, lots created through the PD process shall not be less than one (1) acre in size, with the remainder of the area designated as open space.
 5. Such open space areas shall be provided in contiguous areas established through an open space, recreation, conservation and/or agricultural preservation easement(s) or similar instrument acceptable to the county attorney. Open space areas shall be placed under the control of an appropriate entity and maintained in perpetuity. Through deed restrictions or a similar instrument acceptable to the county attorney, infill development of open space areas that increases overall project residential density shall be prohibited. The deed restrictions or similar instrument shall be structured to give the county the right to enforce the prohibition of residential density increase.
 6. Applicants shall identify Best Management Practices (BMPs) for stormwater management systems and uses/facilities within the project for which generally recognized BMPs have been established (e.g. agricultural uses, golf courses). BMPs shall address construction, maintenance, and operation. Applicants shall also identify the agency or organization that will certify the project design and operations as meeting BMPs, and shall identify the certification process. Project construction, maintenance, and operations shall comply with the BMPs identified in the approved plan, and the county may attach PD approval conditions that ensure compliance with BMPs. Required project BMPs may be updated and modified by modifying the approved PD plan in accordance with regulations that govern PD modifications.
 7. All recreational amenities within the project shall be depicted on the PD plan and identified as required improvements. Recreational uses, such as vehicle or watercraft racing, that could constitute a nuisance to adjacent properties, shall not be permitted.

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- (2) *Uses allowed.* All residential uses allowed within chapter 911, Zoning, except mobile homes, may be allowed where residential uses are to be located in accordance with subsection 915.13(1). In addition, the following residential uses are allowed as specified:
- (A) Watchman's quarters and worker housing may be allowed as accessory uses to an industrial use or facility, including agriculturally related industrial activities. The RM-8 zoning district criteria, including the density allowed within the industrial use area, shall apply to such accessory residential uses. Total industrial and accessory residential development is limited by the minimum project open space requirements, as found in section 915.18 of this chapter.
 - (B) Residential uses may be allowed within all commercial use areas. The RM-8 zoning district criteria, including the density allowed within the commercial use area, shall apply to residential development. Where residential development occurs within a commercial use area, the minimum project open space shall be thirty (30) percent. Total commercial and residential development is limited by the RM-8 maximum density, the minimum thirty (30) percent open space requirement (stated above), and the applicable maximum building coverage requirement.
- (3) *Compatibility.*
- (A) Compatibility between uses within P.D. project areas shall be addressed by individual project design, through the use of location, buffering, transition, integration of uses, or other means, as approved by the county.
 - (B) Compatibility with properties adjacent to the P.D. project area shall be ensured by compliance with the applicable standards of section 915.16.
- (4) *Site development standards.* The applicable site development standards of Chapter 913 and Chapter 914 shall apply.
- (5) *Design guidelines required.* Applicants shall submit design guidelines for all new planned developments containing residential units. The purpose of the guidelines is to avoid visual monotony and a bland, "cookie-cutter" appearance of the developed project. Guidelines shall be project-specific and shall require approval by the Planning and Zoning Commission (PZC) prior to vertical construction of residential units. The community development director or his designee is authorized to approve changes to project-specific design guidelines approved by the PZC. Each of the following design guideline items shall be considered by the applicant, and at least two (2) shall be proposed by the applicant, for incorporation into project guidelines:
- a. Garage placement and scale;
 - b. Residence (building) placement;
 - c. Variation and frequency of model types;
 - d. Building materials (façade and roof);
 - e. Building massing and architectural details that provide building articulation;
 - f. Roof design, pitch, material, and type (e.g. gable, hip);
 - g. Window architectural treatment/variation;
 - h. Project appearance from adjacent public streets and properties, including landscaping and buffers;
 - i. Internal streetscape;
 - j. Alternative design element that reduces visual monotony.

Project design guidelines shall provide for design review, approval, and enforcement mechanisms.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.14. Agricultural use standards.

- (1) *Location.* Agricultural uses may be established within a P.D. project area where:
 - (A) The underlying comprehensive plan land use designation allows such uses; or where
 - (B) The agricultural uses allowed in the RS-1 zoning district in Chapter 911 are established in a residential development area in a manner consistent with the applicable compatibility standards of sections 915.14(3) and 915.16, and any criteria and standards of Chapter 971, Specific Land Use Criteria, applicable to the use.
 - (2) *Uses allowed.*
 - (A) All agricultural uses permitted within the A-1, Agricultural zoning district may be located in accordance with subsection 915.14(1)(A).
 - (B) Within a residential development area, all agricultural uses allowed within the RS-1 zoning district of Chapter 911 may be allowed within residential use areas.
 1. All uses having specific land use criteria for residential districts as found in Chapter 971 shall comply with the applicable Chapter 971 criteria and standards.
 - (3) *Compatibility.*
 - (A) Compatibility between uses within the P.D. project areas shall be addressed by individual project design, through the use of location, buffering, transition, integration of uses, or other means, as approved by the county.
 - (B) Compatibility with properties adjacent to the P.D. project area shall be ensured by compliance with the applicable standards of section 915.16.
 - (4) *Site development standards.* The applicable site development standards of Chapter 913, Subdivisions and Plats, and Chapter 914, Site Plan, shall apply.
- (Ord. No. 2012-021, § 1, 7-10-12)

Section 915.15. Planned development allowable waivers and development parameters.

Waivers from the various conventional standards and criteria found in the Chapter 911, Zoning, may be granted by the board of county commissioners via the establishment of special project development parameters, as provided for herein.

