
ARTICLE

16

EMPLOYMENT PLANNED DEVELOPMENT DISTRICT (EPD) RESIDENTIAL PLANNED DEVELOPMENT DISTRICT (RPD)

SECTION 1600

Intent

The intent of this Article is to provide a more flexible and creative zoning procedure, which offers a variety of land uses only if they are properly designed and community impacts are addressed. Unlike Article 15, this Article does not have an underlying zoning district. This article allows for the combination of differing uses not normally located near each other under conventional zoning, but would permit these combinations of uses if design standards or controls are in place to make the proposed uses compatible. Article 16 is established to allow an applicant the opportunity to design and construct a planned development, which ties more closely with all of the Elements in the Boone County Comprehensive Plan and encourages cluster development instead of suburban sprawl where convenience is the result of different uses locating next to each other. Clustered development is typically defined as the placement of structures (attached or detached), utilities and roads in close proximity to each other, which is normally not permitted under conventional zoning regulations or subdivision regulations in order to make cost effective use of infrastructure, to preserve or enhance certain natural characteristics of the land, and to create more substantial and useable open spaces. This unique type of development usually occurs as a result of the size of a parcel of land, the existing topography of a parcel, the high cost of public improvements, or other natural conditions of a parcel. Clustered development can be represented in many forms with regard to residential, recreational, commercial, office and industrial uses.

Article 16 is divided into two zoning districts or two different types of planned development. Briefly, Employment Planned Development (EPD) is a zoning district, which depicts a major employment center and may consist of industrial, office or commercial uses in a planned development setting. To a limited extent, residential uses may be permitted in an Employment Planned Development district. In contrast, Residential Planned Development (RPD) is a zoning district, which comprises a significant residential population and may consist of a variety of housing types such as but not limited to single-family detached lots, apartments, townhouses, landminiums, condominiums and duplexes in a planned development setting. To a limited extent, office, commercial and recreational uses may be permitted in a Residential Planned Development district.

The Employment Planned Development and Residential Planned Development districts allow flexibility in comparison to the remainder of the [Boone County Zoning Regulations](#) by offering innovative approaches and design to implementing the goals and objectives and other elements of the Boone County Comprehensive Plan and so consistent with the Boone County Comprehensive Plan. However, any exceptions to the normally applicable development standards in the Employment Planned Development or Residential Planned Development districts must be requested in writing in the Concept Development Plan application pursuant to Article 3. Those requirements relate to height, density, use, building configuration, building setbacks, open space, access, internal circulation, parking, lighting, signage, landscaping and utility construction. The objectives of this article consist of the following:

Objectives;

1. To provide a variety of housing types, employment opportunities and recreational and commercial services to achieve a balanced, cohesive and inter-related community;

2. To provide for an orderly and creative arrangement of land uses in relation to each other and to the entire community;
3. To allow for a mixture of land uses based upon the existing and planned road networks in order to assure safe and efficient transportation patterns;
4. To allow for a more efficient use of land by clustering development resulting in a smaller network of utilities and streets;
5. To provide some flexibility in building density and intensity of developable land;
6. To demonstrate that the proposed design and building layout would be more appropriate than what would be possible through the strict application of the zoning regulations;
7. To provide for functional, aesthetic and beneficial use of open space;
8. To preserve or protect the natural features of the site and public views;
9. To stage development of this type in a manner which can be accommodated by the timely provision of public utilities, public facilities, public services and public road improvements.

SECTION 1601

Provisions (Application and Procedure) Governing Employment Planned Developments and Residential Planned Developments

Because of the special characteristics of EPDs and RPDs, special provisions governing the development of land for this purpose are required. Whenever there is a conflict or difference between the provisions of this article and those of other articles of this order, the provisions of this article shall prevail. Subjects not covered by this article shall be governed by the respective provisions found elsewhere in this order or be modified under the authority of the Planning Commission. Existing planned developments either proposed by an applicant and approved by the appropriate legislative body or Fiscal Court or made as a result of the 1986 Update of the Boone County Comprehensive Plan, or a specialized land use and zoning study are subject to the provisions of the Article 15 of the Boone County Zoning Regulations and not subject to the provisions of this Article.

