

Sec. 4.2.31. - Planned Unit Development.

- A. Intent of classification. The Planned Unit Development Classification is intended to provide a process for the evaluation of unique individually planned residential, commercial, industrial, and mixed use developments, which may not otherwise be permitted in the standard zoning classifications established by this Division. The purpose of a PUD is to:
- (1) Plan land as a whole to be developed as a single operation or as defined in a series of phases;
 - (2) Simplify the procedure for obtaining approval of proposed development through the simultaneous review by the county of proposed land use, special uses, accessory uses, and structures that are related to and complement the area within and surrounding the PUD, lot and setback consideration, public needs and requirements, and health and safety factors;
 - (3) Provide flexibility in design to take the greatest advantage of natural and protected resources, land, trees, living species, historical and other features;
 - (4) Allow a variety of housing types and compatible neighborhood arrangements that promote residential diversity and a larger selection of living environments and living units;
 - (5) Provide the developer sufficient freedom to take a creative approach to the use of land and related physical development, as well as utilizing innovative techniques to enhance the visual character of the community; and
 - (6) Design the environment in a multi-modal manner that enhances pedestrian, bicycle, and transit connectivity within the development and in connecting to the surrounding community.
- B. Permitted uses:
- (1) Any permitted use, special use, or accessory use in any zoning classification listed within the County's LDC, including, manufactured buildings or manufactured homes, may be considered in a PUD, provided the proposed use is consistent with the County's future land use designation for the site, and the provisions of the LDC for each use.
 - (2) Uses identified as ordinarily requiring a Special Use Permit in the Division may be authorized as permitted within all or a part of a PUD without the necessity of a separate SUP application, [Division 2.8](#) review and approval as long as the following apply to the requested use:
 - (a) The special use is identified for inclusion within the PUD as part of the PUD Conceptual Plan materials,
 - (b) The special use is accessory to and completely internal to the PUD wherein the internal location is sufficiently internal to the PUD that the location(s) of the special

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

- use are setback equal to, or greater than, any required supplemental minimum surrounding property owner public notice area and/or any related protection zone for that use (e.g., telecommunications tower, wellhead protection area, etc.), and
- (c) The special use is consistent with the Comprehensive Plan, demonstrates compliance with the general SUP application review criteria listed in [Sec. 2.8.2.C](#), and demonstrates compliance with any specific requirements applicable to that special use as may be listed elsewhere within this Code.
- (3) Owners of parcels within the PUD may subsequently request the authorization of additional special uses following approval of the PUD by undertaking the SUP application process for the proposed additional use without applying for an amendment to the PUD
 - (4) As part of any PUD, the PUD shall set forth the permitted uses and all incorporated special uses by using one or more of the following methods, provided the uses are consistent with the PUD site's Comprehensive Plan future land use designations and their provisions of this section:
 - (a) Incorporate by reference one, or more, of the standard zoning classifications as listed elsewhere in this Division.
 - (b) Provide an independent specific list of uses for the PUD,
 - (c) Provide an independent specific list of prohibited uses for the PUD.
 - (5) For the PUD, the intended character of the PUD shall be identified, including the structure types, architectural styles, ownership forms, amenities, and community management form (e.g., property owner association, community development classification, municipal service unit, ~~etc.~~) or suitable alternative, all of which must be approved by the Board upon final consideration of the PUD approval.
- C. Minimum project size. The minimum acreage requirement for a PUD classification is ½ half acre, and all acreage must be under common ownership or control at the time of submitting for and obtaining approval of a rezoning application for a PUD zoning.
- D. Density/Intensity:
- ~~(1)A-~~ Maximum. The maximum allowable density/intensity for a PUD cannot exceed that established by the Comprehensive Plan Future Land Use Designation(s) for the site, along with any density or intensity bonuses and/or transfers acquired for the site as enabled by the Comprehensive Plan and the LDC; however, if the PUD site is vested for a higher density/intensity as established consistent with the Comprehensive Plan and the LDC, the PUD may propose densities and/or intensities consistent with the vested status.
 - ~~(2)B-~~ Approval. The final maximum density/intensity permitted shall be established by the Board upon recommendation of the Development Review Committee and the Planning and Zoning Commission. The Board is not obligated to authorize the maximum density/intensity as potentially allowed by the Comprehensive Plan future

