

## CHURCHILL COUNTY PLANNED UNIT DEVELOPMENT

The intent of the PUD ordinance is to provide for well-designed developments that creatively utilize the physical features of a parcel of land and include design elements that protect surrounding properties, and provide features that mitigate potential impacts caused by development. Both mixed uses and higher densities than those designated in the underlying zoning district are permissible in a PUD. However, the type, intensity and location of proposed land uses must be justified and offset with design elements that either provide benefit to the community and meet the goals of the Master Plan, such as but not limited to:

- protection of and access to the Carson River corridor.
- provision of public parks or schools,
- protection of agriculture through transfer of development rights or continued agricultural production within the development,
- provision of affordable housing

or provide open spaces throughout the development that create an atmosphere of healthful, rural living such as, but not limited to, walking trails and bike trails, large lots, and common open space.

It is the developer's burden of proof and responsibility to justify the benefits of a PUD versus a subdivision and to make the findings in support of the project, and comply with the standards set forth in NRS 278A.

The purpose of a PUD is to encourage more efficient use of the land and public and private services; to encourage flexibility to promote the most appropriate and compatible use; to facilitate adequate and economical provision of streets and utilities; and to preserve the agricultural lands and open areas of our community.

### General Development Provisions:

- a. Planned unit developments may be proposed in the E-1, R-1, R-2, C-1, C-2 and I-Industrial zoning districts provided that the type and intensity of the uses is consistent with the surrounding area and the following criteria are met:
  - (1) In the E-1 zoning district, residential uses must be the predominant land use. Commercial uses may not exceed 5% of the gross project area. Density may not exceed 3.2 units per acre unless the Planning Commission determines that the development provides benefits to the community such as protection and access to the Carson River corridor; provision of public spaces and facilities such as public parks and schools; protection of agriculture through the transfer of development rights from active agricultural lands or continuance of agricultural production within the development; or provision of affordable housing. The Planning Commission may allow up to 5 units per acre should it determine that the benefits to the community warrant an increase in density.

A minimum 20% open space must be provided. The Planning Commission shall determine if a percentage of this open space is satisfied by some or all of the following:

- ▶ protection of agricultural lands through the transfer of development rights
- ▶ open spaces around a public school within the development
- ▶ payment of an amount of cash equal to 1½ times the appraised value of the equivalent amount of land
- ▶ provision of lots greater than 1.0 acre with expansive yards.

(2) In the R-1 and R-2 zoning districts, residential uses must be the predominant land use. Commercial uses may not exceed 20% of the gross project area. Density may not exceed 5 units per acre unless the Planning Commission determines that the development provides benefits to the community such as protection and access to the Carson River corridor; provision of public spaces and facilities such as public parks and schools; protection of agriculture through the transfer of development rights from active agricultural lands or continuance of agricultural production within the development; or provision of affordable housing. The Planning Commission may allow up to 8 units per acre should it determine that the benefits to the community warrant an increase in density.

A minimum 20% open space must be provided. The Planning Commission shall determine if a percentage of this open space is satisfied by some or all of the following:

- protection of agricultural lands through the transfer of development rights
- open spaces around a public school within the development
- payment of an equivalent amount of cash equal to 1½ times the appraised value of the equivalent amount of land
- provision of lots greater than 1.0 acre with expansive yards.

(3) In the C-1 and C-2 zoning districts, commercial uses must be the predominant land use. Residential uses may not exceed 5% of the gross project area and residential density may not exceed 8 units per acre.

(4) In the I-Industrial zoning district, industrial and commercial uses must be the predominant land use. Residential uses may not exceed 5% of the gross project area and residential density may not exceed 4 units per acre unless the Planning Commission determines that the development provides benefits to the community that warrants an increase in density.

- a. Type and intensity of land uses shall be incorporated into and approved as part of the PUD application process. Additional rezoning applications within a PUD are not required. A Special Use Permit application may be utilized to request a variation in the percentage and type of land use listed above.

(5) The minimum project size shall be five acres. The minimum size requirement can be reduced if justified and supported by the planning commission.