- (1) Conceptual P.D. plans shall list, for all areas and phases within the P.D. project area, the proposed waivers and development parameters for the following:
 - a. Minimum lot size (in square feet);
 - b. Minimum lot width (in feet);
 - c. Minimum lot frontage (in feet);
 - d. Minimum yard setbacks for buildings: front, rear, and side;
 - e. Minimum yard setbacks for accessory structures (such as pools, patios, and decks); front, rear, and side;
 - f. Maximum lot coverage; building(s) and impervious surface area;
 - g. Minimum separation distances between buildings;

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- h. Minimum right-of-way widths (by road type);
 - i. Minimum open space per lot and by phase [Note: The minimum open space for the entire project shall meet or exceed the requirements of section 915.18.]
 - j. Minimum preservation/conservation area per lot.

Note: more conceptual plan submittal requirements are listed-out in section 915.24.

- (2) Notwithstanding other provisions in this chapter (915) and Chapter 971, specific land use criteria listed in Chapter 971 may be waived (modified or not applied) where such criteria would merely apply to the compatibility of uses within the P.D. project area if approved by the county. Where specific land use criteria apply to the relationship of a use(s) within a P.D. project and properties adjacent to the project area, the specific land use criteria shall apply pursuant to the provisions of chapter 971.
- (3) The conventional standards and criteria found in Chapter 911, Zoning, not covered in subsection 915.15(1) shall apply unless otherwise specifically waived or modified by other provisions of this chapter.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.16. Compatibility standards.

Compatibility with areas adjacent to P.D. project areas shall be ensured by project compliance with the following requirements.

- (1) A twenty-five-foot setback from buildings, driveways, roadways, and parking areas to perimeter P.D. project area property lines shall be established and shown on all plans for residential PD projects, with the exception of TND and mixed use projects.
 - (A) The twenty-five-foot setback shall not be required along a P.D. project perimeter where there is an existing or planned commercial or industrial use, mixed use, or TND project on the adjacent property or where the P.D. project perimeter is adjacent to property having a commercial or industrial land use plan designation. In such cases, normal setback, buffer, and landscape standards shall apply.

In addition, the twenty-five-foot setback shall not be required along the boundaries of a P.D. where those boundaries are contiguous to lands which are part of the same project. For these purposes, contiguous lands shall be considered part of the same project if the contiguous lands and the land comprising the PD/PRD are under unified control, as provided in section 915.09.
 - (B) Yard encroachments provided in section 911.15 that do not conflict with project buffer requirements may be applied within residential P.D. projects.
 - (C) Where a P.D. residential project abuts another residential project that requires a perimeter buffer, the required buffer areas may be allowed to "overlap" with a single buffer meeting both requirements, if approved by the board of county commissioners.
- (2) Buffers (A, B, or C) or transition areas (TA) shall be provided in accordance with the following compatibility matrix. These buffer and transition area requirements do not supercede or replace buffer and transition area requirements of other code sections, but may be credited toward meeting buffer and transition area requirements of other code sections.

Adjacent Property Comprehensive Plan Land Use Designation											
Proposed P.D. Project Use Along Project Boundary:	C-1, C-3, REC	C-2	AG-1, AG-2, AG-3, BCID	R, T	L-1	L-2	M-1	M-2	REC	P	Comm/Ind, RC
Agricultural	None	None	None	B	B	B	B	B	None	None	None
Residential	B	N	B	B	B/TA	B/TA	None	None	C		B
Commercial	B	B	B	B	B	B	B	B	B	B	None
Industrial	B	B	C	B	A	A	B	B	B	B	None
LEGEND:	A = Type A buffer as described in Chapter 926, Landscaping. B = Type B buffer as described in Chapter 926, Landscaping. C = Type C buffer as described in Chapter 926, Landscaping. N = No buffer: Twenty-five-foot required setback per subsection 915.16(1). TA = Transition area option available: Twenty-five-foot required setback plus a perimeter transition area having a depth of at least one hundred fifty (150) developed at the same density/intensity as adjacent development										

- (3) Where a local or collector road right-of-way is located between the P.D. project use and an adjacent use, the buffer requirements of subsection 915.16(2) may be reduced as follows:
"A" requirement reduced to "B"
- (4) Where an arterial road right-of-way is located between the P.D. project use and an adjacent use, the buffer requirements of subsection 915.16(2) may be reduced to "C" or normal Chapter 926 landscape requirements, whichever requirements are greater.
- (5) No portion of a P.D. project area shall be modified or sold-off in a manner that would conflict with the compatibility requirements of this section (915.16).

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.17. Project integration into public systems.

The land use(s) and natural and built environment of P.D. projects shall be properly integrated into the public systems that exist and are planned for the area of the county within which the project is located.

- (1) Water and sewer service provisions shall comply with all county water and sewer regulations and comprehensive plan policies. Fire hydrants and fire flow shall be provided as required in section 913.09 of the subdivision and plats ordinance, where such access is necessary for the proper future development of the adjoining area(s).
- (2) Electrical service shall be provided as required and provided for in section 913.09 of the subdivision and plats ordinance.

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- (3) Roads and provision for roads shall comply with and implement the county thoroughfare plan map and subdivision collector map.
- (A) Roads required for existing or future use of the public shall be dedicated to the public and shall be built to applicable county standards.
- (B) Relation to existing or planned streets.
1. Adjoining areas. The pattern of streets in P.D. projects shall provide for the continuation of existing streets from adjoining areas, or for their proper projection where adjoining land is not developed.
 2. Adjacent areas. Where street extensions into adjacent undeveloped land are necessary to ensure a coordinated street system, or to provide adequate access and circulation for future development, provisions for such future streets shall be made.
 3. Extensions to existing roadways. Extensions of existing public roads may be required to provide adequate access and circulation, and/or to mitigate against the negative impacts of development having lengthy dead-ended streets or closed street systems.
 4. Abutting arterials. P.D. projects abutting arterials shall provide for marginal access as required in Chapter 952.
 5. The paved road requirements of Chapter 952 shall apply to P.D. projects.
 6. Pedestrian systems shall be provided within P.D. projects to serve all land uses in a manner consistent with the requirements and provisions of subsections 913.09(4) and 913.09(5), and the county comprehensive bikeway and sidewalk plan. Pedestrian access from the P.D. project to adjacent recreation areas or schools shall be provided.
 7. The board of county commissioners, based upon a recommendation by the technical review committee and the supervisor of elections, may require that the P.D. project provide a facility or use of a facility for election polling.
 8. All streets shall be either dedicated to the public or dedicated to and maintained by a private property owner's association. If a street proposed for dedication to the county in a new P.D. project will be a continuation of an existing dedicated and accepted street, the entire street right-of-way for the proposed street shall be dedicated to the public and platted with the P.D. project. Roads deemed necessary to provide access to adjacent properties shall be dedicated to the public unless adequate legal provisions can be made to guarantee access to and use of the street system by area property owners.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.18. Open space standards.

