

PLANNED UNIT DEVELOPMENT

Introduction

Current MN Statute (1988 NSMP)

NONE

2016 Proposed Change

Introduction

This section outlines guidelines intended to provide uniform criteria for the local units of government to review and approve Planned Unit Developments (PUD). This section starts with explaining the purpose of these guidelines, followed by the definition of minimum size of a PUD. It further discusses design criteria, sewage disposal and a plan approval process.

2025 Proposed Change (update to MN Statute)

Do either of the 1988 or 2016 standards fulfill your needs? What changes would you propose to the 1988 standard (currently in MN Statute)?

Purpose

Current MN Statute (1988 NSMP)

The purpose of these guidelines is to provide uniform criteria for the local approval of planned unit developments within the North Shore Management Planning Area. The criteria allow for development densities greater than the minimum lot sizes provided in this plan.

These provisions apply to new planned unit developments, both commercial and residential, on undeveloped land, redevelopment of previously built sites, or conversions of existing buildings and land.

Planned unit developments must be designed and operated to be compatible and harmonize with their surroundings and located in compliance with the Shoreland Use Guide Plan. It is the intent of these guidelines to provide the North Shore units of government with the flexibility to review, modify and approve planned unit developments that follow the rules of common sense and practicality. The end result should be development which optimizes the use of building sites and protects and enhances the natural amenities of those sites.

2016 Proposed Change

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2025 Proposed Change (update to MN Statute)

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Goal

Current MN Statute (1988 NSMP)

It is the goal of these guidelines to provide uniform standards to local officials and potential developers for the optimization of development opportunities and maximum environmental protection on any given planned unit development site.

2016 Proposed Change

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Definition

Current MN Statute (1988 NSMP)

For the purpose of these guidelines, a planned unit development will be defined as: multiple residential or commercial dwelling units including but not limited to townhomes, condominiums, motels, hotels, resorts and related commercial activities consisting of five or more units with a minimum lot area of 2 acres per development and a maximum density of four units per acre.

2016 Proposed Change

Minimum Area for Planned Unit Development:

- Area Served by public sewer system: 1 acre
 - Area served by decentralized system or individual sewage treatment system: 10 acres
- Minimum number of Units:

- The minimum number of dwelling or transient units for a Planned Unit Development shall be five (5) while meeting other criteria contained in this document such as impervious surface, setbacks and wastewater needs.

2025 Proposed Change (update to MN Statute)

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Planned Unit Development Design Criteria

Current MN Statute (1988 NSMP)

The purpose of the following criteria is to provide guidance to citizens, local officials, and developers in evaluating, reviewing and designing planned unit developments. Many free local resources and services are available to assist in meeting these criteria. These include city and county zoning administrators, health officials, county extension, and soil and water conservation district personnel. Many state and federal resources are also available. These include the Minnesota Department of Natural Resources, Pollution Control Agency, University of Minnesota Sea Grant Extension, Department of Transportation, Soil Conservation Service and the U.S. Army Corps of Engineers.

1. Structures, parking areas, and other facilities must be designed and placed to reduce visibility as viewed from Lake Superior, roads and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the local unit of government, assuming summer, leaf on conditions. The end result should be a development that is visually unobtrusive to the nature environment or surrounding properties.
2. Units, recreation facilities, and commercial uses must be clustered into one or more groups and located on suitable areas of the development site.
3. At least 50% of the development area must be dedicated as open space for the users and residents of the development. Road right-of-way, land covered by road surfaces, parking areas, units, and structures are considered developed areas and should not be included in the computation of minimum open space. This 50% open space dedication must be filed as a restriction against the property. At least 25% of the lot width at the structure setback line shall be left as open space.
4. The appearance of open space areas, including topography, vegetation, and allowable uses must be preserved by the use of restrictive deed covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means.
5. Areas with physical characteristics unsuitable for development in their natural state, such as wetlands or areas containing significant historic sites shall be considered open space.

6. Each development shall be no less than five units and a lot area of two acres, and must provide another 10,000 square feet of lot area per additional unit.
7. The development shall have no more than four units, including related commercial activities, per acre.
8. The development shall provide at least one and one half parking spaces per unit, and one parking space for each non-resident employee, and for each 5 seats of seating capacity for restaurants and bars. Space for loading and unloading vehicles shall be provided for buildings used for commercial purposes.
9. The development must also provide access to developed public roads.
10. The dimensional and density provisions of these guidelines do not apply in Commercial Urban Areas, but the purposes and intent of these PUD guidelines and policies must be met.

