SUBJECT: Recreation Parcel Buffers within Planned Unit Developments (PUDs) and Subdivisions

AUTHORITY: Article 7 of the Unified Land Development Code (ULDC)

PURPOSE: To clarify when incompatibility landscape buffers are required between recreation (pods, tracts, areas) and residential parcels within PUDs and subdivisions.

BACKGROUND: Pursuant to Table 7.F.9.B - Required Incompatibility Buffer Types, a Type 2 Incompatibility should be installed. This buffer must be 15 feet in width and consists of a six foot high barrier, two rows of shrubs, and trees planted 20 feet on center. Article 7.F.9.E Special Standards stipulates that in instances when the recreation parcel is located adjacent to open space (lake, golf course, etc) 100 feet in width or greater, the applicant has the option of applying for a Type 1 Waiver to be relieved of the buffer requirement.

In addition, there have been questions pertaining to the requirement of buffers along both the perimeter of a residential pod and a recreation pod that are adjacent to each other. This would result in a 30 foot area of land between the two pods being dedicated for landscaping.

PROCEDURES: If an applicant does not want to install the required buffer along the perimeter of a recreation pod there are two available options that are listed below. During the review of an application but, prior to DRO certification, Staff should advise the applicant of the following:

1) If adjacent to an open space a minimum of 100 feet in width apply for a Type I Waiver:

   a. application is subject to approval by the DRO, and may be submitted in conjunction with other requests to the Community Development Section; and,
b. standards utilized to determine whether or not the waiver should be granted are located in Article 2.D.7. – Type I Waiver.

2) Apply for a Type II Variance if not eligible to apply for the Type I Waiver:

a. application is subject to approval by the Zoning Commission, and may be submitted in conjunction with other requests to the Community Development Section;

b. standards utilized to determine whether or not the variance is warranted are located in Article 2.B.3. – Type 2 Variance; and,

c. should the request be denied the applicant shall be responsible for providing the required Type 2 Incompatibility Buffer.

In situations when a residential and recreation parcel abut each other and they both are required to provide Type II Incompatibility Buffers, only one buffer shall be required. The required buffer shall be installed along the interior of the recreation parcel. When reviewing a site plan for either a residential pod adjacent to a recreation pod or a recreation pod adjacent to a residential pod, staff should advise the applicant that both buffers are not required.

SCENARIOS:

<table>
<thead>
<tr>
<th>Location of recreation pod</th>
<th>Incompatibility Buffer Required</th>
<th>Eligible for a Type I Waiver</th>
<th>Eligible to apply for a Type II Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreational pod within a PUD</td>
<td>Yes – along the interior of the recreational pod line only</td>
<td>Yes – If adjacent to 100' wide open space</td>
<td>Yes – If not adjacent to 100' wide open space</td>
</tr>
<tr>
<td>Recreational tract within a MF PUD</td>
<td>Yes – between the recreational tract and MF units</td>
<td>Yes – If adjacent to 100' wide open space</td>
<td>Yes – If not adjacent to 100' wide open space</td>
</tr>
<tr>
<td>Recreational area on lot within a subdivision</td>
<td>Yes – along the interior of the recreational area lot line only</td>
<td>Yes – If adjacent to 100' wide open space</td>
<td>Yes – If not adjacent to 100' wide open space</td>
</tr>
</tbody>
</table>

If you have any questions, contact the Community Development Zoning Manager.

Zoning Director