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

land use designation(s) and/or bonuses and/or transfers acquired for the PUD site. The criteria for establishing a maximum density/intensity includes existing zoning, adequacy of existing and proposed public facilities and services, site characteristics, and the requirements of the Comprehensive Plan for any residential or non-residential land use involving the area in question, with additional focus on the compatibility of the PUD's proposed uses with the adjoining and surrounding properties.

~~(3)G.~~ Increases. Density/intensity increases may be attained through any of the following methods, consistent with the Comprehensive Plan and LDC provisions:

- (a) Transfer of Development Rights (TDR) Program (Division 3.4),
- (b) Transfer of Vested Rights (TVR) Program (Division 3.4),
- (c) Rural Land development density bonuses (Sec. 3.3.3).

~~(4)D.~~ Blending. The Comprehensive Plan Future Land Use Element Table 2-1 - Urban Area Low Residential, medium Residential, High Residential, Urban Residential, Commercial, Employment Center, and Commerce Center Increases. Density/intensity increases may be attained through any of the following methods, consistent with the Comprehensive Plan and LDC provisions.

~~(5)E.~~ Averaging.

- (a) The gross amount of density/intensity of uses in a PUD may be allocated to any area of the total PUD site; however, proposed uses that are subject to the special setback and/or protection zone/area requirements shall be required to comply with those applicable standards as established within the Comprehensive Plan and this Code both within, and to areas outside the boundary, of the PUD.
- (b) The PUD may propose alternative setback and/or protection zone/areas meeting the intent of the Code for uses internal to the PUD site as part of the PUD review and consideration, subject however to the Comprehensive Plan.
- (c) If the PUD is for a cluster type project that must be enabled as a PUD as established by the Comprehensive Plan (e.g., Rural Residential Cluster or Hamlet Division 3.3), then the PUD shall be subject to compliance with the applicable natural open space preservation requirements, with the remaining lands available for development then being eligible for density and/or intensity averaging, subject to any special requirements of the particular PUD cluster type as required by the Comprehensive Plan and this Code.

~~(6)F.~~ Perimeter Buffer. Whenever a PUD abuts existing development with lower density and/or intensity land uses, the Board may impose special perimeter buffer requirements to maintain compatibility with the existing adjoining use. The PUD must comply with the minimum buffer requirements as established in this Code, or

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

an alternative design meeting the intent of the Code may be proposed for consideration. If an alternative design is proposed, the proposal shall include, at a minimum, scaled typical vertical and horizontal cross-sections of the buffer, including depictions of all proposed alternative buffer improvements and scaled representations of the existing principal structures and improvements that are located on the adjoining properties being buffered from the PUD.

E. Site Development Standards:

(1) Access.

- (a) Vehicles. All properties resulting from a PUD shall have paved access to paved public or private street right-of-way; however, ingress/egress or cross-access easements may be proposed as an alternative to a right-of-way as part of the PUD, provided all access is paved.
- (b) Non-vehicular. The PUD shall include pedestrian and/or bicycle facilities internally to address internal circulation needs and externally to provide for integration of the PUD to surrounding existing for future facilities.
- (c) Multi-modal. The PUD shall include multi-modal design accommodating pedestrian, bicycle, transit, and vehicular access focusing on integrating the modes with the proposed PUD uses and expected activity levels and/or focus (e.g., employment, residential, institutional, etc.).
- (d) Parking and loading. Parking and loading spaces shall be provided consistent with the requirements for developed uses as listed in [Section 6.11.8](#); however alternative parking and loading standards may be proposed, provided such standards are based on accompanying technical information and analysis provided by a qualified professional. The use of shared parking is encouraged, along with the integration of parking as part of a multi-use structure as provided in [Section 4.2.6.D\(8\)](#).
- (e) Utilities. All appropriate utility infrastructure shall be made available to and provided for the PUD.
- (f) Stormwater. All appropriate and necessary stormwater infrastructure shall be provided for the PUD development to ensure compliance this Code.
- (g) Minimum construction. All access, regardless of mode and/or infrastructure, shall be provided in compliance with the requirements of [Article 6](#).