- (1) The minimum amount of open space required within a planned development project shall be as specified within the underlying zoning district(s) (other than P.D.) for special exception uses, or, in cases where the planned development zoning overlay district is used, as specified in the appropriate underlying comprehensive plan land use designations as follows:

C-1N/A

C-250%

AG-1, AG-2, AG-380% (60% for TND project area within AG-1, AG-2, AG-3)

R50%

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(Supp. No. 151)

L-140%

L-240%

M-140%

M-230%

REC/N/A

PN/A

Comm/Ind15%*

NOTE: N/A = not applicable

These listed minimums shall not preclude the board of county commissioners from establishing higher minimum open space standards within P.D. zoning districts.

*In areas where commercial or industrial uses are mixed, with residential uses, the minimum project area open space shall be thirty (30) percent.

- (2) Where a planned development project area has more than one (1) underlying zoning district or, in cases where the planned development zoning overlay district is used and there is more than one (1) underlying comprehensive plan land use designation, open space may be distributed throughout a project area as approved in the conceptual planned development plan. Open space shall be distributed and integrated into the overall project design in a manner compatible with existing, permitted, and planned future development on adjacent properties.
- (3) In calculating open space areas, the following shall qualify as open space, subject to the limitations provided herein. All areas credited as meeting the minimum open space requirement shall be preserved and maintained as designated on the approved plan. Legal restrictions and/or easements shall be established, in a manner acceptable to the county attorney's office, to ensure the preservation and maintenance of the open space areas. For TND and New Town projects, policy requirements that differ from the P.D. open space regulations below shall govern to the extent of the difference.
 - (A) For residential development on a site or portion of a site designated as agriculture on the comprehensive plan land use map, all creditable open space area(s) shall be either retained in its natural state, used for agricultural uses, or used for recreation proposed. No more than thirty (30) percent of the creditable open space shall be used for recreational purposes in the AG-1 areas, twenty-five (25) percent for the AG-2 and AG-3 areas.
 - (B) Common green areas and private yard green areas; one hundred (100) percent of the common area shall be creditable towards open space.
 - (C) Golf courses and similar major recreational areas/facilities. It is the intent of this section to encourage the accessibility of all open space areas to individual dwelling units within planned residential developments. The following standards shall be used in calculating creditable open space areas for these areas/facilities:
 1. If more than sixty (60) percent of the total residential dwelling units within the planned development abut or are adjacent to and have direct visual access to the golf course (including rough areas) or major recreational area/facility, one hundred (100) percent of the area contained therein shall be creditable towards open space;
 2. If between thirty (30) percent and sixty (60) percent of the total residential dwelling units within the planned development are adjacent to and have direct visual access to the golf course (including rough areas) or major recreational facility, seventy-five (75) percent of the area contained therein shall be creditable towards open space; and

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3. If less than thirty (30) percent of the total residential dwelling units within the planned development are adjacent to and have direct visual access to the golf course (including rough areas) or major recreational facility, fifty (50) percent of the area contained therein shall be creditable towards open space.
- (D) The total area of natural plus man-made water bodies (at mean high water or high design level, whichever is appropriate) shall not be creditable for more than thirty (30) percent of the total required open space for the development.
 - (E) Multi-use recreation center. One hundred (100) percent of the area occupied by a multiple-use recreation building and its accessory or attendant outdoor recreation facilities, not already specifically addressed in this section, may be creditable towards open space, provided that impervious areas shall not be credited for more than thirty (30) percent of the total required open space for the development.
 - (F) Environmentally sensitive areas. One hundred (100) percent of environmentally sensitive lands from which density has been transferred shall be creditable as open space, provided that environmentally sensitive areas shall not be credited for more than thirty (30) percent of the total required open space for the development.
 - (G) Impervious private exterior open areas. One hundred (100) percent of any privately maintained or owned exterior open areas, composed of impervious surfaces, which are adjacent to and for the exclusive use of the residents of an individual dwelling unit, partially enclosed by walls, hedges, buildings or structures, including swimming pools, tennis courts, balconies, terraces, porches, decks, patios and atriums may be creditable toward the open space requirement, provided the total area credited therein does not exceed ten (10) percent of the total required open space of the development. Creditable areas shall not include screen or glass enclosed areas.
 - (H) One hundred (100) percent of the area contained in a continuous pedestrian circulation system, consisting of permanently maintained walks and trails may be creditable as open space.
 - (I) The following areas are specifically excluded from calculation as open space areas:
 1. Public and private street rights-of-way, [exception: continuous pedestrian systems contained within private rights-of-way may be credited as open space];
 2. Parking areas; and
 3. Nonresidential and non-recreational buildings and structures.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.19. Recreation standards.

To accommodate the needs of future project residents, P.D. projects containing more than sixty (60) dwelling units shall provide recreational areas and facilities that meet the county's urban district park standard of five (5) acres per one thousand (1,000) population, adopted in the comprehensive plan.

