

## **ARTICLE 2**

### **CHAPTER 5: PLANNED UNIT DEVELOPMENT OVERLAYS & ZONES**

**SEC 2.501** **PURPOSE:** The purpose of the Planned Unit Development (“PUD”) process is to encourage the efficient use of land and resources, promote greater efficiency in public and utility services, ensure orderly improvement of property in accordance with community plans, and to encourage innovation in the planning and building of all types of development without detriment to the community. The PUD regulations are intended to permit property to be used in a manner or intensity not permitted as-of-right by the current district regulations.

Planned Unit Development (PUD) is a means of zoning afforded to counties by ORC Sections 303.022 and 303.023 which, as established in this Code, may be applied in the form of a PUD Zone or a PUD Overlay. Within the PUD, this Code where applicable, subdivision regulations, and platting regulations need not be uniform but may vary in order to accommodate unified development and to promote the public health, safety, morals and general welfare.

**SEC 2.502** **AUTHORITY:** The Board of County Commissioners (BOCC) may approve a rezoning request and development plan for a PUD in accordance with the procedures and standards specified in this Chapter and other regulations applicable to the district in which the subject property is located.

**SEC 2.503** **APPLICABILITY:** This section applies to development on one or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose but is not limited to density or intensity transfers, density or intensity increases, mixing of land uses, changes in lot size, bulk, lot coverage, parking, required open space, or other standards of the this Code and Subdivision Regulations otherwise applicable to the area in which the project is located. A PUD approved prior to the effective date of this Code shall continue in accordance with the approved plans and the zoning code in effect at the time of approval. Modifications, amendments, and expansion of existing PUDs shall be processed in accordance with this Code.

**SEC 2.504** **APPROVAL:** Three unique alternative procedures for the establishment of a PUD are available in this Code. Each alternative offers a different review and approval process and provides specific methods for the establishment or acceptance of PUD standards.

**2.504.1** **Interstate Highway Overlay:** PUDs within and consistent with the intent of the Interstate Highway Overlay (IHO PUD) district, as designated on the official zoning map, require a recommendation from the Regional Planning Commission (RPC), administrative approval by the BOCC and certification of zoning compliance by the Zoning Inspector. The approval of an Interstate Highway Overlay PUD Plan as being in compliance with standards of approval pursuant to this chapter shall not be considered to be an amendment or supplement to this Zoning Resolution. Upon final approval, the Zoning Inspector shall revise the official zoning map, removing the base zoning district designation and add the PUD designation. The Interstate Highway Overlay is allowed, established and regulated in accordance with Section 303.022 (C) of the Ohio Revised Code.

**2.504.2 Overlay PUD:** Overlay Planned Unit Developments require a map amendment and are subject to the Stage 1 application, review, and approval process specified in Section 1.305. The Overlay PUD regulations are intended to permit property to be used in a manner or intensity not permitted “As of Right” by the underlying district regulations. Regulations of the overlay district are supplementary to the underlying zoning district and the District regulations shall apply except to the extent modified by the overlay district. The Overlay PUD rezoning shall be concurrent with the approval of a PUD development plan required by the PUD Stage 1 process. The Overlay PUD designation shall be noted as an overlay on the Official Zoning Map. The Overlay PUD is allowed, established and regulated in accordance with Section 303.022 (A) of the Ohio Revised Code.

**2.504.3 New District PUD:** A New District PUD replaces the current zoning and provides an opportunity to establish unique PUD regulations that will apply only to that PUD. Within a New District PUD, the property is subject to the PUD regulations adopted by the BOCC and not to any other pre-established zoning regulations. Upon approval, the PUD designation shall be noted as a new zoning district on the Official Zoning Map. The New District PUD is allowed, established, and regulated in accordance with Section 303.022 (B) of the Ohio Revised Code.

