

**Sec. 8-3040. Planned unit development institutional (PUD-IS-B).**

(a) *Definition.* Under this district, institutional, professional, or office development, and residential townhouses, apartment row houses, and/or condominium units shall be permitted on a lot or tract of land consisting of less than three acres. The net dwelling unit density for this zone shall be established at the time of rezoning. The density to be established shall be recommended by the metropolitan planning commission, but shall not be more than 24 units per net acre. In establishing a density standard, the MPC shall consider the following conditions, among others:

- (1) The traffic that will be generated by the proposed development in comparison to uses permitted under the existing zoning classification.
- (2) The capacity of water and sewer systems to accommodate the proposed development.
- (3) Compatibility of the development with the surrounding land uses.

(b) *Permitted uses.*

(1) *Cultural facilities.* Art galleries; museums, legitimate theaters; libraries; churches; schools, public or private (K-12); and other uses similar in character to those listed.

*[Sec. 8-3040(b)(1) amended September 5, 2013 (13-002493-ZA)]*

(2) *Offices of health services/practitioners.* Hospitals, physicians, surgeons, dentist and dental surgeons, osteopathic physicians, chiropractors and other licensed practitioners similar to those listed.

(3) *Health service clinic.* Including a pharmacy as an accessory use.

(4) *General office uses.* Sales representatives, legal service, engineering and architectural, accounting, auditing, bookkeeping, finance, real estate, insurance, and others similar in character to those listed.

(5) *Other uses.* As approved by the mayor and aldermen. A request for special use shall follow the procedure for a map amendment in accordance with section 8-3182. Review criteria shall be in accordance with section 8-3163(b), provided, however, that the required findings shall be made by the MPC and the mayor and aldermen.

- (6) *Maximum density.* Townhouse, apartment row house and/or condominium units at a maximum density of not greater than 24 units per net acre.
  - (7) *Accessory and incidental uses.* Accessory eating and drinking facilities and other necessary incidental uses associated with allowed principal uses when approved as part of the site plan review. Such incidental uses may include the serving of meals and beverages when such services are restricted to registered occupants of the facility and to their guests and are not available or for sale to the general public.
- (c) *Design standards.*
- (1) *Buffer.* A 25-foot natural or landscaped buffer shall be provided adjacent to every exterior subdivision property line excluding portions abutting a street right-of-way. Where the development property line abuts a residential use, this buffer shall be not less than 50 feet. This is to be maintained as part of the common open area for the development. However, where like-kind or similar type development adjoins, a buffer shall not be required.
  - (2) *Street frontage.*
    - a. PUD-IS-B zones shall front a major arterial or collector street.
    - b. The minimum setback requirements are as follows:
      - 1. Major arterial: 35 feet from the right-of-way;
      - 2. Collector: 30 feet from the right-of-way;
      - 3. Minor: 30 feet from the right-of-way. However, this distance may be reduced if approved as part of the PUD.
  - (3) *Signage.*
    - a. One sign shall be allowed for each institutional use. Illumination shall be of interior, nonflashing design or indirectly lighted.

- b. One master identification sign identifying the planned institutional area shall be allowed provided that:
  1. One freestanding sign shall be permitted for the first 200 feet of frontage, and one additional freestanding sign shall be permitted for every additional 300 feet of frontage contained in the project; and
  2. The combined display area of all freestanding signs shall not exceed three square feet for each foot of frontage.
- (4) *Maximum size.* One square foot of sign area shall be allowed for each linear foot of building frontage, not to exceed 30 square feet.
- (5) *Off-street parking.* Off-street parking shall comply with the zoning ordinance requirements.
- (6) *Outdoor storage and display.* There shall be no outdoor storage or display.

*Variances.* Variances from the regulations set forth for planned unit development zoning districts may be authorized by the MPC provided that:

- (1) The plan proposed by an applicant, while not strictly in accord with the PUD regulations, meets the public purposes and provides and maintains the amenities intended for the planned unit development.
- (2) In the particular circumstances of the case, strict application of all regulations is not necessary for the accomplishment of public purposes or the provision of public protection.
- (3) Such variances may be granted by the commission at the time of the preliminary plat approval.