- (1) Minimum recreational area facilities required. Based upon a standard of five (5) acres of recreational area per one thousand (1,000) residents, and an average household size of 2.4 persons per household, all P.D. projects containing more than sixty (60) dwelling units shall provide a minimum of 522.72 square feet of recreational area per dwelling unit.
- (2) Both passive and active recreational areas/facilities shall be creditable towards meeting the minimum recreational area/facilities requirements. Credit may only be given for areas that are accessible to and useable by all project residents. All areas credited as meeting the minimum recreation space requirement shall be preserved and maintained as recreation space. Legal restrictions and/or

easements shall be established in a manner acceptable to the county attorney's office, to ensure the useability and maintenance of the recreational areas/facilities.

- (A) Active recreational areas/facilities shall include, but shall not be limited to, playgrounds, athletic fields, golf courses, various types of courts, swimming pools, exercise trails, and multi-use recreational buildings.
- (B) Passive recreational areas/facilities shall include, but shall not be limited to, picnic areas, beaches, boardwalks and dune crossovers, benches, and gazebos.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.20. Mixed use standards.

Mixed use P.D.s may be located within residentially designated areas, subject to the criteria below.

Approval Process

- (1) Mixed use P.D.s shall be approved through the P.D. rezoning process.

Development Parameters

- (2) The maximum project area for a mixed use P.D. in a residentially designated area shall be forty (40) acres unless the property is located within the SR 60/IRSC (Indian River State College) preferred location area. The SR 60/IRSC preferred location area is an area adjacent to the SR 60/58th Avenue Commercial/Industrial Node, the SR 60/66th Avenue intersection, and the Indian River State College campus. In the SR 60/IRSC preferred location area, the maximum mixed use PD project area shall be eighty (80) acres. Mixed use projects not located in the SR 60/IRSC preferred location area exceeding forty (40) acres shall be designed as Traditional Neighborhood Design (TND) developments and shall comply with the requirements of section 915.21.
- (3) Mixed use P.D.s shall be limited to areas designated L-1, L-2, M-1, and M-2 and shall be located along SR 60, US 1, Indian River Blvd., 58th Avenue, CR 510 (west of the Indian River Lagoon), CR 512, or Oslo Road. Additionally, mixed use P.D.s in M-1 and M-2 designated areas may be located on sites that are adjacent to C/I nodes.

Mix of Uses

- (4) To ensure that mixed use P.D.s contain an appropriate mix of residential and commercial uses, commercial uses shall be allowed to constitute no more than twenty-five (25) percent (up to fifty (50) percent in the SR 60/IRSC preferred location area, not to exceed a total of thirty (30) acres of commercial area) of a project's land area, except as modified below in subsection (5), where uses are vertically mixed.
- (5) The vertical mixing of uses is allowed and strongly encouraged. Where residential and/or office uses are designed and located above commercial uses, the amount of commercial area may constitute up to thirty (30) percent (up to sixty (60) percent in the SR 60/IRSC preferred location area, not to exceed a total of thirty (30) acres of commercial area) of the project's land area.
- (6) For purposes of these mixed use regulations, commercial area shall include buildings, parking areas, and adjacent improvements that serve commercial uses. Open space areas and common areas/improvements that are shared with residential uses, however, shall not be treated as commercial area.
- (7) Commercial uses allowed in mixed-use P.D.s shall be limited to lodging, institutional, office, retail (excluding gas stations but including fuel sales), personal services, restaurant uses, and live/work/commercial flex space.

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- (8) Drive-up windows are permitted for banks and pharmacies or similar retail uses. Drive-up windows shall be designed to not impede pedestrian access to any buildings. Drive-thru and drive-up facilities for restaurants are allowed in mixed use P.D.s, subject to the following criteria:
- a. Drive-through facilities shall be designed to not "wrap around" more than two (2) sides of the restaurant building and to not adversely impact safe and convenient pedestrian access from adjacent residential areas, public sidewalks, and parking areas that serve the restaurant.
 - b. Project designs shall provide conspicuous and well articulated pedestrian routes clearly signed and marked by decorative paving, textured or colored paving, or similar means.
 - c. Drive-through facilities shall not be located adjacent to an off-site property with an existing residential use, a residential zoning, or a residential land use designation.
 - d. Drive-through facilities shall be visually screened from adjacent public roads and major access driveways.
 - e. Order boards for the drive-through facilities shall be located to minimize noise impacts on adjacent residential uses within the mixed use PD and outside the PD.
 - f. Outdoor lighting shall be designed to minimize impacts on adjacent residential uses within the mixed use PD and outside the PD.
- (9) Within mixed use P.D.s, the Floor Area Ratio (FAR) for commercial uses shall be applied to the commercial area. For the commercial area, the maximum FAR shall be 0.35.
- (10) Within mixed use P.D.s, the maximum number of allowable residential units shall be derived by applying the applicable comprehensive plan land use designation maximum density to the entire area of the project and, in addition, may include any applicable density bonuses provided in other sections of the land development regulations.
- (11) Within mixed use P.D.s, commercial areas may be situated internal to the project or may be located along a project's boundary, where such boundary abuts C/I-designated property or a road designated in the comprehensive plan as a collector or arterial roadway. Where commercial uses are situated adjacent to residential uses located outside the project, buffering and compatibility improvements shall be provided in accordance with subsection 915.16(2). In addition, the design of nonresidential buildings adjacent to residential uses located outside the project shall comply with the requirements of paragraph (16) below.
- (12) On-street parking along internal streets shall be allowed within mixed use projects.
- (13) All mixed use P.D.s shall be designed to include at least one (1) transit stop within the project.