**SEC 2.505 SUBMITTALS REQUIREMENTS:** In addition to the submittal requirements of Section 1.305.4, each PUD adopted pursuant to this Chapter shall include the following minimum provisions:

- (A) A statement of consistency with the comprehensive plan, and area plans;
- (B) Definitions, as appropriate, for such words or terms contained in the PUD resolution; Where this Code defines words or terms, the PUD plan should incorporate those definitions, either directly or by reference;
- (D) A narrative documenting deviation from the zoning ordinance.

**SEC 2.506 INTERSTATE HIGHWAY OVERLAY PUD:**  
The IHO District provides for an accelerated PUD process. The IHO District is established as identified on the Warren County Rural Zoning Map and includes pre-established standards in Section 2.508.1. The zoning map and the pre-established standards constitutes completion of the PUD Stage 1 process. Applications for the establishment of an IHO PUD that comply with the pre-established IHO PUD Stage 1 standards and that are located within the IHO District may proceed with site plan review and approval in accordance with the PUD Stage 2 submittal requirements Section 1.305.4 and review process Section 1.305.4(B). The PUD application may include, and the BOCC may establish, additional PUD standards at PUD Stage 2. PUDs proposed within the IHO mapped district that does not comply with the IHO PUD Stage 1 standards may be approved through the Overlay or New District PUD process.

**2.506.1 IHO PUD Stage 1 Standards:** Within a PUD approved under the Interstate PUD process, the following provisions shall apply:

- (A) Non-Residential uses shall be the predominant land use. Single family and non-upper-story residential uses shall not exceed ten percent (10%) of the development site. Upper

story residential uses are not factored within this calculation or the determination of predominant land use.

- (B) Residential uses are not permitted within the Interstate 71 areas of the Highway Overlay District, wherever the base zoning is commercial or industrial.
- (C) Residential uses shall comply with the density requirements of the base zoning district, except for zoning districts where the base zoning is commercial or industrial. Within Commercial and Industrial base zoning districts, outside of the Interstate 71 areas of the Highway Overlay District, residential uses may be developed at a density approved by the BOCC.
- (D) Maximum sixty percent (60%) of the gross parcel acreage may be devoted to coverage by buildings, structures, street, driveway, or parking pavement.
- (E) Lot size, lot width, or setback requirements may be waived except for front setbacks on arterial and primary collector roadways.
- (F) For Commercial Business, Office, and Light Manufacturing uses a minimum fifty (50) foot setback shall be provided when abutting an external residential use or district.
- (G) For General Industrial Manufacturing uses, a minimum seventy-five (75) foot setback shall be provided when abutting an external residential use or district.
- (H) Building and accessory structure height for Commercial Business, Light Manufacturing, and General Industrial Manufacturing use, within one hundred (100) feet of the property line, shall not exceed sixty (60) feet.
- (I) Trip Generation: All developments generating more than one hundred (100) peak hour trips shall submit a traffic impact study.
- (J) There shall be no areas of a PUD that are unspecified as to the category of land uses that will occupy those particular areas.
- (K) The PUD site plan requirements shall comply with Sec. 1.305.4 (A) (1) through (10).
- (L) Minimum Development Size: 5 acres. The development size requirements may be waived at PUD Stage 2 if the BOCC finds:
  - (1) That an unusual physical or topographic feature of importance to the area, such as wetlands, exists on the site or in the surrounding area that will contribute to and be protected by the PUD; or,
  - (2) That the property or the surrounding area has an historic character of importance to the community that will be protected by the PUD; or,
  - (3) That the proposed PUD is adjacent to an approved PUD that has been completed and will contribute to the amenities and values of the neighboring PUD; or,
  - (4) That the PUD is in an area that is being redeveloped and will advance redevelopment or comprehensive plan policies.

**2.506.2 Application:**

(A) PUD developments containing the following principal uses are prohibited from utilizing the Interstate Highway Overlay District Process. Developments containing such use(s) may apply for approval by going through the New District or Overlay PUD process.

