

# City of Valdosta Land Development Regulations

## Chapter 212 Planned Development Approval

### Section 212-1 Purpose and Intent

Planned Development Approvals are intended to provide an alternative method of land development and redevelopment not available within the framework of the City's standard zoning districts. The standards and procedures of Planned Development Approvals are intended to promote flexibility of design and allow for planned diversification and integration of uses and structures while at the same time, retaining in the Mayor/Council the absolute authority to establish such conditions, limitations and regulations as it deems necessary to maintain community aesthetics and to protect the public health, safety and general welfare. In doing so, Planned Development Approvals are designed to achieve the following objectives:

- (A) Accomplish a more desirable development pattern than would be possible through strict adherence of standard development regulations.
- (B) Accommodate a mixture of uses and/or development patterns which are compatible both internally and externally through limitations on building orientation, architecture, site layout, buffering, signage control, or other techniques which may be appropriate to a particular development proposal.
- (C) Encourage flexible and creative concepts of site development design which meet changing needs, technologies, market economics and consumer preferences.
- (D) Permit the combining and coordinating of architectural styles, building forms and building relationships within a Planned Development.
- (E) Preserve natural amenities of the land by encouraging scenic and functional open areas.
- (F) Encourage an efficient use of land, where appropriate and beneficial to the City, resulting in smaller networks of streets and utilities thereby lowering development and housing costs.
- (G) Maintain consistency with the Goals, Policies, Future Development Character Areas, and related Community Agenda elements of the Comprehensive Plan.
- (H) Maintain general integrity and compatibility with the underlying zoning districts and their prescribed standards of use and development density.

### Section 212-2 Relation to Zoning Districts and Other Regulations

Planned Development Approvals are not the same as a zoning change, but instead reflect a special development approval which supersedes the underlying zoning district regulations. If development approval is by some means revoked or deleted, then all development regulations of the underlying zoning district will apply. A Planned Development Approval may also be ignored and the property may still be developed at any time in accordance with the current zoning district regulations. However, once development has commenced under a Planned Development Approval, development must continue under the terms and conditions of the approval until it is completed or until the Planned Development Approval is properly amended or deleted.

- (A) Planned Developments shall meet the intent of all applicable development regulations of the City of Valdosta. Where such regulations are in conflict, the Planned Development Approval's plans, terms and conditions shall take precedence. All proposed deviations from the City's development standards shall be itemized and depicted in the Planned Development's proposal. City standards regarding emergency vehicle access and utilities shall be met in all approved Planned Developments without deviation or variance.

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- (B) Planned Developments shall closely conform to the allowable uses and the development density standards of the zoning district which already applies to the subject property, as well as provisions of any applicable Overlay Zoning District. Applicants may request up to a maximum 20% increase in otherwise allowable development density, in exchange for superior aesthetics and creative site design with due justification. Applicants may also request approval of land uses which are deemed less intensive than the allowable uses of the existing zoning district.
- (C) Planned Developments within the local Historic District shall remain subject to the City's Historic Preservation requirements and applicable approvals from the Historic Preservation Commission.
- (D) Planned Development Approvals shall not be used as merely a means to avoid full compliance with standard development regulations for purposes of private gain. Development proposals that can easily be accomplished under standard development regulations and/or a different zoning classification or a Conditional Use Permit, will not be considered for Planned Development Approval.
- (E) Planned Development proposals for traditional neighborhood design, and/or infill residential development on small parcels, are encouraged to utilize the design guidelines for these found in Appendix F and Appendix E respectively.

### Section 212-3 Eligibility Requirements

Unless otherwise stipulated in this Chapter, minimum total acreages for Planned Development Approvals shall be as follows:

- (A) All-residential development: 0.5 acres
- (B) Non-residential or mixed use development: 1 acre

### Section 212-4 Planned Development Submittals and Review Process

Requests for Planned Development Approval shall be reviewed and advertised in the same manner as a Conditional Use Permit (CUP) described in Section 242-6. Application submittal requirements, fees and attachments shall also follow those of a Conditional Use Permit. However, application submittals for a Planned Development Approval shall also include the following items as determined by the Director:

- (A) Letter of Intent. This shall be signed by the applicant and consist of a brief narrative describing the proposed project. This shall include but not be limited to: location, specific list of proposed uses, gross/net acreages for development, building sizes, dwelling unit densities, development timeline, hours of operation where appropriate, etc..
- (B) Phasing Concept Plan. If developed in phases, a master concept plan shall be submitted delineating the area of each phase. If deemed necessary, each phase of the development shall be reviewed and approved separately.
- (C) Building Elevations. If deemed applicable by the Director, building elevation drawings and/or sample photographs shall be submitted which depict one or more of the buildings being proposed.
- (D) Signage Plan. If integral to the proposed Development design and deemed applicable by the Director, a proposed signage plan depicting locations, sizes, and conceptual elevation drawings of all permanent signs requiring a sign permit.
- (E) Deviations. Proposed list of applicable deviations from the City's development standards.
- (F) Unified Control. Evidence of unified control over the Development by a single developer or entity

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during construction of the project. This may include protective covenants, deed restrictions, maintenance agreements, etc.. During the development process, more than one builder may participate in the development of the approved project, provided that each parcel or portion of the development remains subject to all the terms and conditions of the approved Planned Development. Conditions of approval for the development shall be made binding on all heirs, assigns, and successors to the property.

### Section 212-5 Terms and Conditions of Approval

Planned Development Approvals shall be tied to all approved site plans and other materials made part of the public hearing. Conditions of approval shall address but not be limited to the following:

- (A) Time limits by which to begin and/or complete the total development or each development phase where appropriate.
- (B) Dedications and/or maintenance of public rights-of-way, easements, and other public spaces.
- (C) Complete list of all land uses to be permitted under the Planned Development Approval.
- (D) Hours of operation, where deemed appropriate.

### Section 212-6 Planned Development Amendments or Deletions

(A) Amendment. Substantial amendments to a Planned Development Approval shall be reviewed and processed in the same manner as if it were a completely new development proposal. The term substantial shall include but not be limited to any of the following:

- (1) Greater than 10% increase in overall building size(s), building height, or total impervious surface area.
- (2) For Developments in excess of 5 acres, greater than 10% increase in numbers of dwelling units.
- (3) Reduction by greater than 10% of landscaped or open space areas, or building setbacks.
- (4) Significant relocation of buildings or other site features.
- (5) Any change in the boundaries of the Planned Development Approval property.

Non-substantial amendments to an approved Planned Development shall be reviewed and approved jointly by the Director and the City Engineer. At their discretion, such amendments may be presented to Mayor/Council at a public hearing for their consideration.

(B) Deletion. Revocation or deletion of an approved Planned Development Approval, or any portion thereof, shall be reviewed and considered in the same manner as a substantial amendment described above. It may be initiated by either the Planning Commission, the original applicant(s), or the City of Valdosta. However, if the total development or phased portion thereof has not commenced construction within its specified time period, then the Planned Development Approval for all/that portion shall be automatically revoked. The applicant(s) would then need to re-apply and obtain another Planned Development Approval in order for the development to proceed.

### Section 212-7 Enforcement and Penalties

The terms and conditions of Planned Development Approvals shall be enforceable in the same manner as any other provision of this LDR. Violations shall be punishable as provided in Chapter 110.