Building Design and Setbacks

- (14) Within mixed use P.D.s, common architectural themes, common hardscape and signage themes, and multiple pedestrian connections shall be provided to integrate nonresidential uses with residential uses. Common architectural themes shall apply to both commercial and residential areas of the project.
- (15) Within mixed use P.D.s, no individual commercial building shall exceed twenty-five thousand (25,000) square feet (up to sixty thousand (60,000) sq. ft. in the SR 60/IRSC preferred location area) in commercial floor area. Lodging uses are exempt from these limitations.
- (16) Where a nonresidential building in a mixed use P.D. is situated adjacent to residential buildings located outside the project, the nonresidential buildings shall be designed to be compatible with nearby residential buildings. The scale of such nonresidential buildings may be minimized by articulating the building's mass, using sloped roofs instead flat roofs, and/or by planting canopy trees around the

building's perimeter. Perimeter buffers may be waived where residential uses within a mixed use P.D. are situated adjacent to similar residential uses located outside the project.

Street Network

- (17) Each mixed use P.D. shall offer alternative routes and connections between destinations within the project, and to appropriate uses on adjacent sites, by designing and constructing a street network that consists of a grid or modified grid pattern and stub-outs or connections to adjacent sites.
- (18) The project shall contain a network of interconnected streets, sidewalks, and pathways. Streets shall be designed to balance pedestrian and automobile needs, to discourage high automobile speeds, to effectively and efficiently accommodate transit systems, and to distribute and diffuse traffic rather than concentrate it. Sidewalks shall be provided on both sides of project streets.
- (19) Street trees shall be provided so as to shade sidewalk areas and buffer sidewalk areas from automobile traffic.
- (20) For a mixed use project located in the SR 60/IRSC preferred location area, the project shall provide the following:
 - a. SR60 access to the IRSC campus in coordination with Indian River State College and County Public Works.
 - b. Access from the IRSC campus to 66th Avenue at 18th Street, including a bridge over the Lateral A Canal, and including 66th Avenue/18th Street signalization, in coordination with Indian River State College and County Public Works.

Timing of Construction

- (21) In each mixed use P.D., not located in the SR 60/IRSC preferred location area, no more than three (3) acres or fifty (50) percent of the total commercial area allowed, whichever is greater, shall be constructed until at least twenty-five (25) percent of the proposed residential development (units or lots) has been constructed, and no certificate of occupancy shall be issued for commercial area exceeding three (3) acres or fifty (50) percent of the total commercial area allowed, whichever is greater, unless at least twenty-five (25) percent of the total residential development has received certificates of occupancy or certificate of completion.
- (22) For a mixed use PD project located in the SR 60/IRSC preferred location area, no more than fifteen (15) acres not to exceed fifty (50) percent of the total commercial area allowed shall be constructed until:
 - a. The infrastructure items in subsection (20) above have been constructed or designed and committed to via an enforceable developer's agreement, and
 - b. A conceptual or final development plan for the residential development has been approved, and
 - c. The infrastructure that serves the residential portion of the project has been constructed or designed and committed to via an enforceable developer's agreement.

(Ord. No. 2012-021, § 1, 7-10-12; Ord. No. 2013-006, § 1, 7-2-13; Ord. No. 2013-021, § 1, 12-10-13; Ord. No. 2017-008, § 1, 7-11-17)

Section 915.21. Traditional neighborhood design standards.

Traditional neighborhood design (TND) developments over forty (40) acres shall be approved as planned developments. To qualify as a TND development, projects must meet the following criteria:

Development Parameters

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- (1) The minimum contiguous project site area shall be forty (40) acres.
 - (2) Land shall be under unified control, and it shall be planned and developed as a whole in a single development or as an approved series of developments or neighborhoods. The project shall be approved under the Planned Development (P.D.) rezoning process.

Street Network

- (3) In order to disperse traffic by offering many alternative routes and connections between destinations within the project and to appropriate uses on adjacent sites, the street network shall consist of a grid or modified grid pattern and shall accommodate vehicular and pedestrian connections to adjacent streets, sidewalks, and to appropriate uses on adjacent sites.
- (4) No more than ten (10) percent of blocks shall have a block with a perimeter measuring one thousand eight hundred (1,800) feet or more. Within commercial and mixed use areas, no block face dimension shall exceed four hundred (400) feet. Blocks may be defined (divided) by streets or major pedestrian paths.
- (5) The project shall contain a network of interconnected streets, sidewalks, and pathways.
- (6) Streets shall be designed to balance pedestrian and automobile needs, to discourage high automobile speeds, to effectively and efficiently accommodate transit systems, and to distribute and diffuse traffic rather than concentrate it.
- (7) Street trees shall be provided so as to shade sidewalk areas and buffer sidewalk areas from automobile traffic.
- (8) Streets and adjacent buildings shall be sited and designed to encourage interactions between the street and buildings through the use of amenities such as reduced building setbacks, "build-to" lines, front porches, stoops, rear and side yard parking lot and garage locations, and other means.
- (9) Projects shall decrease the prominence of front yard driveways, garages, and parking lots through one (1) or more of the following: Mid-block alleys, garages located toward the rear of lots, rear and side loaded garages, garages which are not the predominant architectural feature of the front elevation of buildings, off-street parking at the rear of buildings, and restricted driveway connections to streets.

Mixing of Uses

- (10) The project shall be designed as a compact or clustered development. Projects may include the following mix of uses occurring together in close proximity:
 - Single-family residential units;
 - Accessory dwelling units;
 - Multiple-family residential units;
 - Commercial and work place uses;
 - Civic and cultural uses;
 - Open space.
- (11) The following ratios shall apply to land uses within the project:
 - (a) Community open spaces open to the public, such as squares, plazas, or parks, shall comprise a minimum of five (5) percent of the total project area.
 - (b) Civic uses, such as post offices, churches, community centers, pavilions, meeting halls, schools, day care centers, and cultural facilities shall comprise a minimum of one (1) percent of the total project area.

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- (c) Residential uses shall comprise a minimum of fifty (50) percent and a maximum of eighty (80) percent of the total non-conservation and non-agricultural project area.
 - (d) Commercial and office uses located on residentially or agriculturally designated land shall not exceed ten (10) percent of the total land area designated on the land use plan as residential and agricultural.
- (12) The vertical mixing of uses is allowed, and strongly encouraged, around designated town centers, main streets, mixed-use centers, and central squares and greens.

