

300 PLANNED UNIT DEVELOPMENTS

- 300.1 The purpose of the planned unit development (PUD) process is to provide for higher quality development through flexibility in building controls, including building height and density, provided that a PUD:
- (a) Results in a project superior to what would result from the matter-of-right standards;
 - (b) Offers a commendable number or quality of meaningful public benefits; and
 - (c) Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan.
- 300.2 While providing for greater flexibility in planning and design than may be possible under conventional zoning procedures, the PUD process shall not be used to circumvent the intent and purposes of the Zoning Regulations, or to result in action that is inconsistent with the Comprehensive Plan.
- 300.3 A PUD case shall be heard by the Zoning Commission and follow the contested case procedures of Subtitle Z, Chapter 4.
- 300.4 A PUD application may include a related zoning map amendment. A PUD-related zoning map amendment is valid only in combination with and contingent upon a project being built and operated under the conditions of a PUD approval. PUD-related map amendments establish no precedent for the Zoning Commission's consideration of permanent changes to the zoning of the PUD site or adjacent areas or for consideration of future PUDs.
- 300.5 A comprehensive public review by the Zoning Commission of a PUD is required in order to evaluate the flexibility or incentives requested in proportion to the proposed public benefits.
- 300.6 The Zoning Commission may approve a PUD application with or without modifications. In carrying out the purposes of this chapter, the Zoning Commission may establish general standards and, in individual cases, set standards and conditions for height and bulk lesser or greater than the standards established for the affected districts in this chapter or elsewhere in this title.
- 300.7 The Zoning Commission may also set appropriate time limits for benefits conferred as part of a PUD approval to ensure the construction of a proposed development in accordance with the conditions established.
- 300.8 Failure of an applicant to complete a proposed development as directed within the time limits set by the Zoning Commission or the Zoning Regulations shall result in the termination of the benefits granted under the application, and reversion of

the zoning controls to the underlying zone regulations.

- 300.9 The PUD process is available as an optional process that may be applied for by a property owner.
- 300.10 The PUD process shall not be used to reduce requirements for designated uses, specifically retail, service, entertainment, and arts uses established within a NC zone.
- 300.11 For the purposes of this chapter, any reference to “zone” or “zone district” shall mean the zone district or districts in which the PUD site is located, unless a PUD-related map amendment is requested, in which case the reference shall mean the zone district or districts in which the PUD site will be located if the map amendment is granted.

SOURCE: Final Rulemaking published at 63 DCR 2447, 3454 (March 4, 2016 – Part 2); as amended by Final Rulemaking published at 63 DCR 10932 (August 26, 2016).