(2) Easements:

- (a) Provision. Easements shall be provided to address the maintenance and upkeep of all PUD infrastructure (e.g., Stormwater systems, utilities, etc.) and/or when necessary to allow adjoining property owners reasonable access for the maintenance and upkeep of improvements (e.g., access for zero-lot line structure, etc.). Any easements necessary shall be provided, established, and conveyed consistent with the provisions of Article 6.

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

(b) Encroachment. No principal or accessory structure may be erected, placed upon, or extend over any easement unless authorized in writing by the entity holding title to said easement, with such authorization being recorded in the Marion County Official Records. Such authorizations may include, and are encouraged to set forth, terms and conditions, regarding the easement encroachment (e.g., duration, maintenance, removal, sunset, etc.) for reference by all current and future parties.

(3) Setbacks and separations:

- (a) All PUD setbacks and separations shall be set forth with the PUD, and be identified in a manner that addresses principal and accessory structures for all setback directions and separations as follows:
 - 1. Similar to the authorization of uses in [Section 4.2.6.A\(4\)](#), the PUD may use or reference an existing standard zoning classification's setback standards or propose alternative setbacks.
 - 2. The front yard setback for all PUDs shall ensure the safe and effective provision of services, maintenance, and support of the PUD development (e.g., multi-modal access, utility lines, landscaping, etc.).
 - 3. All setbacks for principal and accessory structures shall be provided in both typical illustration and table format. The typical illustration and table shall be included on all development plan submissions as related to the development type, and shall particularly be provided on the Master Site Plan and/or Final Plat Plan.
- (b) All setbacks shall be measured from the foundation, walls, or similar building structural support components and/or habitable areas; however eaves, roof overhangs, and other similar non-habitable architectural features may encroach or protrude by not more than two feet into any required setback.
- (c) Building pop-outs, cantilevers, and/or other extensions that project outward from the principal structure, particularly those that make up habitable space, shall comply with established principal structure setbacks; however, the PUD may propose authorized encroachments not to exceed two feet into any setback, subject to compliance with building construction standards (e.g., fire code) for the encroachment structure, except no encroachment into an established front yard setback is permitted.
- (d) Structure to structure.
 - 1. Separations between structures shall comply with the setbacks set forth for the PUD.
 - 2. In the event specific setbacks are not be applicable (e.g., multiple-family development), then the following shall apply:
 - a. At a minimum, structures on the same property shall be separated by a minimum of ten feet, In the event a dedicated easement is between the structures, the separation between structures shall be increased to provide a

minimum of five feet of separation from each structure to the boundary of the easement, and

- b. All structures shall comply with applicable fire code and building code separation and/or construction requirements.

(4) Heights:

- (a) All PUD maximum heights shall be set forth with the PUD, and be identified in a manner that addresses height limits for all principal and accessory structures as follows:

1. Similar to the authorization of uses in [Section 4.2.6.A\(4\)](#), the PUD may use or reference an existing standard zoning classification's maximum height standard or propose alternative height limits.
2. The maximum height limit for all PUDs shall be seventy-five feet; however, an alternative maximum height limit may be proposed, subject to ensuring the safe and effective provision of services, maintenance, and support of the PUD development (e.g., fire service/ladder truck) and the provision of sufficient buffering to surrounding uses both within and outside the PUD.
3. All maximum height limits for principal and accessory structures shall be provided in both typical illustration and table format. The typical illustration and table shall be included on all development plan submissions as related to the development type, and shall particularly be provided on the Master Site Plan and/or Final Plat Plan.