The EPD or RPD notation or designation on a parcel of land does not prohibit all uses. The EPD or RPD designation is intended to allow some uses compatible to the surrounding land uses, the intensity of such use or uses being subject to the review provisions of this Article. EPD and RPD districts shall be approved by the appropriate legislative body or Fiscal Court. EPD and RPD districts shall originate from the Planning Commission, appropriate legislative body or Fiscal Court or a private property owner. If a legislative unit and/or the Planning Commission initiates the rezoning of a parcel to EPD or RPD, the property owner will be required to submit a Concept Development Plan for action before the Planning Commission and the appropriate legislative body or Fiscal Court.

Upon approval by the Boone County Planning Commission and the appropriate legislative body or Fiscal Court, an EPD and an RPD may be applied in lieu of any other existing district in this order. Upon approval of the request and Concept Development Plan from the appropriate legislative body, the Official Zoning Map shall be annotated for the land area involved so that the district name includes the notation "EPD" or "RPD." These two planned development districts shall be approved by the legislative body or Fiscal Court in the manner provided in Article 3 of the Boone County Zoning Regulations.

SECTION 1602

Permitted Uses

In any proposed Employment Planned Development (EPD) or Residential Planned Development (RPD) district, the number and type of permitted uses are flexible if they are compatible with adjoining land uses, the objectives of this article and fit in with the character of the overall project. Each developer or applicant is required to define in detail the type of residential and employment uses. Commercial, office and indoor/outdoor recreational uses are permitted in a Residential Planned Development district only if they appear on a neighborhood scale and are oriented towards convenience of commercial, office and indoor/outdoor

recreational needs of the district's residents. Commercial, office and indoor recreational uses are allowed in a Residential Planned Development district at a maximum of 80 square feet of commercial/office/recreational use per one (1) residential dwelling unit or lot. There is no maximum limit on the amount of land devoted to outdoor or passive recreation (e.g. open space). Conversely, residential uses are allowed in an Employment Planned Development district to the extent permitted in the following table.

Total Acreage of Site	Use Cannot Exceed*
1-100 acres	15%
100+ acres	25%

*defined as land area uses devoted to residential uses

The developer or applicant may use those uses listed in any of the zoning classifications of this order so as to describe the type of residential, commercial, office or industrial use to occur in the appropriate planned development district. (e.g. discount retail, specialty retail, light industrial and office/research shall be further defined as to examples of typical tenants).

SECTION 1603

Minimum Size

The minimum size or area for an Employment Planned Development district or a Residential Planned Development district shall not be less than twenty (20) acres.

SECTION 1604

Minimum Standards and Amendments to Concept Development Plan

The Employment Planned Development district and the Residential Planned Development district shall be minimally subject to the supplemental performance and development standards, of this order, unless superseded by any special requirements, conditions or other particulars imposed by the Planning Commission during the Concept Development Planned application and hearing phases described in this article. Such special conditions may include but not be limited to provisions governing parking, signage, common open space, lands or facilities, disposition of open land, infrastructure provisions including any physical design and/or any other requirement found to be necessary, appropriate or desirable for the purposes of this district.

Amendments to the approved Concept Development Plan involving changes in the proposed uses, intensity, or other elements must be submitted to the Planning Commission for review and approval. The Boone County Planning Commission's Technical Committee will review and evaluate all changes. If the changes are deemed to be minor in nature, the Technical Committee may approve the changes and the applicant or developer may proceed with site plan review or subdivision review. If the changes are deemed to be major or substantial, then the applicant or developer shall be required to file an application before the Boone County Planning Commission for a change in a previously approved Concept Development Plan and a new Public Hearing will be scheduled in accordance with the provisions in this article.

SECTION 1605

Maximum Intensity and Density

Intensity is a unit of measurement defining the level of activity in acres or square footage of all uses in relation to the overall size of the entire site.

Density is defined as a unit of measurement involving a portion of an activity devoted to a specific use identified in acres or square footage in relation to a portion of an overall site.

Generally, The maximum building intensity for Employment Planned Development districts consists of the following:

Industrial/Office Uses = 20,000 s.f./acre
Commercial Uses = 15,000 s.f./acre

Greater intensities than these can be permitted if multi-story buildings and multi-level parking are utilized and the amount of green space can be shown to increase. Necessary infrastructure, including fire protection must be adequately provided.