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1) Maximum Density:

- Unsewered Areas: 0.5 units per acre
- Area served by decentralized wastewater system: 0.5 units per acre
- Incorporated Areas Density standards do not apply
- Bonus densities may be allowed in unsewered areas up to a maximum of one unit per acre based on criteria established by local units of government except for Lake Superior riparian areas outside incorporated areas and while considering habitat, pollution, view from the lake, accommodation for greater density at development nodes and shoreland alteration.

2) Structures, parking areas, and other facilities must be designed and placed to reduce visibility as viewed from Lake Superior, roads and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the local unit of government, assuming summer, leaf-on conditions. The end result should be a development that is visually unobtrusive to the natural environment or surrounding properties.

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5) Open space areas, including topography, vegetation, and allowable uses must be preserved by the use of restrictive deed covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means.

6) Areas with physical characteristics unsuitable for development in their natural state, such as wetlands or areas containing significant historic sites shall be considered open space.

- 7) The development must also provide access to developed public roads.
- 8) The dimensional and density provisions of these guidelines do not apply to incorporated areas served by a public sewer system, but the purposes and intent of these PUD guidelines and policies must be met.

2025 Proposed Change (update to MN Statute)

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Sewage Disposal Standards

Current MN Statute (1988 NSMP)

1. On-site water supply and sewage treatment systems must be centralized and designed, installed and operated to meet or exceed applicable standards or regulations of the Minnesota Pollution Control Agency (MPCA) and the local unit of government
2. On-site sewage treatment systems must be located on the most suitable areas of the development.
3. Public water and sewage service must be used where available, as determined by the local unit of government.
4. Developments which produce 5000 gallons of sewage per day or contain more than 15 units require a MPCA State Disposal System permit. This would result in an average flow rate of 333 gallons per unit per day.
5. The potential person capacity of a dwelling shall be used to determine the potential gallons generated which in turn shall dictate the appropriate system(s) that should be utilized by the proposed development. Local and state standards and regulations apply and should be consulted.
6. All new units must utilize water conserving plumbing fixtures and have water meters installed and accessible which serve all sewage generating appliances.
7. No occupancy of any unit or use of any commercial structure of any planned unit development shall be allowed until the approved sewage disposal system is in place and fully operational.

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Plan Approval

Current MN Statute (1988 NSMP)

At the time of application, planning, and scheduled development the proposed facility shall be under unified control or ownership. The applicant will provide a detailed development plan to the local government which must include a detailed description of:

1. The property under consideration, including property boundaries, contours, on-site features, roads, lakes, rivers, wetlands, rock out-croppings, wooded areas, and other relevant features.
2. Building elevations, location on site, proposed uses, number of units, and commercial operations.
3. A concept statement describing the project
4. Parking areas and driveways for both residences and commercial activities, vehicle loading/unloading areas, proposed public road entrances, and projected traffic generation of the proposed development.
5. Proposed phasing of the final development.
6. Description of how the project will operate after completion.
7. Nature of proposed ownership after completion.
8. Proposed fire protection.
9. Proposed homeowners association agreement, where applicable.
10. Detailed landscape plan which shows existing vegetation, proposed alterations, new plantings and landscaping which is consistent with shoreland alteration guidelines.
11. Recreational space location and use.
12. Adequate water sources and water supply system plans.
13. Proposed sewage treatment system plans.
14. Storm water runoff plans (construction and operation).
15. Erosion control plan for shoreline, where applicable.
16. Erosion control plan for site (construction and operation).
17. Evidence of application for appropriate permits, state and federal.
18. Evidence of availability of necessary public utilities.
19. Proposed financial plans and necessary performance bonds or escrow agreements to protect the local unit of government's financial liability for site restoration, landscaping, erosion control measures, and sewage treatment systems.

The proposed development plan will demonstrate that the development will conform with adjacent development and be screened from the lake, adjacent roads, and adjacent properties. Any other information deemed to be necessary by the local unit of government will be provided by the applicant. The local unit of government may require plan modifications or require special conditions or performance standards as a part of its approval of the project.

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