

## **SECTION 18. PLANNED UNIT DEVELOPMENT DISTRICT (PUD)**

18.010 Purpose. To establish areas for planned development, and to encourage quality and desirable development by allowing for greater flexibility and design standards for projects conceived and implemented as comprehensive and cohesive development. These regulations are established to permit and encourage diversification, variation, and imagination in the relationship of uses, structures, and heights of structures; to encourage the preservation of open space; and to encourage more rational, economic development with respect to the provisions of public services.

19.020 Properties Included In This District. (see Section 19 “assignment of properties to a district”)

### 18.030 General Regulations.

- A. Planned Unit Development District shall only utilize the principal uses and structures designed in the following districts: R-1, R-2, R-3, R-4, R-R, C-1, C-2, UID-1, and I-1.
- B. Planned unit developments within districts shall meet the regulations of Section 26 (Conditional Use Permits). They shall constitute conditional uses in the following districts: R-1, R-2, R-3, R-4, R-R, C-1, C-2, UID-1, and I-1.
- C. Minimum size of a planned development shall be two (2) acres.
- D. Fees shall be assessed for a Site Plan Review and any Conditional Use Permits as required.
- E. Structures and uses in a PUD shall conform with the requirements of the respective zoning district.
- F. 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 respective zoning district. “Net acreage” is defined as the gross area less land dedicated for public streets.
- G. 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.
- H. 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 space, recreational facilities, parking facilities, or other common property, shall be guaranteed by the owners association articles of incorporation, covenants, and/or deed restrictions in a form acceptable to the County Board. Such guaranteeing instruments shall be recorded with the plat.
- I. The Zoning Committee may recommend to the County Board modifications to the requirements of density, off-street parking and loading, access, and signs.

18.040 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 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. The open space must be improved to support 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 space and recreational facilities must proceed at the same rate as the construction of the principal structure.

18.050 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 recommendation of the Zoning Committee and the consent of the County Board for purposes of maintenance of the open space and any structure or improvement 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 recommended by the Zoning Committee for approval by the County Board which shall restrict the open space to the uses specified in the development plan and which provide for the 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.

18.060 Required Covenants, Easements, and Provisions.

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

18.070 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 through the Zoning Committee under the conditional use permit process.

18.080 Failure to Begin Planned Unit Development. If no construction has begun within one (1) year from final approval of the development plan, the authorization of the development plan shall lapse and be of no further effect. At its discretion and for good cause, the Zoning committee may recommend to the County Board to extend for an indefinite period of time for beginning of construction.