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## Section 8.27 PD - Planned Development

Planned Development Districts shall be used in conjunction with base zoning district, unless changed by zoning amendment. New base districts or changes in existing base districts may be requested at the same time planned development districts are requested. Unless otherwise specified, all uses in the base district are applicable for a planned development district.

- A. *General Purpose and Description.* The Planned Development District is a district which accommodates planned associations of uses developed as integral land use units such as industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing including attached single-family dwellings or any appropriate combination of uses which may be planned, developed, or operated as integral land use units either by a single owner or a combination of owners. A Planned Development (PD) District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this Code. While greater flexibility is given to allow special conditions or restrictions, which would not otherwise allow the development to occur, procedures are established herein to ensure against misuse of increased flexibility. The minimum area for a Planned Development (PD) District shall be one (1) acre.
- B. *Permitted Uses.* An application for a PD District shall specify the base district(s), the use or the combination of uses proposed. Uses which may be permitted in a PD must be specified if not permitted in the base district. In the case of residential PD districts for single-family or duplex categories, the proposed lot area shall be no smaller than the lot sizes allowed in the base zoning district except for minor reductions in a small percentage of the lots in order to provide improved design. In selecting a base zoning district, the uses allowed in the base district must be similar or compatible with those allowed in the PD. A PD designation may not be applied to the TC, Town Center district except for residential developments. PD designations shall not be attached to Specific Use Permit (SUP) requirements. Specific Use Permits allowed in a base zoning district are allowed in a PD only if specifically identified at the time of PD approval.
- C. *Planned Development Requirements.*
  - 1. Development requirements for each separate PD District shall be set forth in the amending Ordinance granting the PD District and shall include, but may not be limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, building material coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, hours of operation, project phasing or scheduling, management associations, and other requirements as the City Council and Planning and Zoning Commission may deem appropriate.
  - 2. In the PD District, uses shall conform to the standards and regulations of the base-zoning district to which it is most similar. The base zoning district shall be stated in the granting Ordinance. All applications to the City shall list all requested deviations from the standard requirements set forth throughout this Code (applications without this list will be considered incomplete) specifically any deviation not requested is deemed to comply with this Code even if shown graphically on a Site Plan. The Planned Development District shall conform to all other sections of this Code unless specifically excluded in the granting Ordinance.
  - 3. The Ordinance granting a PD District shall include a statement as to the purpose and intent of the PD granted therein. A specific list is required of modifications in each district or districts and general statement citing the reason for the PD request.
- D. In establishing a Planned Development District in accordance with this section, the City Council shall approve and file as part of the amending Ordinance appropriate plans and standards for each Planned

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Development District. To facilitate understanding of the request during the review and public hearing process, the Planning and Zoning Commission and City Council shall require, at minimum, a Conceptual Plan. A Detailed Site Plan may be submitted in lieu of a concept plan. All PD applications shall have a written proposal explaining all aspects of the requested PD including any deviations from this Code.

1. *Conceptual Plan* - This plan shall be submitted by the applicant at the time of the PD request. The plan shall show the applicant's intent for the use of the land within the proposed Planned Development District in a graphic manner and as may be required, supported by written documentation of proposals and standards for development. The City may prepare application form(s), which further describe and explain the following requirements:
  - a. General use;
  - b. Preliminary lot arrangements;
  - c. Size, type, height and location of buildings and building sites;
  - d. Building elevations;
  - e. Access;
  - f. Density;
  - g. Fire lanes;
  - h. Topography;
  - i. Boundary of PD area;
  - j. Existing physical features of the site, including existing streets, alleys and easements;
  - k. Location of future public facilities including streets, water, sanitary sewer, etc.;
  - l. Parking ratios;
  - m. Conceptual landscaping plans showing turf areas, screening walls, ornamental planting areas, wooded areas, and treed areas; and
  - n. Other information to adequately describe the proposed development and to provide data for approval which is to be used in drafting the final Detailed Site Plan.
2. *Detailed Site Plan* - This plan shall set forth the final plans for development of the Planned Development District and shall conform to the data presented and approved on the Conceptual Plan. Changes of detail on the Detailed Site Plan, which differ from the original Concept Plan, but do not alter the basic relationship of the proposed development to adjacent property, the uses permitted, or increase the density, building height or coverage of the site, the off-street parking ratio or reduce the yards provided at the boundary of the site, or does not significantly alter the landscape plans as indicated on the approved Conceptual Plan may be authorized by the City Council. Approval of the Detailed Site Plan shall be the basis for issuance of a building permit, but does not release the applicant of the responsibility to submit plans to the Building Official for a building permit. The detailed site plan shall describe and explain the following requirements in addition to those required in Sections 4.13 or 4.15 of this Code:
  - a. Specific uses and density;
  - b. Final lot arrangements including the land area of all abutting sites and the zoning classification thereof on an accurate survey of the tract with a topographical contour interval of not more than two feet (2');