- (b) Dissimilar Uses:

1. Residential and non-residential. When commercial, industrial, or institutional uses are provided within a PUD within 100 feet of the boundary edge of the PUD, the following shall apply to that development when the abutting existing use or zoning classification outside the PUD is residential:
 - a. A non-residential structure may not exceed a height that is twice the height of the closest existing abutting residential structure; however, the height of the non-residential structure shall also not exceed the maximum height allowed in the abutting residential zoning classification.
 - b. If the residential zoned land directly adjacent to the PUD is vacant land, then the height of a non-residential structure within the PUD shall not exceed the maximum height allowed in the abutting residential classification.
 - c. An alternative height limit may be proposed; however, it is the PUD applicant's responsibility to fully demonstrate the alternative will be sufficiently mitigated to address potential impacts of the increased height of the non-residential use in relation to the existing residential use and/or residential zoning classification; however, the Board is not obligated to agree and/or accept the alternative proposal.
2. Single-family and multiple-family residential. When multiple-family residential uses are provided within a PUD within 100 feet of the boundary edge of the

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

PUD, the following shall apply to that development when the abutting existing use is a single-family use or the zoning classification outside the PUD permits only single-family residential uses:

- a. A multiple-family structure may not exceed a height that is twice the height of the closest existing single-family residence; however, the height of the multiple-family structure shall also not exceed the maximum height allowed in the abutting residential zoning classification.
 - b. If single-family residential classification zoned land directly adjacent to the PUD is vacant land, then the height of a multiple-family structure within the PUD shall not exceed the maximum height allowed in the abutting residential single-family residential classification.
 - c. An alternative height limit may be proposed; however, it is the PUD applicant's responsibility to fully demonstrate the alternative will be sufficiently mitigated to address potential impacts of the increased height of the multiple-family residential use in relation to the existing residential use and/or residential zoning classification.
- (5) Outdoor Lighting. Outdoor lighting shall be provided to support and encourage a safe and secure environment within the PUD, while limiting potentially adverse impacts within the PUD and to surrounding properties as follows:
- (a) Illuminate the following:
 1. Potentially dangerous and/or hazardous locations to promote and maintain health and safety (e.g., roadway intersections, cross-walk locations, etc.).
 2. Structures and facilities to discourage and deter criminal activity (e.g., loading docks, utility facilities, etc.).
 3. Structures and facilities consistent with their authorized hours of operation (e.g., recreation facilities, business, etc.).
 - (b) All lighting shall be installed in a manner to illuminate the identified structure, facility, or activity while ensuring the lighting does not cast direct light on adjacent dwellings or properties in a negative manner, or cast light in an upward manner so as to illuminate the night sky and/or become a hazard to air navigation.
 - (c) All outdoor lighting shall be provided consistent with the provisions of [Section 6.12.14](#) and [Division 6.19](#).
- (6) Buffers. Buffers shall be provided externally and internally, between the PUD and surroundings and between internal PUD uses, in order to maintain compatibility between uses and avoid and/or limit adverse impacts between uses and nuisance situations as follows:
- (a) Buffers shall be provided between the proposed PUD uses and the PUD's surroundings, and between the PUD's internal uses, in a manner that conforms to the requirements of Section 6.8.6; however, a PUD may propose alternative buffer standards and designs provided the intent of the buffer requirement is satisfied,

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

- (b) A PUD may propose the elimination of internal buffers within the PUD; however for significantly dissimilar uses (e.g., residential versus industrial), mechanisms to ensure future PUD residents and occupants are aware of the elimination of such requirements may be required in response to such a proposal.

(7) Open Space:

- (a) For a PUD implementing a Rural Land - Residential Cluster, Rural Land - Hamlet, or Rural Community development form as authorized by the Comprehensive Plan future land use element and Division 3.3, the PUD shall be subject to the following:

- ~~(b)~~ 1. The PUD shall identify all the required natural open space (NOS) acreage to be permanently conserved consistent with the Comprehensive Plan and this Code, with particular attention to Sec. [6.6.6.A.](#), along with the intended form and/or method of conservation.