- (1) Internet Sweepstakes Establishment
- (2) Sexually Oriented Businesses
- (3) Outdoor Shooting Range
- (4) Asphalt or Concrete Batch Plant or Products Manufacturing
- (5) Slaughterhouse and Stockyards
- (6) Mineral Extraction
- (7) Sanitary Landfills
- (8) Solid Waste Disposal Facility
- (9) Motor Vehicle Impound Lots
- (10) Scrap Metal Salvage Yard and Recycling Centers

(B) PUD developments that contain the following accessory uses are permitted to utilize the Interstate Highway Overlay District procedure only when the developed is in conjunction with a permitted commercial; industrial; or non-residential use not listed below:

- (1) Automobile Washing Facility
- (2) Automobile Sales
- (3) Mover Storage Facility
- (4) Moving Truck & Trailer Rental
- (5) Truck Stop or Washing Facility
- (6) Self-Storage Facility
- (7) Tattoo & Body Piercing Parlor
- (8) Outdoor Storage or Displays Associated with an Industrial Use

**2.506.3 Permitted Uses:** The IHO is an overlay district that overlays several different base zoning districts. The uses permitted within an IHO PUD are the uses identified within the base zoning district as Permitted (P); and Permitted Use Subject to BOCC Site Plan Review (S). Uses identified Conditional Uses (C) may be accepted, by the BOCC, as a Permitted (P) uses at PUD Stage 2. The IHO does not provide for the authorization of uses identified in the base zoning as Prohibited. Upon the establishment of an IHO PUD, development within the district shall be limited to those uses specifically requested as part of the application and approved by the BOCC. Future amendments to the uses permitted shall be reviewed at PUD Stage 2.

**2.506.4 Density:** The density calculation for single-family residential structures is determined by the area dedicated for residential use. There is no numeric cap for second-story residential density. Developments two or more network road intersections away from an

interstate interchange may include a mix of single-family residential use that occupy no more than twenty percent (20%) of the development site.

**2.506.5 Zoning Map:** Upon final approval, the Zoning Inspector shall revise the official zoning map, removing the base zoning district designation and add the PUD designation. Development within the district shall be limited to those uses specifically requested as part of the application and approved by the BOCC and subject to the standards of the approved PUD.

**SEC 2.507 OVERLAY PUD**

The standards of this section apply to Overlay PUDs. The Interstate Highway Overlay and New District PUDs are not subject to the standards of this section. An Overlay PUD can be created that overlays any of the zoning districts provided for in this zoning code. An approved PUD shall be referenced using both the base zoning district and PUD. The density, total floor area, and land coverage by buildings, within an Overlay PUD, shall not exceed the maximums allowed in the underlying zoning district by an amount greater than twenty percent (20%) except in accordance with Section 2.509.5(B). Overlay PUD granted relief from normal regulatory requirements of this Code shall meet the following specific standards regarding density and intensity, uses, development size, open space, design, and landscaping. Unless otherwise permitted to be modified the standards of this zoning Code shall apply.

**2.507.1 Density and Intensity for Overlay PUDs:**

- (A) **Density Distribution:** A greater concentration of residential density may be located within portions of a project, provided there is an offset by a lesser concentration in another portion or an appropriate reservation of open space. Where a district boundary line divides the parcel or a development site has multiple base zones, the total density is based on the combined allowable density for each area. The density may be distributed on any portion of the site regardless of the zoning district.
- (B) **Density and Intensity Increases:** The BOCC may vary the density or intensity to Overlay PUDs by not more than twenty percent (20%) in consideration of:
  - (1) The amount, location, and proposed use of common or secondary open space.
  - (2) The location and physical characteristics of the site of the proposed planned development.
  - (3) The location, design, and type of dwelling units.

**2.507.2 Uses for Overlay PUDs:**

- (A) **Allowable Uses:** The permitted use(s) within an Overlay PUD shall be determined at the time the zoning district and development plan is approved (PUD Stage 1). Development within the Overlay PUD shall be limited to the uses allowed within the base zoning district and those uses specifically requested as part of the application and approved by the BOCC. The Overlay PUD process provides for the authorization of uses that do not correspond with or are not expressly permitted by the base zoning district. Uses prohibited within the base zoning district may be added as allowable uses at PUD Stage 1 upon the request of the applicant. Upon the establishment of the Overlay PUD, the addition of new uses shall follow the PUD Stage 1 process.