Generally, the development intensity permitted in Residential Planned Development districts shall be consistent with the Future Land Use Map of the adopted Boone County Comprehensive Plan. Proposed developments shall be planned in clusters and provide an innovative design as outlined in the objectives and standards of this article. Greater overall development intensity may be granted if the development includes dedication of appropriate developable land for public facilities and/or public recreation uses in addition to preserving developmentally sensitive areas as open space. Any increase in intensity over that recommended by the Comprehensive Plan must be shown by the applicant to be appropriate in terms of infrastructure, adjacent land uses and zoning, and provision of public land.

SECTION 1606

Pre-Application And Procedure

The developer shall meet with the Boone County Planning Commission staff prior to the submission of a Concept Development Plan. The purpose of the meeting will be to discuss early and informally the purpose and effect of this order and the criteria and standards which may apply, and to familiarize the developer with the detailed objectives of the Comprehensive Plan and its elements, this order and this article.

Submittal and Contents of Application for Approval of a Zoning Map Amendment to EPD or RPD or Concept Development Plan in an existing RPD or EPD District.

The Planning Commission shall require that the Concept Development Plan and an application form be submitted for property located in a proposed EPD and RPD zone. The Concept Development Plan may be filed with the Planning Commission by the owner(s), owner by contract (option) or lessee of property for which the planned development is proposed. The contents of the Concept Development Plan submittal shall include the items listed in Section 303.

The Planning Commission and legislative body or Fiscal Court may recommend or approve the proposed Planned Development district subject to any conditions or qualifications found merited in the Concept Development Plan or other conditions on the site. The legislative body's or Fiscal Court's approval in principle of the Concept Development Plan shall constitute a commitment to the general layout of the project, the planned land use types and intensities, design treatments and other particulars as shown on the Concept Development Plan. Approval in principle shall not be construed to endorse engineering feasibility or plan elements that do not meet the development standards of this order or the Boone County Subdivision Regulations unless an exception is specifically granted through the review and approval of the Concept Development Plan. The Planning Commission may seek assistance in making its recommendation from any appropriate source.

Public Hearing by Planning Commission

Upon receipt of an application for approval of the planned development district request or Concept Development Plan, the Planning Commission shall hold at least one public hearing, within thirty (30) days of receipt of the application, after notice as required for amendment under Kentucky Revised Statutes, Chapter 424, as stated in Section 305 of this order.

SECTION 1607

Land Use Standards

No application or Concept Development Plan shall be approved for an Employment Planned Development district or a Residential Planned Development district under the provisions of this article unless each district and application fulfills the following standards.

1. The planned development shall generally conform to the adopted Comprehensive Plan with respect to type, character and intensity of use and impact on public facilities, services and road network. The intensity of planned residential developments, in particular, should be generally consistent with the Future Land Use Map designations for the area. Residential densities, however, shall be concentrated on portions of the site to leave open space on other portions. When applicable, the design mechanisms recommended in the "Development Layout, Lot Sizes, and Setbacks" section of the Comprehensive Plan's Land Use Element shall be employed. Deviation from the Comprehensive Plan is dependent upon whether the site is part of an urban service area for public infrastructure and upon the provision of public facilities, services and roads by the applicant to mitigate the impact of the proposed development on these infrastructure systems;
2. The planned development shall efficiently utilize the site, and shall protect and preserve the scenic assets and natural features by incorporating existing trees, streams, tree lines along property lines, cemeteries, and topographic features into the site design. The retention of such features may also fulfill portions of the Open Space and Recreational Uses and Landscaping requirements in Section 1609. The development shall include the provision that designated natural areas and developmentally sensitive areas as identified on the Future Land Use maps in the adopted Boone County Comprehensive Plan will constitute permanent open space or be dedicated to public or semi-public organizations for recreational or common use;
3. Where appropriate, the planned development shall include developable land that is unbuilt and be available for purchase or donation to public agencies for public recreation or public facility building sites. This provision of land can constitute one reason for increased development densities on portions of the site or even an increased overall development intensity in relation to the Boone County Comprehensive Plan, provided other public facilities and services are adequately provided;
4. The planned development shall not hinder nor deter development of surrounding undeveloped properties in accordance with the adopted Comprehensive Plan;
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sanitary sewerage are provided, or will be available and adequate for the uses proposed. The applicant shall make provision for such facilities or utilities which are not presently available or shall construct such facilities for the eventual connection into a public system.