- ~~4.~~ 2. If the PUD is also subject to a native habitat vegetation preservation requirement as listed in [Section 6.6.5](#), the minimum 15% native habitat to be preserved should be included within the natural open space, thereby simultaneously complying with the NOS and native habitat conservation requirements; additionally, the applicant is encouraged to preserve as much of the native habitat within the NOS as possible.

- ~~2.~~ 3. The PUD shall provide a minimum of five percent improved open space as provided in [Section 6.6.6.B](#), with this improved open space being focused on satisfying the recreation facility needs of the PUD as listed in (c) below

For all other PUDs, whether residential, institutional, commercial, industrial, or mixed-use, improved open space (IOS) consistent with Section 6.6.6.B shall be provided as a minimum of 20 percent of the PUD gross land area.

(c) Design Criteria:

1. IOS shall be permanently set aside and shall be designated on the PUD and be established as separate properties/tracts to be owned and managed by a governing association for the PUD, whether a private property owners association, community development district, or municipal service unit, unless otherwise approved by the Board upon recommendation by the DRC.
2. The PUD's minimum required IOS amounts shall be listed on the PUD's related plans, and shall be depicted to depending on the level of development review, allowing for more general with conceptual and proceeding to detailed for platting and/or site planning.
3. IOS is intended to be integrated into the PUD design and provide the primary avenue for satisfying overall landscaping requirements for all development as required in [Divisions 6.7](#), [6.8](#), and [6.9](#).
4. IOS shall be integrated throughout the PUD to provide a linked access system to the IOS.
5. IOS shall be improved, including compatible structures, to the extent necessary to complement the PUD uses.

(d) Improved Open Space Eligibility Standards:

1. Landscape buffers required for the PUD perimeter to surrounding properties, and within the PUD to provide internal buffering shall be counted at 100 percent,
2. Parks, playgrounds, beaches, bikeways, pedestrian walks, equestrian trails, and other similar improved, usable outdoor areas shall be counted at 100 percent,
3. Up to 25 percent of stormwater facilities may be counted to satisfy area/acreage requirements for required IOS. A higher percentage may be approved by DRC, depending on the design and lay of the facility, wherein the stormwater facilities provide a stable, dry, surface for extended periods of time and are not subject to erosion and/or damage to key design components when subjected to active use by PUD residents, employees, and patrons.
4. Parking areas and road rights-of-way may not be included in calculations of IOS; however, separate tracts exclusive of rights-of-way providing landscaping buffers, or landscaped pedestrian, bicycle and other non-vehicular multi-use trails may be classified as IOS.
5. Waterbodies in the PUD may be used to partially fulfill IOS space or recreational space requirements in accordance with the following criteria:
 - a. Waterbodies available and used for active water oriented recreation uses such as boating, kayaking, canoeing, paddle boarding, fishing, water/jet skiing, and swimming may be used in calculations of IOS area of waterbodies but shall not exceed 50 percent of the total IOS; however the adjoining recreational lands supporting the active water oriented recreation uses may be counted at 100 percent.
 - b. Waterbodies not available or used for the noted active water oriented recreation uses may be used in calculations of IOS but shall not exceed 10 percent of the total IOS; however the adjoining recreational lands supporting the waterbody that are established as recreation/amenity space may be counted at 100 percent recreational space. Only those waterbodies which are available to the development for water oriented recreation use such as boating, fishing, water skiing, swimming and have associated recreational land areas may be used in meeting these requirements.
6. If golf courses and/or driving ranges are provided to partially fulfill recreation space requirements, a maximum of 60 percent of the golf course and/or driving range land may be counted toward the required IOS. A golf course, driving range, and waterbodies combined cannot exceed 75 percent of the required IOS.

(8) Maximum Commercial Use Area in a Residential PUD in a Residential Future Land Use Designation.

- (a) Ratio. Commercial uses may be provided within the PUD, at a ratio of two acres of commercial use area per each 250 dwelling units, with a minimum of 250 units required before any commercial use area may be authorized in the PUD.