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- c. Site inventory analysis including a scaled drawing showing major existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This should include a delineation of any flood prone areas.
  - d. Scaled drawing showing proposed size, type, height and location of buildings and building sites for non-residential, multi-family or mixed used developments;
  - e. Scaled drawing showing proposed building lots and pad elevations for single family residential developments;
  - f. An architectural plan (elevations, etc.) showing elevations and signage style to be used throughout the development. Planned developments intended for custom single- family homes shall provide a summary of architectural requirements that will guide the design and construction of the homes.;
  - g. Scaled drawing of traffic circulation including points of egress and ingress;
  - h. A dimension control plan showing property lines and all dimensions for rights-of way, easements, setbacks (the minimum distance between buildings and property lines), the location of separate buildings and the minimum distance between buildings. Also to be included on the dimension control plan is the arrangement and number of off- street parking.;
  - i. Scaled drawing of fire lanes and emergency access if other than standard egress and ingress;
  - j. Topography;
  - k. Boundary of PD area;
  - l. Existing physical features of the site, including existing streets, alleys and easements;
  - m. Scaled drawing showing location of planned public or private streets and alleys, street widening or any street changes, curb cuts (width and curve radii);
  - n. Scaled drawing showing general location and description of proposed utility services including water lines/mains, sanitary sewer lines/mains, storm sewer, etc. Indicate whether these service lines are located in easements or rights-of-way;
  - o. Scaled drawing showing location of planned parks, playgrounds, school sites;
  - p. Parking ratios;
  - q. Conceptual landscaping plans showing turf areas, screening walls, ornamental planting areas, wooded areas, and treed areas; and
  - r. Other information to adequately describe the proposed development and to provide data describing standards, regulations, or other data pertinent to the development of the Planned Development District as appropriate to adequately explain or understand the request.
- E. *Approval Process and Procedure* - The procedure for establishing a Planned Development District shall follow the procedure for zoning amendments as set forth in Section 8.02 (D). This procedure is further expanded as follows for approval of Conceptual and Detailed Site Plans.
- 1. If a Detailed Plan is submitted with the PD request, then a Conceptual Plan is not required. A Conceptual Plan or Detailed Site Plan, whichever is submitted with the PD request, shall be heard

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before both Planning and Zoning commission and City Council in public hearings. The Planning and Zoning Commission shall consider the request and make the final determination.

2. If a Concept Plan is submitted with the PD request, then a Detailed Plan will also be required. If the Detailed Site Plan conforms substantially to the conceptual Site Plan as approved by the City Council, then a public hearing on the Detailed Site Plan is not required. The staff shall review the Detailed Site Plan for conformance to the Concept Plan and other requirements set forth for a Detailed Site Plan. Approval of a Detailed Site Plan is required prior to issuance of a building permit.

If the Detailed Site Plan is not in conformance with the Conceptual Plan, then additional public hearings are required by the Planning and Zoning Commission and City Council prior to approval of the Detailed Site Plan. If additional public hearings are required, additional processing fees will be assessed. After approval by the City Council, a building permit may be issued for the project.