- (B) **Use Permission:** The use permission of allowable uses within an approved Overlay PUD shall be those of the underlying zoning district as indicated in the Table of Uses by Zoning District unless a deviation from the approval process is clearly stated in the PUD. Added uses that are allowed within the Overlay PUD but do not correspond with or are not identified in the base zoning district shall state the use permission.

**2.507.4 Development Size for Overlay PUDs:**

(A) **Minimum Development Size:**

- (1) Overlay PUDs beyond the Suburban Fringe (Rural Development): Minimum development size of five (5) acres.
- (2) Overlay PUDs within the Suburban Fringe: None.

(B) **Waiver from Development Size Requirements:** The development size requirements may be waived at Stage 1 if the BOCC finds:

- (1) That an unusual physical or topographic feature of importance to the area, such as wetlands, exists on the site or in the surrounding area that will contribute to and be protected by the PUD; or,
- (2) That the property or the surrounding area has an historic character of importance to the community that will be protected by the PUD; or,
- (3) That the proposed PUD is adjacent to an approved PUD that has been completed and will contribute to the amenities and values of the neighboring PUD; or,
- (4) That the PUD is in an area that is being redeveloped and will advance redevelopment or comprehensive plan policies.

**2.507.5 Open Space Standards for Overlay PUDs:**

(A) **Required Open Space:** *Table 2.507-1*

| Development Type |                                     | Required Open &/or Common Open Space |                                      |
|------------------|-------------------------------------|--------------------------------------|--------------------------------------|
| Residential      | Suburban Fringe                     | 20%                                  |                                      |
|                  | Rural – Development >20 acres       | 50%                                  |                                      |
| Mixed Use        | Single-Family Residential component | Suburban Fringe                      | 10% of the residential component     |
|                  |                                     | Rural – Development >20 acres        | 40% of the residential component     |
|                  | Upper Story Residential             |                                      | 10% of the site                      |
|                  | Non-Residential                     |                                      | 10% of the non-residential component |
| Non-Residential  |                                     | 10%                                  |                                      |

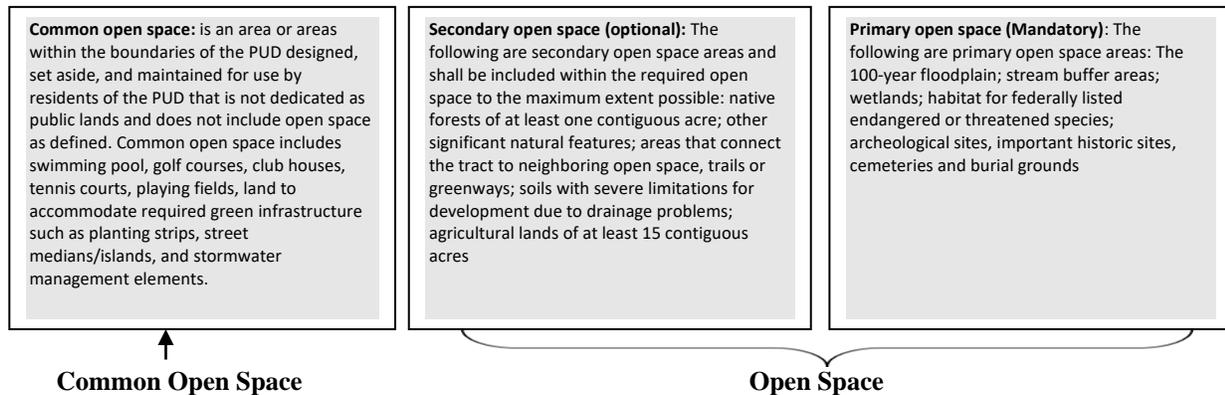
(B) **Elective Open Space:** *Table 2.507-2*

| <b>Residential Gross Density Multiplier</b>   |                          |
|---|--------------------------|
| Percent Increase of Common or Secondary Open Space* (The provision of common/secondary open space beyond the required amount) | Gross Density Multiplier |
| 10%   | 1.1                      |
| 20%   | 1.22                     |
| 25%+  | 1.35                     |

\*In rural areas (areas beyond the Suburban Fringe), the density multiplier shall apply only to an increase of secondary open space protected as an agricultural preserve at a minimum size of fifteen (15) acres.