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

- (b) Intensity. The type of commercial uses permitted in the commercial use area shall comply with the following:
 - 1. Those uses permitted in the B-1 (Neighborhood Business Classification) for projects of a size equal to or greater than 250 dwelling units but less than 800 dwelling units; and
 - 2. Those uses permitted in the B-2 (Community Business Classification) for projects of a size equal to or greater than 800 dwelling units.
 - 3. More intense commercial uses and special uses may be permitted by the Board upon review and recommendation of the Development Review Committee, consistent with [Section 4.2.6.A](#).
- (c) Internal. The commercial use areas shall be situated internally to the PUD and buffered so as not to create a detrimental effect on adjacent internal residential areas. Said areas shall be located so as to best serve the residents of the project. Said areas shall not be located at the perimeter of the project with frontage on or direct access to an existing functionally classified or major through road so as to attract a market substantially outside of the project; however, a PUD that provides for the creation of a new internal functionally classified or major through road which is not access controlled and is open and available to the public may establish the commercial use area along that roadway, subject to compliance with the traffic and access management provisions of [Divisions 6.11](#) and [6.12](#).
- (d) The commercial use area shall be specifically included in the development schedule.

F. Procedure for Rezoning to the Planned Unit Development (PUD) Classification

- (1) Pre-application stage. A pre-application meeting shall be conducted before a PUD rezoning application can be accepted.
 - (a) Pre-application meeting. The pre-application meeting is a service provided at no cost to the prospective applicant and is intended to provide for an informational exchange between the applicant and the administrative staff and will be arranged by the Growth Services Department. At a minimum, the applicant will be advised of the PUD procedures and requirements, forms, application materials, guidelines, checklists, the comprehensive plan, zoning and other land development regulations.
 - (b) The applicant need not submit any official plans, however, the more information provided to staff for the proposed PUD assists staff in providing guidance. At a minimum, the applicant is encouraged to present at least a sketch plan of the proposed PUD, as well as the following recommended items:
 - 1. Parcel number,
 - 2. Intent and character of the development,
 - 3. Legal property description and/or metes and bounds, especially if different from the description of the parcel number provided,
 - 4. A location and aerial map,

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

5. Total size of the project,
 6. Location and names of streets and right-of-ways,
 7. The number and type of residential units, if any, along with their intended ownership method, and
 8. The number and type of non-residential uses.
- (2) PUD Rezoning Application Submittal and Development Review.
- (a) Following the pre-application meeting, a Rezoning Application to a PUD classification shall be submitted pursuant to [Division 2.7](#), accompanied by a Conceptual Plan, Master Plan, Major Site Plan or Preliminary Plat.
 - (b) At a minimum, the PUD Rezoning Application shall be accompanied by a Conceptual Plan, in compliance with [Division 2.13](#) and this Section, along with accompanying documentation for review by the County Growth Services Department and shall provide documentation addressing the following:
 1. The name of the proposed PUD shall be centered at the top of the sheet along the long dimension of the sheet.
 2. Vicinity map that depicts relationship of the site to the surrounding area within a 1 mile radius.
 3. Drawing of the boundaries of the property showing dimensions of all sides.
 4. Provide the acreage of the subject property along with a legal description of the property.
 5. Identify the Comprehensive Plan future land use and existing zoning of the subject property and for all properties immediately adjacent to the subject property.
 6. Identify existing site improvements on the site.
 7. A list of the uses proposed for the development.
 8. A typical drawing of an interior lot, corner lot, and cul-de-sac lot noting setback requirements. For residential development, the typical drawings will show a standard house size with anticipated accessory structure.
 9. Proposed zoning and development standards (setbacks, FAR, building height, etc.).
 10. Identify proposed phasing on the plan.
 11. Identify proposed buffers.
 12. Identify access to the site.
 13. Preliminary building lot typicals with required yard setbacks and parking lot locations.
 14. Preliminary sidewalk locations.
 15. Proposed parallel access locations.
 16. Show 100 year floodplain on the site.
 17. Show any proposed land or right of way dedication.
 18. Identify any proposed parks or open spaces.