This flexible approach to planned development is intended to provide an opportunity and incentive to the developer to achieve excellence in physical, social and economic planning. To be granted either one of the two types of planned development zoning districts, the property owner or developer must demonstrate the achievement of the above objectives and standards. In addition, a property owner or developer's request for a planned development would be assessed in terms of its impact on the existing conditions of the surrounding land uses, utility systems, road network and public facilities and services. This demonstration must be in written and/or graphic form as part of the Concept Development Plan submittal. In summary, the property owner or developer is responsible to present why the subject plan is unique and requires special consideration that can only be fulfilled by the EPD or RPD zoning district. Equally as important is that the property in question could be unique with certain qualities and/or amenities that warrant the special consideration of the EPD or RPD district. Proposed developments that cannot be shown to meet these standards may be more appropriately developed under conventional zoning districts.

SECTION 1608
Compatibility Assessment Standards

The proposed uses and Concept Development Plan in each planned development district shall be assessed in terms of compatibility of the existing conditions of the site. Each applicant or developer is required to address the following issues in a written and/or graphic manner.

1. How does the proposed project affect the natural features of the site (e.g. soils, topography, drainage areas)?;

2. Describe in detail the existing road network (e.g. Closest arterial road and/or interstate access) that would be used to travel to this proposed project. What is the condition of this road system? What is the expected impact of the proposed development on the public road system?;
3. Where is the closest public sanitary sewer line and water line, which could serve this site? What is the capacity of these lines and what would be needed to accommodate this development with existing lines?;
4. Indicate the location of schools, which would serve the proposed development. What impact would this development have on the school system? Indicate the availability and adequacy of police and fire protection services;
5. Demonstrate how the proposed project will impact vehicular traffic or parking in the area and at what level would traffic or parking conditions become unsafe;
6. Demonstrate how the proposed project will impact the view for adjoining property owners;
7. Demonstrate how the proposed project will impact storm water runoff;
8. Demonstrate how the proposed project will impact the demand for additional governmental services. (e.g. fire protection, police protection, etc.);
9. Demonstrate how the proposed project will affect the need for off-site public utilities.

SECTION 1609
Design Standards

The proposed uses and Concept Development Plan in each planned development district shall be assessed in terms of the design standards contained in this section. Each applicant or developer is required to demonstrate how the proposed Concept Development Plan fulfills the following design standards in a written and/or graphic manner. The Concept Development Plan shall fulfill the following criteria unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal.

1. Height: The height of any structure shall be compatible with the existing buildings in the area, and proposed structures within the project site, and meet airport clearance regulations.
2. Placement or location of buildings: Consideration should be given to the most appropriate location of buildings based upon access and direct visibility. The location of any building should not interrupt a continuous visual pattern from public view or a public street. Building location should be planned to accomplish a transition with the landscaped areas, pedestrian areas, and parking areas. Building setbacks can vary in order to allow appropriate building location. The setback on the perimeter of the planned development district shall be large enough to protect the privacy and amenity of adjoining uses both existing and anticipated.
3. Preliminary Building Design or Architecture: Building design should be designed in a compatible architectural style if part of a large commercial, residential, industrial or office center. Individual buildings not part of larger development should be compatible with surrounding structures. Sites which are subject to architectural requirements through adopted land use studies shall follow said requirements. All structures shall have a consistent design treatment on all facades. The unified architectural style or building design shall also apply to materials, colors, roof types and entrances, and shall include traditional, regionally influenced architectural forms and elements and shall allow variations within it. Traditional styles such as Georgian, Federal, I-House, Cape Cod, Craftsman, Tudor, Queen Anne, Italianate, early 20th century commercial structures, and local farm structures may be used as models. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic.

For attached or multi-family residential developments and commercial or office developments, the predominant building materials shall have a solid appearance, such as could be achieved with brick, stone, and architectural grade cast concrete products designed to replicate natural materials. Roof designs shall have a finished appearance through the use of three dimensional pitched roof forms with architectural grade roofing and/or the use of defined parapets with cornice lines. Long building facades and roof planes shall be interrupted through the use of three dimensional jogs in the building footprint and secondary roof forms such as hips, dormers, and gables. Such buildings shall include architectural detailing for cosmetic enhancement, largely use natural colors, and use a consistent design treatment on all facades. The use of architectural guidelines or building prototypes is required for all multi-phased projects.

