

## CHAPTER 13 – DESIGNATING LEGAL BOUNDARIES

### ARTICLE 10 - PLANNED UNIT DEVELOPMENT

#### SECTIONS:

Sections 13-10-101 to 103, inclusive. Planned unit development - general provisions.

Section 13-10-101. Statement of purpose for planned unit developments.

Section 13-10-102. Requirements and procedures for planned unit housing developments.

Section 13-10-103. Requirements and procedures for planned unit local commercial developments.

Section 13-10-104. Certain uses declared incompatible and excluded.

Section 13-10-105 to 199, inclusive. Reserved.

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**Sections 13-10-101 to 104, inclusive. Planned unit development - general provisions.**

#### **Section 13-10-101 Statement of purpose for planned unit developments.**

The purpose and intent of planned unit development is to permit diversification in the development of the 3 mile extra-territorial limits of the City of Pierre without in any way jeopardizing or reducing zoning standards which promote the public safety, convenience, health, general welfare, as well as preserve personal and property rights. For this purpose the provisions of this ordinance shall be subject to such exceptions as are provided by the following unit plan regulation.

#### **Section 13-10-102 Requirements and procedures for planned unit housing developments.**

The owner, owners, of any tract of land comprising an area of not less than two (2) acres may submit to the commission a plan for the use and development of all of the tract of land for residential purposes.

Before a hearing before the commission is approved, the developer shall file a report with substantiating evidence stating the reasons the development plan should be approved and specific evidence showing that the proposed development meets the following conditions:

1. That the plan is consistent with the intent and purpose of this ordinance to promote public health, safety, morals and general welfare.

2. That the value of buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
3. That the average lot area per family contained in the site exclusive of the area occupied by streets, will not be less than the lot area per family required for the district in which the development is located.
4. That the building will be used for residential purposes and the customary accessory uses, such as garages, storage space, or community activities including churches.

After study and public hearing, the commission may recommend to the council the approval or disapproval of the development plan. The council may then authorize the issuance or denial of the building permits and certificates of occupancy therefore even though the use of the land and location of structures do not conform in all respects to the regulations contained in other sections of this ordinance.

**Section 13-10-103 Requirements and procedures for planned unit local commercial developments.**

The owners or owner of any tract of land comprising an area of not less than four (4) acres may submit to the commission a plan for the use and development of all of the tract of land for local commercial purposes. Before a hearing before the commission is approved, the developer shall file a report with substantiating evidence stating the reasons the development plan should be approved and specific evidence and facts showing that the proposed development meets the following conditions:

1. That the plan is consistent with the intent and purpose of this ordinance to promote public health, safety, morals and general welfare.
2. That the value of buildings and the character of the property adjoining the area included in such plan will not be adversely affected.

After study and public hearing, the commission may recommend to the council the approval or disapproval of the development plan. The council may then authorize the issuance or denial of the building permits and certificates of occupancy therefore even though the use of the land and location of structures do not conform in all respects to the regulations contained in other sections of this ordinance.

**Section 13-10-104 Certain uses declared incompatible and excluded.**

The following uses are declared incompatible with the purpose of the Planned Unit development and are hereby expressly excluded.

1. Cannabis establishments.

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**Section 13-10-105 to 199, inclusive. Reserved**