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

19. A note describing how the construction and maintenance of private roads, parking areas, detention areas, common areas, etc. will be coordinated during development and perpetually after the site is complete.
 20. Architectural renderings or color photos detailing the design features, color pallets, buffering details.
- (3) Recommendation. Following consideration of the development plan by the Development Review Committee (DRC), the DRC shall make a recommendation for approval, approval with conditions, or for denial to the Planning and Zoning Commission and to the Board. The rezoning and the corresponding development plan will then require public hearings before the Planning and Zoning Commission and Board of County Commissioners for approval.
- (4) Final Development Plans.
- (a) The final development plan (either entire project or phase), submission, shall include but not be limited to, a master plan, a major site plan, improvement plan, a preliminary plat and/or final plat, as deemed necessary for the specific project.
 - (b) The final development plan shall be in accordance with requirements of the Land Development Code and shall be considered by the DRC. At the direction of the Board, DRC, or Growth Services Director, the final development plan may be brought back to the Board for final action.
 - (c) If necessary, a final development plan (entire project or phase) may be submitted with the conceptual plan for consideration.
 - (d) Submittal of a Master Plan, Major Site Plan, Improvement Plan, Preliminary Plat and/or Final Plat for review will require the items listed above in B(1) for the Conceptual Plan submittal, plus the following additional items (as outlined under the table in [Section 2.11-1 "Application Requirements"](#)):
 1. Title block ([Sec. 2.12.3](#)).
 2. Front page requirements ([Sec. 2.12.4](#)).
 3. Concurrency (as per [Division 1.8](#)).
 4. Location of septic systems and wells.
 5. Boundary and topographic survey (1 ft. intervals for 100 ft. beyond project boundary).
 6. NRCS soil survey.
 7. USGS Quad map showing contributing watershed(s) and project boundary.
 8. National Wetland inventory map.
 9. Environmental assessment of listed species and vegetative communities onsite.
 10. Karst and geologic assessment on and offsite within 200 ft. of project boundary.
 11. Marion-friendly landscaped areas, parks, recreation areas and natural areas to be retained ([Sec. 2.12.21 and 2.12.25](#)).
 12. Traffic impact analysis.

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

13. Construction entrance and route plan.
 14. Photometric plan for non-residential development.
 15. Building elevation plans for non-residential development.
 16. Phasing plan, if proposed.
 17. Architectural renderings or color photos detailing the design features, color pallets, buffering details.
- G. Maintenance agreement. A developer shall file a legally constituted maintenance association agreement, or such documents as are necessary to show how the common areas are to be improved, operated and/or maintained. Such documents shall be subject to review by the County and shall be recorded in the office of the Clerk of the Circuit Court for Marion County.
- H. Conditions of Approval. The Growth Services Department staff, the Development Review Committee, and the Planning and Zoning commission may recommend to the Board that the PUD rezoning/development plan be approved, be approved subject to stated conditions, or denied. All conditions approved by the Board shall functionally be deemed included as part of approving any PUD development plan by the Board.
- I. Granting of PUD Zoning. Upon approval of the PUD zoning by the Board, a Final Development Plan may proceed for final DRC approval. A Conceptual Plan shall not be required to obtain further DRC review unless the Board requires revisions to the plan.
- J. PUD Time Limits.
- (1) The Board may establish time limits for the submittal of a master plan, major site plan, preliminary plat, or final plat for the development of an approved conceptual plan.
 - (2) Any such time limits may be extended by the Board for reasonable periods upon the petition of the developer for an amendment to the conceptual plan and based upon good cause, as determined by the Board; provided that any such extension of time shall not automatically extend the normal expiration date of a building permit, site plan approval, or other development order. If time limits contained in the approved development plan are not completed or not extended for good cause, no additional permits will be approved.
 - (3) Time limits for completion and close out of master plans, major site plans, preliminary plats, and final plats once approved shall be according to [Article 2](#) of this Code Review and approval procedures:
- K. PUD Amendments:
- (1) Changes to the plan of development which will affect the following items shall be subject to review and approval by Development Review Committee:
 - (a) Changes in the alignment, location, direction or length of any internal local street,
 - (b) Changes or adjustments in lot or parcel development standards which do not reduce the minimum lot or parcels standards listed in item (a)3,
 - (c) Changes in commercial gross leasable areas (GLA) for individual lots or tracts which do not result in increased overall GLA square footage,

