

ARTICLE VIII Planned Unit Development R-5

§ 148-76. Purpose.

The purpose of this district is to provide for the orderly development of larger parcels wherein a mixture of residential, commercial and recreational uses are permitted in a planned development that would be compatible with the local (or immediate) area. Additional purposes are to protect the agricultural areas, natural resources, water and shorelines of the County and to manage the building density in order to maintain the rural character of the County. Cluster development is encouraged and application of conservation design principles is required.

A planned unit development (PUD) shall be a project based upon a unified plan. The PUD shall be designed and constructed by a single owner or group of owners acting jointly, involving a related group of residences, recreational facilities and associated or incidental commercial uses.

§ 148-77. Goals of the Planned Unit Development District

The PUD zoning shall be granted to achieve the following objectives:

- A. To encourage unique and unified design and site planning of entire developments through the use of criteria which, when properly implemented, allow for flexibility in design and density bonuses.
- B. To preserve farmland and forests, yet provide the agricultural property owner the benefit of increased value of residential property in the County.
- C. To help meet the need for improved housing, commercial, recreational and institutional facilities.
- D. To increase the amenities readily accessible to all the residents of the development.
- E. To facilitate the conservation and preservation of natural resources.
- F. To facilitate the safest and most efficient and economical provision and maintenance of streets and utilities.
- G. To establish sound administration standards and procedures to achieve the above objectives.

§ 148-78. Use regulations.

To be inserted at a later date.

§ 148-79. Area and density regulations.

The area and density regulations are as follows:

- A. For lots containing or intended to contain permitted uses, the minimum lot area shall be 3/4 acre. Public water and sewer systems shall be exempt from area regulations.
- B. There shall be a net open space of at least 50% and shall contain no more than 35% impervious surfaces.
- C. Each multi-family building shall contain no more than 8 dwelling units.
- D. Low impact Development (LID) features shall be incorporated into the site design to maintain the pre-development hydrology in accordance with the requirements of § *TBD*.

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§ 148-80. Design standards

The following standards shall apply:

- A. The outer boundaries of each cluster group shall meet the separation distance requirements specified in §148-81.1.
- B. All dwelling units shall be grouped into cluster groups, each of which shall be separated by common open space.
- C. A plat may contain one or more cluster groups.
- D. Cluster groups shall be defined by the outer perimeter of contiguous lotted areas or abutting roads, and may contain lots, roads, and cluster group open space. When the development does not include individual lots, as in some multi-family dwellings, the outer perimeter shall be defined as an area encompassed by a line drawn around the units, no point of which is less than 100 feet from any unit.
- E. Cluster groups shall be defined and separated by common open space in order to provide direct access to common open space and privacy to individual lot or yard areas. Cluster groups may be separated by roads if the road right-of-way is designed as a parkway.
- F. All lots in a cluster group shall take access from interior roads.
- G. In locating cluster groups, disturbance to woodlands and individual mature trees shall be minimized.
- H. Safe and convenient pedestrian access and access for maintenance purposes no less than 50 feet in width shall be provided to common open space areas.
- I. Vegetative buffers are required to provide screening.
 - (1). A planted buffer area at least 25 feet in width and 8 feet in height meeting the landscaping and screening standards of § *TBD* shall be established within all required separation areas between external roads and cluster groups and along all boundaries.
 - (2). Planted buffers within separation areas between cluster groups are encouraged to enhance privacy and a rural appearance between lots.
 - (3). Buffers consisting of an informal arrangement of native plant species combined with infrequent mowing are strongly encouraged, to create a low-maintenance, natural landscape.
 - (4). A buffer strip consisting of natural or supplemental woody vegetation at least thirty-five (35) feet in depth shall be provided between any lot within the development, and any lot, parcel or tract of land located outside the development. Such buffer strips shall meet the landscaping and screening standards of § *TBD*.
- J. Residences may be located in the same building with a commercial establishment. Residences can be above the business, below it, or attached to it. Residence portion of the shared building must conform to building codes for residential structures.
- K. A Property Owners Association (POA) shall be established.

§ 148-81. Allowable cluster densities.

1. Cluster development.

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Separation Distances for Cluster Groups. Cluster groups shall be established in accordance with the design standards of § 148-80 and shall meet the following separation distances:

The outer boundaries of all cluster groups shall conform to the following separation distances:

- (1) From existing primary or secondary road rights-of-way: 100 feet.
- (2) From existing scenic highways or rustic roads: 100 feet.
- (3) From all perimeter subdivision boundaries: 100 feet.
- (4) From cropland: 100 feet.
- (5) From pasture land housing livestock operations: 300 feet.
- (6) From other cluster groups: 100 feet.
- (7) From wetlands or tidal shoreline: 100 feet
- (8) From active recreation areas, such as courts or playing fields: 100 feet.

2. Farmsteads

When one of the purposes of the subdivision is to preserve land for agriculture or forestry, the open space, excluding the internal open space as defined in Section § 148-79, shall be established as a single agricultural lot and prevented from further subdivision through appropriate conservation dedication or other procedures.

§ 148-82. Minimum setback and yard requirements.