Developments should be mixed-use in character with multi-level buildings where commercial services are proposed. Walkability must be planned for when locating commercial and residential uses in proximity to each other. Office and residential uses are strongly advocated above commercial uses in business districts to decrease dependence on the automobile.

4. Scale and Pedestrian Orientation: Consideration shall be given to the scale of each building and architectural detail, which relates to the size of an individual and the natural environment. In general, planned developments shall have a pedestrian scale and orientation. In rendering this decision, emphasis should be given to building mass and how it relates to open space.

In general, planned developments shall have a pedestrian orientation, where it is possible to live, work, shop, and play in the same immediate vicinity without a required dependence on the automobile. This may be accomplished through the use of comprehensive pedestrian circulation networks including multi-purpose paths and walks along main routes and open spaces such as stream corridors, between major destinations within the development and adjoining areas, secondary walk connections to the multi-purpose paths, the creation of a designed pedestrian environment including street trees in addition to other required landscaping, decorative street lights and other street furniture, and seating areas, and the use of integral curb walks where appropriate along streets. Disruptions in major paths due to street and drive intersections shall be minimal. Additionally in commercial areas, pedestrian orientation can be accomplished by placing buildings in close proximity to the street with parking areas to the side and rear of buildings, mixing uses within the same multi-story buildings, building entrances directly facing streets with reduced setbacks, architectural design which employs display windows, projecting signs, and awnings at street level, and designed outdoor seating and gathering spaces at the street level. Each development proposal must demonstrate in detail how the project will be made walkable throughout.

5. Elevation: The elevation of any site or structure should be determined by the grade of any existing or proposed public road. Consideration should be given to the relationship between the width and height of the front, side and rear elevation of any building from a public road. Exposed foundations and building elevations from a public street should be minimized.
6. Historic and Prehistoric Features: Historic features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
7. Paved Surfaces: Emphasis should be placed on preserving at a reasonable rate the amount of open space. The interior road system, sidewalk system, and parking lot should be designed with this in mind. Paved surface refers to cement, brick pavement, asphalt, cobblestone, or other similar type surfaces. Parking areas should be treated with decorative elements, fence, or wall extensions, plantings, berms as other means so as to screen parking areas from public view or soften their visual impact. Large parking lots shall be designed with landscaped islands. Parking lots and driveway aisles should be either asphalt or concrete. Landscaped entrances with trees and bushes should be encouraged near the entrances of any commercial, retail or industrial development and any structures used to demarcate entry points shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors.

8. Fences, Walls and Landscaped Berms: Consideration should be given to brick walls, fences and landscaped berms, which would produce a continuous cohesive wall of enclosure on a lot line or adjacent to a road. These fences, walls shall be designed and maintained in relationship with character of the surrounding land uses and structures.
9. Landscaping: Consideration should be given to the predominance of a quality and quantity of landscaping and an emphasis shall be given to streetscape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscaped areas, and quantity and quality of landscape materials) within the developed portions of the site. Landscaping details will be evaluated on the entire site and surrounding any proposed structure and shall be reviewed in relation to adjacent properties. A special attempt should be made to preserve the existing vegetation and scenic areas, if any and encourage additional open space for the public's benefit. Existing topography, significant tree cover, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article. Plantings should be used to soften the impact of parking and loading areas. Properly designed street tree plantings may be permitted to fulfill some landscaping requirements as part of an overall amenity package. Plant material should be selected on the basis of texture and color and for its ultimate growth to provide a visual screen for the public. The use of landscape design guidelines is required for multi-phased projects.
10. Open Space and Recreational Uses: Residential Planned Developments shall make a provision for preserving open space and devoting an appropriate portion of the site to meet the recreational (either active or passive recreation) needs of the residential population at a minimum, and such open spaces are strongly encouraged in Employment Planned Developments. These spaces may be provided in the form of greenways, parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space. The use of single loaded streets to provide greenways with multi-purpose paths, park areas, or to protect stream corridors, is strongly advocated. Any site proposed to be publically dedicated or donated for park or open space purposes shall comply with the appropriate legislative body's requirements for acceptance of such dedications or donations.
11. Signage: Signage should be designed to protect the visual order of any site and to minimize the impact of adjacent properties. Consideration should be given to the number, location, size and height of any building mounted sign or free-standing sign. A consistent signage theme shall be provided within a planned development. Except on residential areas, building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects.
12. Utilities: All utility service lines to the building and possible main lines to or within the site shall be located and installed underground. Alternatives may be possible if this requirement is economically infeasible.
13. Detention/Retention Ponds or Lakes: Large detention/retention ponds or lakes should be discouraged in the front yard or in an area subject to public view from a public street if not used both for stormwater management and aesthetic purposes. Smaller detention/retention ponds or lakes appropriately designed and landscaped should be encouraged and distributed throughout the site and may appear in the front yard or in an area subject to public view from a public street. Surface drainage and floodwater retention shall be planned to not adversely impact the adjoining properties.
14. Transportation Design: Principal vehicular access shall be from major streets and access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Maximum separation of vehicular traffic on major roads from pedestrian and recreational areas shall occur. The provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, and sidewalks, bicycle facilities) shall be provided in all planned developments unless physically unfeasible or unsafe. This shall include connections to adjoining properties and developments, and inter-connectivity within the development itself, and contain minimal use of cul-de-sacs or other dead-end types of streets only when necessary. Transportation connections shall account for the County's adopted Transportation Plan and any adopted greenway,