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

- (d) Changes in industrial building square footage or lot coverage percentage which do not result in increased overall building square footage or total lot coverage percentage,
 - (e) Changes in mixed use land uses and overall dwelling unit densities, or commercial GLA square footage or industrial building square footage or total lot coverage percentage, which do not result in an increase to the above categories,
 - (f) Reorientation or slight shifts or changes in building or structure locations including setbacks,
 - (g) Major changes listed below which are subject to final review and approval by the Board.
- (2) Changes which will modify or increase the density or intensity of items shall be subject to review and approval by the Board through the PUD rezoning application process.
- (a) Intent and character of the development.
 - (b) Location of internal and external arterial or collector streets and connection points between and to those streets within the development.
 - (c) Minimum lot/parcel sizes including heights or project design standards based on use such as residential vs. non-residential.
 - (d) Building setbacks.
 - (e) Dwelling unit types or mixes and maximum development density and units.
 - (f) Maximum commercial gross leasable areas (GLA) for individual lots or tracts and project wide.
 - (g) Industrial building square footage or lot coverage percentage for individual lots or tracts and project wide.
 - (h) Minimum size and general location of common open space including buffer areas or zones and method of ownership and maintenance.
 - (i) Conservation open space areas with intended method of preservation ownership or maintenance.
 - (j) Location of water and sewage facilities.

L. Timing.

- (1) The Preliminary Plat or Major Site Plan for the first phase of development shall be submitted within five calendar years after approval of the PUD Zoning and/or the Master or Conceptual Plan by the Board.
- (2) Construction Commencement. Construction of a development under a PUD shall commence within five years from the date of passage of the ordinance approving the granting of the PUD rezoning, and shall proceed to completion in accordance with the phasing program, if any contained, within the approved PUD materials.
- (3) Upon written application, the Board may authorize extensions of any time period specified hereinabove, at any time prior to the expiration of such time period but each such extension shall not exceed one year at a time.

Green Underline = Added Text

~~Red Strike-Out~~ = Deleted Text

M. Revocation.

- (1) A PUD shall be deemed revoked if one or more of the following circumstances occurs:
 - (a) The application for approval of the final development plan is not filed within five years from the date of approval of the Preliminary Plat or Major Site Plan,
 - (b) Construction does not commence within five years from the date of approval of the final development plan,
 - (c) For a PUD with a phasing plan, the initial phase of construction has not commenced within five years of the approval of the PUD,
 - (d) The construction of any of the subsequent phases has not commenced or is not completed in accordance with the terms of the phasing plan,
 - (e) The developer requests revocation of the PUD.
- (2) Revocation of a PUD Special Use. A special use authorized within a PUD as part of the approved PUD pursuant to [Section 4.2.6.A\(2\)](#) shall be subject to revocation and removal from the PUD's authorized uses by the Board under any of the following circumstances:
 - (a) Failure to submit the final development plan within five years from the date of approval of the Preliminary Plat or Major Site Plan; or
 - (b) Failure to commence construction of the proposed use within five years from and after the date of the filing of the final plan.
 - (c) Following the issuance of occupancy permits, abandonment, or other failure to utilize the property for the purposes permitted by the PUD special use for a period of two months out of any consecutive six month period.
 - (d) Failure to meet the PUD development plan and/or conditions as approved for the special use and PUD development plan shall constitute grounds for the repeal of the PUD and/or PUD special use approval by the Board of County Commissioners.

A PUD plan that expires or is revoked shall cause the property to revert to the zoning classification that existed prior to the rezoning of the PUD, and any Special Use approved and permitted onsite at the time of the expiration or revocation shall no longer be considered valid onsite.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017; Ord. No. 19-27, §§ 1, 2(Exh. C), 11-26-2019)