

D. The number of principal structures which may be constructed within a PUD shall be determined by dividing the net acreage of the PUD tract by the required lot area per structure required within the zoning district in which the PUD is located. "Net acreage" is defined as the gross area, less environmentally sensitive areas as defined in 18.76.003 A. 11.

1. Proposed lots located within a conservation subdivision and the extraterritorial plat review boundaries for the City of Eau Claire or the City of Altoona, but outside of the sewer service area (SSA), shall have a minimum lot size of at least one (1) acre unless reduced in accordance with 18.27.020 H. At least 40% of the net acreage within the parent parcel shall be placed under a conservation easement or comparable protection and maintained as open space.

2. Net acreage will be inclusive of areas dedicated for public or private streets for the purpose of determining the maximum number of lots permitted within a conservation subdivision.

E. The PUD shall be of such size, composition and arrangement that in construction, marketing and operation is feasible as a complete unit. All elements of the PUD shall be so arranged that they will achieve a unified scheme of distribution of structures, uses and open spaces.

F. Land to be set aside as open space or common area shall be clearly indicated on the plan. Provisions for the continued maintenance of common open space, recreational facilities, parking facilities, utility infrastructure, private roads or other common property, shall be guaranteed by property owners association articles of incorporation, protective covenants, or deed restrictions in a form acceptable to the county corporation counsel. Such guaranteeing instruments shall be recorded with the plat.

G. Private streets and access ways shall be developed to a standard equal to that required for public use by the subdivision code. Such private roads and access ways shall be protected by deed restrictions and covenants assuring their availability to all residents of the PUD.

H. The committee may modify the requirements for density, off-street parking and loading, access and signs. The committee cannot modify the density requirements by more than 25% of the number of lots allowed for the PUD under D. (Ord. 160-10, Sec. 1; Ord. 144-53, Sec. 14, 2000; Ord. 144-53, Sec. 13, 2000; Ord.132-53 Sec.6, 1988, Ord.128-24 Sec.37, 38, 1984; Ord.126-16 Sec.3(part), 1982).

18.27.030 Standards for common open space. No open area may be accepted as common open space under the provisions of this subtitle unless it meets the following standards:

A. The uses authorized for the open space must be appropriate to the scale and character of the PUD, considering its density, expected population, topography, and number and type of structures.

B. It must be improved its intended use, unless it contains natural features worthy of preservation, in which case it may be left in an unimproved state.

C. The construction and provisions of open spaces and recreational facilities must proceed at the same rate as the construction of principal structures. (Ord.126-16 Sec.3(part), 1982).

18.27.035 Bond requirement for open space structure. If the PUD plan provides for buildings, structures or improvements within the open space, the developer must provide a bond or other adequate assurance that the buildings, structures and improvements will be completed. The committee shall release the bond or other assurance when the buildings, structures or improvements have been completed according to the plan. (Ord.126-16 Sec.3(part), 1982).

18.27.040 Conveyance and maintenance of common open space.

A. Lands listed as common open space on the final development plan must be conveyed under one of the following alternatives:

1. With the consent of the committee and the appropriate town board, to the town in which it is located or to the county for purposes of maintenance of the open space and any structures or improvements placed thereupon;

2. To trustees provided for in an indenture establishing an association or similar organization for the maintenance of the PUD project, subject to conveyances approved of by the committee which shall restrict the open space provided to the uses specified in the development plan and which provide for maintenance of the open space in a manner insuring its continued use for the intended purposes. The interest in such open space shall be undivided and not transferable.

B. No open space may be put to any use not specified in the final development plan unless the plan has been amended through the conditional use permit process. (Ord.126-16 Sec. 3(part), 1982).

18.27.050 Required covenants, easements and provisions.

A. The development plan shall contain such covenants, easements and other provisions relating to the bulk, location and density of permitted structures, accessory uses thereto, and public facilities, as may be necessary for the PUD and surrounding land uses.

B. The developer may be required to dedicate land for public streets, roads, driveways, or other public purposes, as may be necessary for the welfare of the PUD and surrounding land. (Ord.126-16 Sec.3(part), 1982).

18.27.060 Control of planned unit development following acceptance. All changes in use or rearrangement of lots, blocks and building sites, and any changes in the approved plans, must be made by the committee under the conditional use permit process. (Ord.126-16 Sec.3(part), 1982).

18.27.070 Failure to begin planned unit development. If no construction has begun within one year from the final approval, the development plan shall lapse and be of no further effect, provided that its discretion and for good cause, the committee may extend for one additional year the period for beginning of construction. (Ord.126-16 Sec.3(part), 1982).