trails, bikeway, and/or pedestrian plans.

15. Multi-Modal Transportation System: Planned developments shall incorporate multi-modal transportation elements in the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc. Multi-modal facilities are encouraged to be combined with the pedestrian systems and open spaces described above.
16. Location of Land Uses: Land uses shall be located primarily for convenience to the service area and compatibility with the adjoining land uses. If conflicting land uses are intended to be located near each other, measures shall be taken to mitigate the impact of the uses upon each other.

SECTION 1610

Findings Necessary For A Zoning Map Amendment or Concept Development Plan Approval In An EPD Or RPD District

Each application shall conform to the criteria in Section 308 of the Boone County Zoning Regulations in presenting the basis for granting a Zoning Map Amendment or approval of a Concept Development Plan in an EPD or RPD district. In addition, each application shall be in conformance with the standards and requirements stated in this Article.

SECTION 1611

Action by Planning Commission and Legislative Unit

Within ninety (90) days of receipt of an application for a Concept Development Plan and after the public hearing required in this article has been conducted, the Planning Commission shall determine whether the Concept Development Plan is consistent with the intent, purpose, requirements and standards of this order; whether the proposed development advances the general welfare of the community and neighborhood, and whether the benefits, combination of various land uses, innovation of physical design, and the inter-relationship with the land uses in the surrounding area justify any deviation from standard district regulations as mentioned in the objectives section of this article. The Commission shall submit a recommendation to the legislative body or Fiscal Court for either approval or denial of the Concept Development Plan. The Planning Commission may seek assistance in making its recommendation from any appropriate source.

Final action for approval in principle, as described in Section 1606, or denial of an EPD or RPD zoning district or Concept Development Plan shall be made by the appropriate legislative body or Fiscal Court. After recommendation by the Planning Commission all materials constituting the record and recommendations of the Planning Commission shall be transmitted to the legislative body or Fiscal Court. Within ninety (90) days from the Commission's recommendation, the legislative body or Fiscal Court may take action to approve or deny the EPD or RPD zoning map designation or Concept Development Plan application. Approval shall be by ordinance. When an EPD or RPD zoning designation is approved, the subject property so zoned shall be respectively designated "EPD" or "RPD" on the Official Zoning Map. Upon approval of a Concept Development Plan to utilize either classification, the notation "CD" shall be placed on the Official Zoning Map. A Certificate of Land Use Restriction giving notice of the approval for the Concept Development Plan or EPD or RPD zoning district designation shall be filed within 30 days of final action as explained in Section 280. If disapproved, the legislative body or Fiscal Court shall state the reasons for disapproval.

SECTION 1612

Subsequent Reviews After Concept Development Plan Approval

After the appropriate legislative body or Fiscal Court has approved a Concept Development Plan in an EPD or RPD zoning District, the applicant or property owner may proceed through the subdivision review or site plan review approval process by the Boone County Planning Commission. Subdivision review requirements can be found in the Boone County Subdivision Regulations and site plan review requirements are outlined in the Boone County Zoning Regulations.