- (6) All planned unit developments shall have a minimum of 20% of the gross project area for open space. Open space areas may include recreation area facilities/spaces, landscaped areas, wildlife habitat, wetland areas, and agricultural areas for crop production and pasture. TCID and Bureau of Reclamation (BOR) facilities and easements may not be used as open space unless:
- a. a written agreement is entered into between the developer and TCID and/or BOR specifying the agreed joint use of the easement and/or facility; or
  - b. an additional easement is provided outside of the TCID/BOR easement for the purposes of a walking and/or biking trail.
- The Planning Commission shall determine the appropriateness of the proposed open space and must approve the inclusion of these areas as part of the open space requirements.

(7) All planned unit developments must have adequate infrastructure provisions of sewer and water systems.

(8) Buffering and setbacks for all planned unit developments will be based upon and further evaluated by the impacts to the adjacent properties. Exterior project setbacks and buffering must meet the minimum underlying zoning standards of the site. Interior setbacks shall be consistent with the standards of the highest density located within the development. The aforementioned standards are initial design parameters, to be further refined through the planned unit development process.

In approving a PUD, the planning commission and the county commission shall find the following:

- Growth and or other development factors in the community support a change in the land use.
- The change in land use represents orderly development, and adequate services and infrastructure to support the proposed land use are available in the area.
- The change in land use provides for an appropriate use of the land.
- The proposed land use is in substantial conformance with the master plan and other adopted plans and policies.
- The proposed land use and project is sensitive to and compatible with the use and development of the adjacent properties.

## Review Procedures and Requirements

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

- 1) Initial meeting with Planning staff to discuss the Planned Unit Development project concept and requirements for submittal. (Establish if there is an actual project, and if a PUD is the best alternative).
- 2) Applicant prepares Conceptual Planned Unit Development application and required supporting information in accordance with the Conceptual Planned Unit Development submittal requirements and checklist.
- 3) Conceptual plan is discussed in general terms with the Planning Commission at a workshop.
- 4) Applicant submits Conceptual Planned Unit Development application and required supporting information to the planning department.
- 5) Planning staff reviews the application for completeness and either deems the application complete or incomplete. (One week after submittal)
- 6) If application is deemed complete the staff initially reviews the submittal to identify key issues and general information regarding the proposal and drafts a summary for the Planning Commission.
- 7) The Planned Unit Development conceptual plan along with supporting material and the staff summary is then presented to the Planning Commission for discussion only at a public hearing. The applicant is required to present the concept and material during this hearing.
- 8) Following input from the Planning Commission on the Conceptual Planned Unit Development application, the applicant can move forward to prepare the Planned Unit Development Application. The applicant should meet with staff following the public hearing to determine the design elements and development standards and discuss the comments of the Planning Commission. Applicant must request placement on the staff monthly meeting (fourth Thursday of every month at 10:00 a.m.) agenda.
- 9) Upon completion of the Planned Unit Development Application and supporting information the applicant can submit to the Planning Department.  
  
\* Submittal should specifically address all concerns and comments that were raised by the staff and Planning Commission during the conceptual review process.
- 10) The Planning Staff will review the submittal for completeness and accept or reject the application. (One week following submittal)
- 11) When the request is deemed complete the staff begins review.
- 12) Approximately 2-3 weeks after initial submittal, staff may have a meeting with the applicant to review the request, and ask for any additional information needed and review comments from other county departments. This meeting may not be necessary if no additional information is needed.

- 13) Upon completion of staff review, the request will then be placed on the agenda for the next Planning Commission meeting for review and recommendation.
- 14) Following the Planning Commission Meeting the item will be forwarded to the County Commission for action.
- 15) Following approval of the Planned Unit Development application, the applicant may proceed with preparation of a tentative map(s). Tentative maps must be prepared in accordance with subdivision regulations and requirements of the Consolidated Development Code. Where a tentative map will be filed simultaneously with a PUD application, the applicant must meet with staff following the public hearing on the Conceptual Map to determine development standards and design elements. Applicant must request placement on the staff monthly meeting (fourth Thursday of every month at 10:00 a.m.) agenda.