Centers (Locus of Community Activity)

- (13) Each project must have at least one (1) center consisting of a public square, town center, or mixed use area. A project may have more than one (1) center. In addition, a center may be located on an adjacent site (outside the TND project) if the TND project is integrated into the adjacent center and rights are secured for access to the center by TND project residents. The TND project shall be designed so that a center is within a one-quarter-mile walking distance from fifty (50) percent of the TND project's residential units and within one-half-mile walking distance from seventy-five (75) percent of the TND project's residential units.
- (14) To accommodate increased pedestrian use, fifty (50) percent of sidewalks in public squares, town centers, or mixed use areas shall have a minimum unobstructed width (clear and passable for pedestrians) of at least seven (7) feet.
- (15) On-street parking shall be allowed within public squares, town centers, or mixed use areas.
- (16) Off-street parking lots within public squares, town centers, or mixed use areas shall be provided only at the rear of buildings.
- (17) The center shall accommodate space for at least one (1) transit stop and a civic building.

Edges (Perimeter of the Community)

- (18) Project edges located outside the Urban Service Area shall be established and designed for environmental, agricultural, recreational, or other open space uses.

Public Buildings

- (19) Public buildings, such as schools, churches, post offices, and community centers, shall be provided in prominent, accessible locations within the project. Such locations generally are at the termination of streets, the perimeter of the neighborhood center, or the frontage along a designated main street of a neighborhood or adjacent thoroughfare plan road.

Project Density

- (20) TND projects located entirely within the urban service area shall receive a ten-percent density bonus above and beyond the maximum density provided under the project site's land use designation. TND projects may be approved as receiving sites for density transferred from agriculturally designated lands subject to the conditions and limitations in Future Land Use Element Policy 6.8.
- (21) For TND projects located east of I-95, a portion of the project may be located partially outside but adjacent to the Urban Service Area. A minimum of sixty (60) percent of the total project density shall be derived from the portion of the project located within the Urban Service Area. Density shall be calculated and allowed based upon:
- The land use designation underlying the portion of the project within the Urban Service Area; and
 - One (1) unit/acre for project property located outside the Urban Service Area.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.22. Review and approval process requirements.

The following review and approval process, in the order outlined, shall apply to all planned development projects:

- (1) *Formal pre-application conference.* A formal pre-application conference with county staff is required prior to submission of a formal planned development zoning district or special exception approval application. Procedural requirements are the same as those provided for required site plan and subdivision formal pre-application conferences pursuant to Chapter 913 and Chapter 914. Planned development formal pre-application conference submittal requirements are found in section 915.23 of this chapter.
- (2) *Planned development conceptual plan.* A complete planned development conceptual plan application in accordance with the requirements of section 915.24 of this chapter shall be submitted by the applicant, and reviewed and considered by all appropriate staff prior to consideration by the planning and zoning commission and board of county commissioners. This requirement shall apply to both a planned development special exception approval request and a planned development zoning district rezoning request.
 - (A) Planned development special exception approval requests shall be reviewed and approved pursuant to the special exception review and procedures regulations contained in Chapter 911, Zoning. The planned development conceptual plan, which shall accompany the special exception application, shall be reviewed by staff in the same manner as a site plan, pursuant to the provisions of Chapter 914, Site Plan.
 - (B) Planned development zoning requests shall be reviewed and approved pursuant to the zoning amendment review and procedures regulations contained in Chapter 911, Zoning. The planned development conceptual plan, which shall accompany any planned development zoning district rezoning application, shall be reviewed as part of the zoning request and shall set the parameters for development within the P.D. district requested.
 - (C) Pursuant to section 915.15, waivers to various land development regulations may be approved by the board of county commissioners. In addition, the board may impose on planned development project approvals such other conditions or restrictions which the board feels necessary, notwithstanding that such restrictions or conditions may not be expressly provided for in the county's land development regulations.
- (3) *Preliminary planned development plan.* A preliminary planned development plan application may be submitted concurrently with a conceptual planned development plan or any time thereafter; however, the preliminary planned development plan shall be subject to approval of the planned development conceptual plan and all conditions attached thereto. The preliminary planned development plan shall conform to the approved planned development conceptual plan. A land development permit may be issued only for those areas of the planned development which have received preliminary planned development plan approval.
 - (A) The preliminary planned development plan shall consist of a site plan and preliminary plat, and shall be reviewed and approved pursuant to the requirements and procedures of Chapter 913 and Chapter 914 as a concurrent site plan/preliminary plat application.
 - (B) Preliminary planned development plans may represent all of a planned development project area, or a phase or phases pursuant to the provisions of section 915.09 of this chapter.
 - (C) No preliminary planned development plan shall be deemed to be approved until such time as the planned development project's conceptual plan is approved.

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- (D) Submittal requirements for preliminary planned development plan applications are found in section 915.25 of this chapter.
- (4) *Land development permit.* No construction may occur on a planned development project site until a land development permit has been issued. No land development permit application shall be submitted prior to board approval of the project conceptual planned development plan and TRC review and approval of the preliminary planned development plan covering the area for which the land development permit is sought.
- (A) The land development permit shall be reviewed and approved pursuant to the land development permit requirements and procedures of Chapter 913, Subdivisions and Plats.
- (B) The land development permit shall conform to the approved planned development conceptual and preliminary plans and all conditions attached thereto.
- (5) *Building permit.* No building permit(s) shall be issued prior to issuance of a land development permit covering the area for which the building permit is sought.
- (A) The building permit application shall be reviewed and approved pursuant to standard county building permit review and approval procedures.
- (B) The approved building permit shall conform to the approved planned development conceptual and preliminary plans and all conditions attached thereto.
- (6) *Final planned development plan.* No final planned development plan shall be approved prior to issuance of a land development permit covering the area for which the final planned development plan approval is sought.
- (A) The final planned development plan shall consist of a final plat and a copy of the approved site plan(s) covering the area being platted.
- (B) The final planned development plan shall be reviewed and approved pursuant to the final plat review and approval procedures contained in Chapter 913, Subdivisions and Platting.
- (7) *Certificate of occupancy.* No certificate of occupancy shall be issued prior to approval of a final planned development plan covering the area for which the certificate of occupancy is sought.
- (A) The review, inspection, and approval procedures for a certificate of occupancy request shall be in accordance with the applicable procedures contained in Chapter 913 and Chapter 914 and standard county certificate of occupancy procedures.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.23. Formal pre-application conference submittal requirements.