In suburban fringe areas, ten percent (10%) of the required open/common open space must be set aside as recreation land. Recreational land shall not include natural features with a 100 percent (100%) protection standard nor any portion of those natural features that may not be developed.

*Figure 2.507-1*



(C) **Open Space Resource Protection Factor:** *Table 2.507-3*

| <b>Resource</b>   | <b>Resource Protection Factor</b> | <b>Resource Area Size</b><br>(If a resource overlaps the resource protection area is calculated using the highest resource protection factor) | <b>Resource Protection Area</b><br>(Resource Protection Factor multiplied by the Resource Area) |
|---|-----------------------------------|---|---|
| Floodplains & Stream Setback Areas<br>(land within the 100-year floodplain) | 0.8                               |   |   |
| Wetlands  | 1.0                               |   |   |
| Wildlife Habitat (endangered or threatened species)                         | 0.7                               |   |   |
| Historic & Archeological Resources  | 1.0                               |   |   |

*(Blank spaces above for work sheet calculation)*

*The buildable area equals the total site area minus the total Resource Protection Areas. The resource protection area shall be designated as Primary Open space.*

*Rural Areas: If the primary open space area makes up less than the required open space, the remainder to the required open space shall be made up of secondary open space.*

(D) **Unqualified Areas:** Land area that is commonly owned or devoted to the following shall not be included as meeting the common/open space requirement:

- (1) parking areas;
- (2) Required setbacks between buildings, parking areas, and project boundaries and between buildings and public or private streets unless the required setback is contiguous to, and part of, a larger area of open space;
- (3) Private yards within subdivided lots, except in accordance with Section 2.302.3(F);
- (4) A minimum of fifteen (15) feet between buildings and open space;
- (5) Any land dedicated to a sewage disposal system except in accordance with approval from the BOCC;

(E) **Open Space Design:**

- (1) **Common Open Space:** The location of common open space shall be planned as much as possible as a contiguous area located for the maximum benefit of the residents, preserving, and where possible, enhancing natural features. Buildings, structures, and improvements permitted in the common open space must be appropriate to the uses authorized for the common open space and must conserve and enhance the amenities of the common open space, having regard to its topography and unimproved condition.
- (2) Open space may either be centrally located, located to preserve natural features and woodlands, located to buffer adjacent farmland, or located to connect open spaces throughout the development.

- (3) Allow a minimum of fifty (50) feet from the edge of any lake or wetland. Trails, boardwalks, observation platforms, or other similar structures that enhance passive enjoyment of the site's natural amenities are permitted within this space.
- (4) Whenever possible, open space areas shall be interconnected within the PUD and on abutting parcels by open space corridors, at a minimum of ten (10) feet in width. Open space corridors may be credited towards the total open space required.
- (5) Open space areas shall have a minimum area of five thousand (5,000) square feet and a minimum width of seventy (70) feet.

**2.507.6 Rural Residential PUD Standards:** The Rural Residential PUD (RR-PUD) is an Overlay PUD beyond the Suburban Fringe that has a base zoning of either RU or R-1A. The BOCC may approve a Rural Residential PUD that is designed to preserve agricultural, or environmental, or open space resources or the rural character. The RR-PUD shall be designed to achieve the following:

- (A) To preserve in perpetuity unique or sensitive natural resources such as, but not limited to, groundwater, floodplains, wetlands, streams, steep slopes, woodlands, and wildlife habitat;
- (B) To permit clustering of houses and structures in a manner that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development;
- (C) To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development;
- (D) To create contiguous farm preservation areas within, and adjacent to, the development site;
- (E) To protect the rural character and scenic views;
- (F) To protect prime agricultural land and retain farming as an economic activity.
- (G) Development Standards
  - (1) Housing shall be clustered, while the remaining area is preserved for agriculture or open space.
  - (2) Site planning shall provide protection of the development from potentially adverse surrounding influences, such as active agricultural operations.
  - (3) The orientation and clustering of the residential development shall be toward internal streets and pedestrian systems and away from adjacent arterial or collector streets.
  - (4) The development plan shall include means to mitigate any potential impact of the development. Mitigation measures may include, but are not limited to, berms, larger setbacks, or additional screening.
  - (5) The development plan shall include measures to protect and enhance prime agricultural lands, open water bodies, wetlands, and sensitive habitats.
  - (6) Any use or combination of uses allowed in the underlying zoning district may be included. The uses permitted must be specifically defined and approved as a part of the development plan.

- (7) Strong consideration shall be given to locating residential housing on the least productive agricultural land and in such a manner as to have little impact on any environmental or open space resource area and shall be clustered in such a manner to make efficient use of land resources and infrastructure.
- (8) Strong consideration shall be given to the compatibility of the development with any surrounding agricultural operations, and the preservation of significant upland vegetation habitats and wetland areas.
- (9) There shall be not more than two (2) lots for each one thousand (1,000) feet of frontage along an arterial or primary collector road; provided, that parcels of record with less than one thousand (1,000) feet of frontage may have two (2) frontage lots.
- (10) No setback shall be located closer than one hundred (100) feet to an arterial or primary collector road, unless the development creates fewer than five (5) lots.
- (11) A visual buffer located within the boundary of the residential portions of the planned unit shall be established along all property boundaries with adjacent rural residential uses to assure that the planned unit is compatible to abutting low density development through appropriate screening and/or setbacks. The width of the visual buffer shall be at least equal to the underlying zone setbacks for rear, front, or side yards, whichever is appropriate. The visual buffer shall be consistent with the landscaping standards in Article 3, Chapter 4.

**SEC 2.508 NEW DISTRICT PUD:**

The New District PUD is established in accordance with Section 303.022 (B) of the Ohio Revised Code and is regulated in accordance with the uses, development standards, design standards, and general standards proposed by the applicant and approved by the BOCC. The New District PUD zones are not identified on the zoning maps in advance. A New District PUD is not subject to the pre-existing standards of this Chapter, or any other part of this Code; or the current zoning of the site, except Section 2.509- Standards for All PUDs. A New District PUD is the result of a public hearing to rezone a specific parcel(s) to a new zone based on the negotiated development plan and standards between the applicant(s) and the BOCC. The provisions of Sections 2.506 and 2.507 of this Chapter shall not be applied, or be applicable, to a New District PUD since the negotiated development plan determines the nature of the PUD district. The applicant(s) may include or the BOCC may require at its discretion references to one or more existing standards in this Code, requiring compliance with specific pre-established standards.

The New District PUD may include any use identified in the Table of Uses by Zoning District (Table 2.205) or within this Code; and additional uses defined by the applicant(s). If applicable, an application for rezoning (PUD Stage 1) to rezone to a New District PUD may include, but is not limited to, propose standards and regulations for the following: permitted uses; use permission; prohibited uses; use locations; definitions; open space; density and intensity; internal and external traffic circulation; connectivity to adjacent parcels; pedestrian circulation and trails; drainage; buffer and screening; phasing; lighting; parking; signage; landscaping; utilities; amenities; subdivision standards; and development and design standards.

An application for a New District PUD may include subdistricts within the PUD that identifies the permitted uses and developments standards associated with each subdistrict.

