

Zoning Ordinance

Section 903.00 - Planned Unit Development (PUD)

903.01 Purpose and Scope

The purpose of the PUD Overlay District is to allow and encourage:

- A. Comprehensive development rather than traditional parcel-by-parcel development;
- B. A more flexible and creative approach to the development of land which will result in an efficient, aesthetic and desirable use of open area, while maintaining the same population density and area coverage permitted in the zoning district in which the project is located;
- C. Flexibility in the design and placement of buildings, open spaces, circulation facilities and off-street parking areas to best utilize the site potential and characteristics of geography, topography, parcel size and shape;
- D. Development which will provide an attractive and stable setting in harmony with development in the surrounding area and the environment in general.

All provisions of the underlying zoning district with which the PUD Overlay District is combined shall continue to apply unless varied or waived by the decision-making body in accordance with the provisions of this section.

903.02 Area of Application

The PUD Overlay District shall be combined with the VLDR District for any multi-family residential development and shall be combined with the LDR District for any duplex or multi-family residential development. The PUD Overlay District may also be combined with the VLDR District for any other permitted residential development.

903.03 General Development Standards and Requirements

In considering a proposed Planned Unit Development project, the approval thereof may involve modifications of some of the regulations, requirements and standards of the underlying zoning district. In the PUD Overlay District, the following guidelines and standards shall apply in modifying standards and limitations of the underlying zoning district:

A. Development Acreage

The minimum parcel size of any PUD shall be as provided in the standards and limitations of the underlying zoning district. If no such standard for a PUD is specified, the minimum parcel size shall be determined by the decision-making body, but in no case shall the parcel size of the proposed development be less than the minimum parcel size established for a permitted use in the underlying district.

B. Density of Development

The density of a PUD shall not exceed the density of the underlying zoning district and shall be computed by dividing the total acreage of the PUD by the number of dwelling units. The total acreage shall include street dedications.

C. Site Adaptation

To the maximum extent possible, the plan and design of the development shall assure that natural or unique features of the land and environment are preserved.

D. Setbacks

Yard setbacks for parcels on the perimeter of a PUD shall be the same as required for the underlying zoning district. In modifying setback requirements for all other parcels within a PUD, the decision-making body shall consider such factors as public safety, ease of emergency vehicle access, solar access, environmental and scenic feature and compatibility with adjacent uses.

E. Circulation

1. Access

Planned Unit Developments shall be appropriately designed to provide a single, direct access onto a county road or other public road, unless the scale of the PUD is such that more than one access is necessary to provide safe and efficient circulation. Entrances and exits for automotive vehicles shall be designed to encourage smooth traffic flow with controlled turning

movements and minimum hazards to pedestrians, passing traffic, or to traffic entering and leaving the development. Merging and turnout lanes shall be required where existing or anticipated heavy flows of passing traffic or traffic to or from the PUD indicate the need for such lanes.

2. Internal Circulation

Roads, pedestrian and bikeway paths shall be integrated into a system designed to provide efficient, safe circulation to all uses. Developments should be designed to minimize the length of roadway. Pedestrian paths/bikeways shall be clearly signed and have adequate crossing facilities where warranted.

3. Siting of Roadways and Parking Areas

The siting of roadways and parking areas shall be consistent with the character of the property, avoiding excessive cuts and fills, etc.

4. Parking

In addition to the applicable parking standards set forth in Section [1007](#), the following requirements shall apply to off-street parking in a PUD:

- a. Off-street parking may be provided on each parcel or clustered in parking pads in proximity to any dwelling units they serve.
- b. On residential developments, parking space may be required for storage of residents' recreational vehicles. If required, a recreational vehicle parking area shall be located so as to be compatible with surrounding land uses. If an RV parking space is located along the perimeter of the PUD, it shall be adequately screened from adjacent properties outside the PUD.

F. Building Height

The decision-making body may limit height requirements of the underlying zoning district as follows:

1. Along the outer fringe of the PUD; and
2. To protect scenic vistas from encroachments.

G. Utilities

1. All utilities and sewer and water facilities shall be approved by the appropriate agencies before the plans are approved by the decision-making body.
2. All utility services shall be placed underground.
3. Provision shall be made for fire prevention, including service waterlines and free emergency access for firefighting equipment around buildings.
4. Provision shall be made for control of site storm water drainage.

H. Homeowners Association

In residential PUD's, a nonprofit, incorporated homeowners association shall be required if other satisfactory arrangements have not been made for improving, operating and maintaining common facilities, including agricultural lands, forest lands, open space, roads, parking areas and recreation areas. An alternative to a homeowners association may include deed restrictions or conservation easements, if the decision-making body determines such restrictions or easements will protect the intent and purpose of this ordinance and will be in the public interest.