To initiate the scheduling of a formal pre-application conference by staff, the applicant shall submit a completed formal pre-application conference information form (furnished by the planning division) along with ten (10) plan sets which shall include the following graphic and written information:

- (1) All proposed uses and general location and distribution of each use or mixture of uses and of development intensities (approximate square feet of gross building area or density);
- (2) Proposed overall density and any density transfer and affordable housing density bonus proposal(s);
- (3) Proposed phasing;
- (4) Proposed development parameters (as identified in section 915.15);

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- (5) Adjacent existing and allowable uses and proposed compatibility measures (as identified in section 915.16);
 - (6) Proposed open space and recreation areas and facilities;
 - (7) Integration into public systems (as identified in section 915.17) including:
 - (a) Utilities provisions (water, sewer, electric);
 - (b) Roadways including connections and improvements;
 - (c) Bikeways and sidewalks;
 - (d) Streetlighting;
 - (e) Recreation areas; and
 - (f) Other public systems used or improved;
 - (8) Proposed internal vehicular and pedestrian systems;
 - (9) Proposed method of stormwater management;
 - (10) Existing site conditions, including location and extent of areas covered by native vegetation, wetlands, and environmentally significant (such as xeric scrub, coastal tropical hammock, pine flatwoods) features. Also, the location and extent of existing drainage features and existing and proposed waterbodies.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.24. Planned development conceptual plan submittal requirements.

To initiate review of a conceptual planned development plan, the applicant shall submit to the planning division the following:

- (1) A completed conceptual planned development plan application form (furnished by the planning division) along with the appropriate review fee;
- (2) Two (2) copies of the property owner's (s') deed and one (1) letter of authorization from the property owner(s) on behalf of the project applicant or agent if different from the owner(s).
- (3) Seven (7) to scale twenty-four-inch by thirty-six-inch plan sets of the project at a scale not greater than one (1) inch equals fifty (50) feet (a smaller scale may be used for all or part of the project depiction when the project cannot fit on a twenty-four-inch by thirty-six-inch plan sheet, upon approval by the community development director) which shall include the following graphic and written information:
 - (a) The location and area of all proposed uses and mixture of uses with the appropriate measure of intensity for each use (density or square feet of gross floor area);
 - (b) A project phasing plan depicting all phase boundaries and a proposed timetable (by year) for each phase which demonstrates compliance with section 915.10 and the phasing requirements of Chapter 913 and Chapter 914. All plan sheets within each plan set shall depict phase boundaries and designations;
 - (c) Tabulations showing the following for each phase, successive groupings of phases (a "running" tabulation over phase time), and for the total project:
 1. Gross area;
 2. Units and density, and dwelling unit computation as specified in subsection 915.08(4);

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3. Square feet of gross floor area by use, demonstrating compliance with the requirements of sections 915.11 through 915.14;
 4. Open space areas, demonstrating compliance with section 915.18 requirements;
 5. Recreation areas and facilities, demonstrating compliance with section 915.19 requirements;
 6. Preservation and conservation areas, demonstrating compliance with the requirements of Chapter 928 and Chapter 929;
 7. Area needed to accommodate necessary parking and traffic circulation;
 8. Area needed to accommodate necessary stormwater management system(s);
- (d) Description and typical elevation of proposed unit or building types and method of conveying ownership;
 - (e) Location and designation of all common areas and facilities;
 - (f) All development parameters and waivers as discussed in section 915.15;
 - (g) Location of all existing and allowable uses and their existing or allowable intensity and proposed compatibility measures meeting or exceeding the requirements of section 915.16, including typical cross-sections, showing a section at least one hundred fifty (150) feet in length along each project area border.
 - (h) Details of any proposal to transfer density or to use the affordable housing density bonus provision.
 - (i) Vehicular and pedestrian systems, including typical travelway surface and right-of-way widths, proposed connections to existing streets and the planned street network in the vicinity of the project. Existing or proposed streets and driveways within three hundred (300) feet of the project area.
 - (j) A traffic impact analysis if required by the Chapter 952, Traffic, regulations, in accordance with the Chapter 952, Traffic, regulations;
 - (k) Existing site conditions:
 1. Waterbodies;
 2. Wetlands;
 3. Native vegetation coverage, by community;
 4. Protected trees;
 5. Topography and drainage features (including canals and ditches), soil types;
 6. Archeological or historic features or areas where such features are probable to occur within the project area;
 7. Wells, free-flowing or valved;
 8. Buildings, structures, or driveways and their disposition (to be removed, to remain, to be altered);
 9. Utilities services and facilities, including, but not limited to water, sewer, electric, telephone, cable;
 10. Easements;

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- (l) General water, sewer, irrigation and fire suppression and protection system layout;
 - (m) Signed and sealed survey of the project site;
 - (n) Existing and proposed road right-of-way conditions;
 - (o) Description of the proposed or existing maintenance entity and program covering all common areas, facilities and improvements. Designations for all improvements, facilities, and areas as public or private;
 - (p) Vicinity map, showing the land area within three quarters (¾) of a mile of the project area.
 - (q) Two (2) aerials at a scale not greater than one (1) inch equals one hundred (100) feet, each with an overlay showing:
 - 1. Project area boundary;
 - 2. Proposed roadway and pedestrian system layout;
 - 3. Proposed areas of development (impervious surfaces);
 - 4. Proposed open space and preservation areas;
 - 5. Proposed buffer areas; and
 - 6. Proposed stormwater management tracts and easements;
 - (r) A concurrency certificate or evidence of application for a certificate;
 - (s) General stormwater management design, and a signed and sealed letter from a professional engineer certifying that the conceptual stormwater management plan will be able to meet all applicable stormwater management and flood protection criteria of Chapter 930, Stormwater Management.
 - (t) Additional submittal requirements may be required by staff at the formal pre-application conference based upon concerns and issues particular to the site, surrounding area, or proposed use(s).