**SEC 2.509 STANDARDS FOR ALL PUDS:** The following standards shall apply to all PUDs.

**2.509.1 Open Space:**

(A) **Open Space on Platted Lots:** This section provides the rules by which primary open space is permitted to occur on a lot. Only large lots that may accommodate a construction envelope equal to one (1) acre shall be eligible for this provision. The construction envelope is defined as a delineated area that identifies the location within which all grading, clearing, excavation and development shall occur, including but not limited to septic systems, wells, dwellings, storage buildings or other structures or improvements. Construction envelopes shall be identified on the record plat and may be changed through the PUD amendment process as provided in Section 1.305. The following standards apply:

- (1) The construction envelope shall extend at least fifteen (15) feet from the foundation and five (5) feet from any other area to be developed or disturbed to provide for machinery and earth movement.
- (2) All eligible lots shall conserve the resource area in question, restricting the use of that land to open space uses and prohibiting fencing and the clearing, cutting, or disturbing of vegetation.
- (3) All lot construction and clearing shall be confined to a construction envelope that includes buildings, decks or patios, driveways, lawns, pools, tennis courts, septic tanks and tile fields, and utility access.
- (4) The construction envelope shall be designated on the subdivision plan.
- (5) The areas outside of the construction envelope may be credited towards the required open/common open space.

(B) **Ownership:**

- (1) **Ownership Alternatives:** An individual, a group of individuals, a nonprofit organization, a homeowners' association, a public body, or a combination of these entities may hold fee simple title to the open space area. Any use of the open space areas shall be in conformance with the Development Plan.
- (2) **Public Agency:** A public agency involved in conservation or preservation may be designated as the holder of the conservation easement for the open space land.
- (3) **Legal Instrument for Permanent Protection:** Open space shall be in place before building permits are issued. Dedicated open space shall be set aside in perpetuity by the developer through a conservation easement or a permanent restrictive covenant for conservation/preservation purposes that is found acceptable to the Commissioners. Such covenant or easement shall assure that the open space will be protected from all forms of development by being recorded and filed with the final development plan.

(C) **Provision and Maintenance:**

- (1) The development plan shall:
  - (a) Identify the uses and development permitted in the open/common open space;
  - and,

(b) Include a schedule that shall coordinate the preservation of open space and the provision of common open space with the construction of the PUD, considering the location of the open/common open space and any phases in the construction of the PUD.

(2) Further subdivision of open space land or its use for other than recreation, conservation, or agricultural purposes shall be strictly prohibited.

(3) The owners or easement holder of open space shall maintain the open space and any buildings, recreational facilities, detention and retention basins, sidewalks, or private streets upon it.

**2.509.2 Other Regulations:** Unless modified by the BOCC, all PUDs shall comply with the standards and policies of the Ground Water Protection Overlay; the Airport Overlay District; the Warren County Thoroughfare Plan; and the Warren County Subdivision Regulations. All PUD applicant(s) shall consult with the Warren County Soil and Water Conservation District regarding the guidelines of the Stream Water Protection Overlay.

**2.509.3 Change of Ownership:** A PUD may be subdivided or re-subdivided and may be sold or leased in whole or in part. The final development plan shall control the development of any part of a PUD that is subdivided, sold, or leased. No development may be undertaken in any part of a PUD that is subdivided, sold, or leased that will violate the final development plan for the entire PUD unless the final development plan is amended by the BOCC for part or all of the PUD. An amendment to the final development plan shall require seventy five percent (75%) of all property owners within the entire PUD to sign as co-applicants for such amendment.

**2.509.4 Compliance:** The BOCC may approve a change of zone for a PUD conditioned upon achieving development standards for all or each phase of a PUD. If at any time the PUD or any phase of the PUD has not been developed according to the Stage 2 or Stage 3 Site Plans, the BOCC shall give notice by certified mail to the owner and applicant who requested the rezoning and shall schedule a public hearing to take the following actions:

(A) Legislative action to Re-Zone the property to its former zoning classification; or,

(B) Administrative action to ensure compliance with, or amendment of, Stage 2 or Stage 3 Site Plans.

**2.509.5 Classifications of Planned Unit Development:** To identify the nature of planned unit developments on the Official Zoning Map, the PUD shall be classified as one of the following three zones:

(A) PUD-IHO for PUDs approved utilizing the Interstate Highway Overlay PUD process.

(B) PUD-O-Base Zoning Identifier for PUDs approved under the Overlay PUD process.

(C) PUD-ND for PUDs approved utilizing the New District PUD process.