903.04 Review Criteria

In addition to the development standards and requirements specified in this section, the applicant shall demonstrate and the decision-making body shall determine that the following criteria have been met prior to approval of a Planned Unit Development:

- A. The proposed development is consistent with the Comprehensive Plan and with the intent and purpose of the underlying zoning district.
- B. There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the basic zoning district requirements.
- C. The proposed development can be well integrated with its surroundings in substantial harmony with adjacent and surrounding lands.
- D. The roads within the proposed development will be adequate to support the anticipated traffic and traffic generated by the development will not adversely impact adjacent roads.
- E. Adequate provision is made for the preservation of natural resources such as bodies of water, significant vegetation and special terrain features.

- F. The proposed water supply, sewerage, utility and drainage facilities are adequate for the population, residential densities and types of development proposed.
- G. The development can be financed and completed within a reasonable period of time.

903.05 Application Procedure

There shall be a three-stage review process for a PUD proposal, consisting of a pre-application conference (stage one), preliminary approval (stage two) and final approval (stage three).

A. Pre-application Conference (Stage One)

The applicant, or his authorized representative, shall meet with the Director in a pre-application conference to review requirements and concerns pertaining to the applicant's proposal. An outline plan of the proposal shall be submitted for determination of compliance with the minimum applicable standards of this section and the underlying zoning district.

B. Preliminary Approval (Stage Two)

The applicant shall submit a conceptual development plan together with the appropriate application form and fee as prescribed by the Director. The conceptual development plan shall include maps and a written statement setting forth the nature of the proposed development, as follows:

1. Maps

The maps shall show the entire PUD area and shall contain the following information:

- a. Site topography, drainage, tree and ground cover, existing access and services, known areas of flood, soil or geologic hazard, and an inventory and classification of the soil types within the PUD;
- b. Existing land uses, ownerships, property lines, and Plan and zoning district designations;
- c. Proposed land uses, buildings and structures, access, urban services, residential densities and design population;
- d. A plan for pedestrian and vehicular circulation showing the general locations and widths of all roads, bikeways and pedestrian paths;
- e. Proposed park, recreation and open space uses;
- f. Proposed site grading, drainage and landscaping plan; and

g. Proposed method of water supply and sewage disposal.

2. Written Statement

The written statement shall contain an explanation of:

- a. The character of the proposed development and the manner in which it has been designed to take advantage of the PUD regulations;
- b. The present ownership of all land included within the proposed PUD;
- c. The method proposed to maintain private common open areas, roads and other facilities;
- d. The anticipated schedule of development, including proposed dates for commencement of construction on all phases of the PUD; and
- e. How the review criteria of subsection [903.04](#) are satisfied by the proposal.

Upon submittal of a complete application form and the preliminary plan as described above, the proposal shall be reviewed pursuant to the Type C application procedure set forth in Section [1301](#) and subject to compliance with the review criteria listed in subsection [903.04](#) and with the applicable provisions of the underlying zoning district.

C. Final Approval

1. Within six (6) months of preliminary approval, the applicant shall file a final plan for the entire development with the Director. If the development is to be phased, the final plan for the first phase of development shall be filed within six (6) months of preliminary approval. Final plans for approved subsequent phases shall be filed at least ninety (90) days prior to the construction date set forth in the applicant's timetable. The final plan shall conform in all substantial respects with the approved preliminary plan.
2. Within thirty (30) days of receipt of the final plan, the Director shall present the plan to the Commission. The Commission shall examine the plan and determine whether it conforms in all substantial respects to the previously approved proposal. The decision of the Commission shall be final unless appealed to the Board as provided in Section [1403](#).

903.06 Conditions of Approval

In approving a proposal for a PUD, the Commission may impose such conditions as it determines are necessary to carry out the purpose of this section and of the underlying

zoning district. Such conditions may include a requirement that the applicant enter into a performance agreement with the county and furnish the county with an appropriate financial guarantee to ensure that the PUD is completed and that all services are provided in accordance with the standards and requirements imposed pursuant to this ordinance and all other county ordinances.

903.07 Additional Requirements

Any PUD authorized pursuant to this ordinance shall be subject to the following additional requirements:

- A. Building permits issued in connection with any part of a Planned Unit Development shall be issued only on the basis of the plan approved by the Commission.
- B. Any proposed changes in connection with an approved plan shall be reviewed and approved in accordance with the same procedures prescribed under this section.
- C. If no application for building permits relating to an approved PUD have been received within one (1) year of the date of final approval of the PUD, the approval shall be rescinded and the PUD Overlay District designation repealed in respect to the area affected.

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