The community development director or his designee shall determine whether or not an application is complete and can be routed for interdepartmental review. No incomplete application shall be routed for review.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.25. Preliminary planned development plan submittal requirements.

The preliminary planned development plan submittal requirements are the same as the major site plan requirements contained in Chapter 913 and the preliminary plat requirements contained in Chapter 914.

- (1) In addition to the above requirements, preliminary planned development plan applications shall contain the following:
 - (A) One (1) updated conceptual plan sheet with each preliminary plan set;
 - (B) Tabulations showing for the subject phase along with all previously approved preliminary plan phases showing the following:
 - 1. Gross area;
 - 2. Density;

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3. Square feet of gross floor area;
 4. Open space, demonstrating compliance with section 915.18;
 5. Recreation area, demonstrating compliance with section 915.19;
 6. Preservation/conservation areas in accordance with the approved conceptual plan;
- (C) The project internal pedestrian system;
- (D) Detailed depiction and cross-sections of all buffer and/or transition areas, demonstrating compliance with the requirements of section 915.16;
- (E) A concurrency certificate or evidence of application for a certificate.

The community development director or his designee shall determine whether or not an application is complete and can be routed for interdepartmental review. No incomplete application shall be routed for review.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.26. Land development permit submittal requirements.

The land development permit submittal requirements shall be the same as the land development permit requirements contained in Chapter 913, Subdivisions and Platting.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.27. Final planned development plan submittal requirements.

The final planned development plan submittal requirements shall be the same as the final plat requirements contained in Chapter 913.

- (1) In addition to the above requirements, the final planned development plan shall contain the following:
- (A) Seven (7) copies of the latest approved site plan(s) covering the area being platted;
 - (B) Seven (7) copies of the latest approved conceptual plan sheet.

The community development director or his designee shall determine whether or not an application is complete and can be routed for interdepartmental review. No incomplete application shall be routed for review.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.28. Modifications to planned development plans.

Planned development plans may be modified as provided herein.

- (1) Proposals to increase the overall project density, increase the intensity of use(s), reduce buffers or other measures intended to ensure the compatibility with adjacent properties, reduce preservation/conservation areas, obtain special exception waivers not previously granted, require a change in the development parameters set up in a planned development zoning district, or to reduce, expand or otherwise modify the project area, shall require approval of a revised planned development conceptual plan and any other affected project plan(s).

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- (A) A revised planned development conceptual plan shall be reviewed and approved in the same manner as the original planned development conceptual plan application, except as provided in subsection (6) below.
 - (B) Revisions of other affected plan(s), if any.
- (2) Phasing revisions shall require modifications to and the updating of the planned development conceptual plan and all affected preliminary planned development plans. Such modifications shall be reviewed and approved in the same manner as a minor site plan, pursuant to the provisions of Chapter 914.
 - (3) Preliminary planned development plans may be modified in the same manner as site plans and preliminary plats pursuant to the provisions of Chapter 913 and Chapter 914. Modifications shall generally conform to the approved planned development conceptual plan. A copy of an updated planned development conceptual plan sheet(s) shall accompany each copy of the proposed planned development plan modification.
 - (4) Land development permits may be modified pursuant to the requirements, review and procedures for modifying land development permits contained in Chapter 913.
 - (5) Final planned development plats may be modified pursuant to the re-platting procedures contained in Chapter 913 and standard County procedures for such reviews and approvals.
 - (6) Reductions in setbacks and other dimensional criteria for structures and lots not located on the project perimeter may be approved by the planning and zoning commission at a public hearing subject to the following criteria:
 - (A) The proposed setback(s) and/or other dimensional criteria shall not be reduced more than twenty (20) percent from the originally approved setback(s) and/or dimensional criteria standards; and
 - (B) The applicant shall submit documentation confirming that the proposed setback(s) and/or dimensional criteria are supported by the project property owners association or, where applicable, the project architectural review board.

(Ord. No. 2012-021, § 1, 7-10-12; Ord. No. 2015-004, § 4, 3-24-15)

Section 915.29. Planned development time limitations, expirations, and terminations.

- (1) Conceptual planned development plan approvals shall not expire, but shall run with the land, unless an expiration date or reverter condition is incorporated into the conceptual plan approval.
- (2) Preliminary planned developments that have the predominate characteristics of a subdivision project, as determined by the community development director or his designee, shall have the same application and approval time limitations and ability to seek extensions as provided for in Chapter 913. Preliminary planned developments that have the predominate characteristics of a site plan project, as determined by the community development director or his designee, shall have the same application and approval time limitations, and ability to seek extensions as provided for in Chapter 914.

(Ord. No. 2012-021, § 1, 7-10-12)

Section 915.30. Transfer of approval and assumption of obligations.

Planned development plan approvals may be transferred to a successor(s) in interest in the same manner as provided for in Chapter 914 for site plan approval transfer. Said transfer and assumption of obligations shall ensure

compliance with all applicable planned development approval conditions and perpetual maintenance of designated open space, buffer, and recreation areas and the preservation of all designated conservation areas.

(Ord. No. 2012-021, § 1, 7-10-12)