



**PUD
Planned Unit
Development
District**

The provisions of this Article are intended for application in instances where tracts of land of considerable size are developed, redeveloped, or renewed as integrated and harmonious units, and where the overall design of such units warrants modification of the standards contained elsewhere in the Resolution.

The Planned Unit Development must:

1. Reflect compatibility with the comprehensive plan.
2. Be composed of such uses and in such proportions as are appropriate to the integrated function of the development within the context of established county growth patterns.
3. Be so designed in its space allocation, orientation, texture, materials landscaping, and other features as to produce an environment of stable and desirable character, complementing the design and values of adjacent areas of the county.

This district is intended to provide for the most advantageous techniques of land development consistent with the intent and purpose of this Resolution, the Subdivision Regulations, and the Comprehensive Plan.

Some of the Regulations in District PUD are:

- No land or building shall be designed or used for other than one of the uses listed below:
1. All private institutional facilities and public uses.
 2. All residential units permitted by right or exception in any residential district.

- a. The gross density of the PUD may not exceed fifteen (15) dwelling units per acre.
3. Commercial and office use.
4. Industrial uses.
5. No less than ten (10) percent of the total land area shall remain in vacant open space. For this calculation, parking areas, yards, or developed open spaces may not be used.

Other Use Regulations

- Minimum area of a tract of land to be zoned as a “PUD” District within a parent district shall be five (5) acres.
- No building shall exceed forty-five (45) feet in height.
- Front yard shall be not less than twenty-five (25) feet, except as required for arterial and collector streets in Article XXX.
- Double frontage shall have front yard on both streets or roads.
- Lots located at the intersection of two or more streets or roads shall have a front yard on each street side of the corner lot. No accessory building shall project beyond the front yard line on either street.
- Side yard shall be a width of not less than fifteen (15) feet on each side of the planned development tract.
- Rear yard shall be a depth of not less than twenty-five (25) feet.
- Minimum separation for individual structures within the “PUD” District shall be not less than the average height of adjacent buildings.

General Requirements

- Single-family structure shall have access to a public street, or if group or courtyard parking is used, each unit shall be provided with an easement. If a public street is not provided in the “PUD”, then it shall be under the control of a homeowners or development association.

- All open spaces shall be protected by fully recorded covenants running with the land.
- Street layout for internal roads and connections to county or township roads shall be submitted in the form of road engineering plans.
- The developer shall provide for water and sewerage facilities for the “PUD”. These shall be submitted as approved written agreements.
- All PUD’s shall form an association to provide for maintenance of common open space facilities and any areas, which are to be held in common by the residents or occupants. All such areas shall be clearly marked on the development plan.
- The Governing Body shall assess a tax or create a benefit district and perform the proper maintenance, if the association does not maintain, operate, and keep open areas, facilities, or roads in a reasonable condition.

Some Procedures for Review and Approval

- Development of a tract of land containing at least the minimum area and involving more than two (2) commercial or industrial establishments or a residential area with more than two (2) dwelling units, application may be made for zoning the property to a “PUD” District. The zoning change, if approved, shall be an amendment to the official Zoning Map. The applicant must have the ability to carry out the proposed plan, be able to prepare and submit a schedule for construction that will satisfy the Planning Commission.
- Applicant shall also prepare and submit a Preliminary Development Plan, for review and approval of the Planning Commission and the Governing Body.
- Preliminary Development Plan shall include the following:
 1. A topographic map showing contours at intervals of two (2) feet.
 2. A plot plan showing:
 - a. Building and sign structure locations on the tract.
 - b. Access for streets.
 - c. Parking arrangement and number of spaces.

- d. Interior drives and service areas.
 - e. Area set-aside for public open space.
3. Location map showing the development and zoning of the adjacent property within one thousand (1,000) feet, including the location and the type of buildings and structures thereon and the current ownership thereof.
4. Full legal description of the properties to be included in the area to be zoned "PUD".
5. Map showing location of proposed sewer, water, and other utilities lines.
6. Description of general character of proposed buildings and any signs to be placed on the site.
7. A construction schedule.
8. Other information that may be asked to furnish for the Planning Commission;
 - a. Typical floor plans
 - b. Building elevations to show general architectural character of the buildings
 - c. Indications of size and type of landscaping, pavements, and other major site improvements.
 - d. Tentative financial plan.
 - e. Description of the intended means of financing any proposed common areas of common improvements, statements covering ownership and maintenance of common easements or other common areas, such as open space or recreational facilities.

Within sixty (60) days of filing a preliminary application, a public hearing shall be held after proper notice before the Planning Commission. Within sixty (60) days following the hearing, the Planning Commission may either grant approval, modify, or disapprove the preliminary plan. If the plan is disapproved, the Planning Commission shall set forth the reasons in writing to the applicant. If approved, the applicant shall then prepare and submit a final plan, which shall incorporate changes or any alterations requested. Alterations to the preliminary schedule of construction shall be submitted at this time. The final plan and Planning Commission's recommendations shall be forwarded to the Governing Body for review and final action.

All plans and documents shall become a part of the amendment and shall form the basis for issuance of a zoning permit in conformity therewith.

Changes in the Development Plan, which increase the number of dwelling units or establishments, the arrangement of buildings, the number of parking stalls, any increase in the size or number of other improvements, and the alignment of driveways or roadways, shall require a resubmission for approval of the application for rezoning. Any minor changes, adjustments, or decrease in the

number of dwelling units, common facilities, and recreation facilities may be approved by the Zoning Administrator without resubmission.

The Governing Body shall specify the stages of the "PUD", upon final approval, and the number of building permits to be issued for each stage, if any. The Governing Body shall also place on the record all agreements for performance, covenants, and restrictions.

The applicant has within five (5) years following approval of the final plan to proceed with construction. If construction is not started the Planning Commission shall initiate action to re-zone the property to the original zoning district.

A public hearing shall be advertised and held at which time the applicant shall be given an opportunity to show why construction has been delayed. The Planning Commission following the hearing shall make findings of fact and shall make a recommendation to the Governing Body.

The information provided in this brochure is intended to provide general information only. Each individual situation may have additional restrictions or requirements. The Zoning Regulations for Russell County are available for inspection or purchase from the Russell County Zoning Office. Application forms and fee schedules are also available.

The Russell County Zoning Office is located on the first floor of the Russell County Courthouse. We may be reached at (785) 483-6650 from Monday through Friday, 8:00 A.M. until 5:00 P.M.

Or Contact us by mail at:

Russell County Zoning
P.O. Box 113
Russell, Ks. 67665

Please contact our office for help with any questions you have concerning your specific project. We will be happy to assist you!