3. The amending Ordinance establishing the Planned Development District shall not be approved until the Conceptual and/or Detailed Site Plan is approved.
  - a) The Detailed Site Plan may be approved in sections. When a Site Plan is approved in sections, then separate approvals for subsequent sections or phases will be required.
  - b) A Detailed Site Plan shall be submitted for approval within one (1) year from the date of approval of the Conceptual Plan for all or some portion of the Concept Plan. If a Detailed Site Plan is not submitted within one (1) year, the Concept Plan is subject to review by the Planning and Zoning Commission and City Council. If some portion of the project is not started within two (2) years, the Planning and Zoning Commission and City Council may review the original Concept Plan or Detailed Site Plan to ensure its continued validity. If the City determines the Concept Plan is not valid, a new Concept Plan must be approved prior to a Detailed Site Plan for the PD District. Although a new Concept Plan or Detailed Site Plan may be required to be approved, this does not effect the validity of the PD in terms of uses, density, and other development standards permitted in the PD.
- F. When a PD District is being considered, a written report from the Planning Manager or his/her designated representative, discussing the impact on planning, engineering, water utilities, electric, sanitation, building inspection, tax, police, fire, and traffic, and written comments from the applicable public agencies shall be submitted to the Planning and Zoning Commission prior to the Commission making any recommendations to the City Council.
- G. All Planned Development Districts approved in accordance with the provisions of this Code in its original form, or by subsequent amendments thereto, shall be referenced on the Zoning District Map, and a list of such Planned Development, together with the category of uses permitted therein, shall be maintained as part of this Code.
- H. *Planned Development Ordinances Continued.* Prior to adoption of this Code, the City Council has established various Planned Development Districts, some of which are to be continued in full force and effect. The ordinances or parts of ordinances approved prior to this Code specified in Article Eight shall be carried forth in full force and effect and are the conditions, restrictions, regulations, and requirements which apply to the respective Planned Development Districts shown on the Zoning Map at the date of adoption of this Code.
- I. *Uses or Developments Allowed Only by PD.* Because of the uniqueness of the following uses in Keller, they shall be permitted by PD designation only. All planned developments shall provide for fifteen percent (15%) of the development in usable open space exclusive of street yard landscaping. This includes, but not limited to, landscaped hike/bike trail, open area recreational facilities, parks and playgrounds, water features and decorative objects such as fountains. Usable open space shall not

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include rooftops, accessory buildings, parking areas, driveways, turnaround areas, or the right-of-way or easement for streets or alleys.

1. Single-Family Attached Dwelling (Townhouse)
2. Patio Homes
3. Mobile Home Development
4. Private Street Residential Development
5. The following uses shall only be permitted in a Planned Development (PD) District that is specifically designated for such a use:
  - a) Airport.
  - b) Athletic stadium or field (private).
  - c) Theater-outdoor.
  - d) Batching plant (concrete or asphalt).
  - e) Wrecking yard, auto salvage, junkyard, or outside reclamation.
  - f) Industrial processing uses such as:
    - 1) Canvas
    - 2) Cellophane
    - 3) Cement or hydrated lime manufacture
    - 4) Clay products utilizing previously pulverized clays and gas or electric kilns
    - 5) Cork
    - 6) Feathers
    - 7) Felt
    - 8) Fiber
    - 9) Fur
    - 10) Glass
    - 11) Horn
    - 12) Industrial manufacturing
    - 13) Leather
    - 14) Meat packing plant
    - 15) Oil or gas extraction
    - 16) Paint, not employing boiling process
    - 17) Paper
    - 18) Plastics
    - 19) Precious/semi-precious metal or stone
    - 20) Shell
    - 21) Textiles

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- 22) Tobacco
  - 23) Wood
  - 24) Yard

(Ord. No. 2104, § 2, 12-6-22)

Editor's note(s)—Former Section 8.04.