A. Residential- Single Family and Accessory Structures

(1). Structures shall be located 35 feet or more from any street right-of-way which is 50 feet or greater in width or 60 feet or more from the center line of any street right-of-way less than 50 feet in width. This line shall be known as the "setback line." Required parking may be located in a front yard, but not closer than 20 feet to the ultimate street right-of-way in order to provide room for pedestrian sidewalks or biking pathways.

(2). *Rear*. The minimum rear yard for the main structure shall be 25 feet. The minimum rear yard for each accessory structure shall be eight feet.

(3). *Side*. The minimum side yard for the main structure shall be 10 feet, and the total width of the two required side yards shall be at least 20 feet. The minimum side yard for each accessory structure shall be four feet.

(4). Corner Lots

(a). The side yard on the side facing the side street shall be 35 feet or more for both main and accessory buildings.

(b). For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line of 100 feet or more.

B. Residential- Multi-family and Accessory Structures

(1). Structures shall be located 35 feet or more from any street right-of-way which is 50 feet or greater in width or 60 feet or more from the center line of any street right-of-way less than 50 feet in width. This line shall be known as the "setback line." Required parking may be located in a front yard, but not closer than 20 feet to the ultimate street right-of-way in order to provide room for pedestrian sidewalks or biking pathways.

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- (2). *Rear*. The minimum rear yard for the main structure shall be 25 feet. The minimum rear yard for each accessory structure shall be eight feet.
- (3). *Side*. The minimum side yard for the main structure shall be 10 feet, and the total width of the two required side yards shall be at least 20 feet. The minimum side yard for each accessory structure shall be four feet.
- (4). The minimum distance between the ends of each row of multi-family structures shall be 40 feet.
- (5). Corner Lots
 - (a). The side yard on the side facing the side street shall be 35 feet or more for both main accessory buildings.
 - (b). For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line of 100 feet or more.

C. Commercial and Accessory Structures.

- (1). Structures shall be located 35 feet or more from any street right-of-way which is 50 feet or greater in width or 60 feet or more from the center line of any street right-of-way less than 50 feet in width. This line shall be known as the "setback line." Required parking may be located in a front yard, but not closer than 20 feet to the ultimate street right-of-way in order to provide room for pedestrian sidewalks or biking pathways.
- (2). *Rear*. The minimum rear yard for the main structure shall be 25 feet. The minimum rear yard for each accessory structure shall be eight feet.
- (3). *Side*. The minimum side yard for the main structure shall be 10 feet, and the total width of the two required side yards shall be at least 20 feet. The minimum side yard for each accessory structure shall be four feet.
- (4). Commercial setbacks from residential structures when not attached or on the same property.
 - (a). Principal —principal: Forty-five (45) feet.
 - (b). Principal —accessory: Thirty (30) feet.
 - (c). Accessory —accessory: Twenty (20) feet.
- (5). Corner Lots
 - (a). The side yard on the side facing the side street shall be 35 feet or more for both main and accessory buildings.
 - (b). For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line of 100 feet or more.

§ 148-83. Streets, sidewalks and bikeways.

- (A). All streets located within the PUD District shall be constructed in conformance with Virginia Department of Transportation subdivision road standards.
- (B). Sufficient width shall be given on the shoulder of all streets to accommodate bikeways. The bikeways shall be designed to connect clusters, adjacent property bikeways, and cul-de-sacs where possible

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(C.) Curbs and gutters or swales shall be installed along both sides of all new streets within the development consistent with meeting County stormwater and LID design. However, should a new street act as a boundary for multi-family or townhouse developments, curb and gutter or swales need only to be installed on the side of the street adjacent to the development.

(C.) Sidewalks of at least four feet in width, constructed of rigid pervious materials shall be installed along all public roads and shall be installed from parking areas to all multi-family and commercial building structures served by such parking areas.

§ 148-84. Utilities.

All utilities serving the development, including sanitary sewer, water, electrical transmission lines and telephone lines, shall be either centralized or public in nature and shall be placed underground. The costs related to the provisions of maintenance of such utilities shall either be borne by the developer or the residents of the development through the Property Owners Association. Public or centralized sanitary sewer and water systems shall be constructed in accordance with the VA Department of Health requirements.

§ 148-85. Parking.

(A). There shall be provided, either in a private garage or on the lot or in a joint facility or as an integral part of the multi-family building, space for the parking of two (2) automobiles for each dwelling unit in a new building or each dwelling unit added in the case of the enlargement of an existing building. Any joint parking facility shall include such deed restrictions as are necessary to determine ownership and maintenance of common parking facilities and methods of assigning charges for maintenance, snow removal and repairs. One-half of a parking space per dwelling unit shall also be provided for visitors so as to preclude the necessity for parking on public roads.

(B). All access drives shall be at least 15 feet from any building on the lot and from exterior lot lines, however shared access drives are permitted.

(C). Entranceways and exitways to parking areas shall have a minimum width of 12 feet for each lane of traffic entering or leaving the site but shall at no time exceed 30 feet in width at the street line.

(D). All dead-end parking lots shall be designed to provide sufficient back-up area for the end stalls of the parking area.

§ 148-86. Lighting.

Lighting for buildings, access ways and parking areas shall be so arranged as not to reflect toward public streets or surrounding property owners or residents and as required by §TBD.

§ 148-87. Height regulations.

A. Buildings may be erected up to a maximum height of 35 feet. The height limit for buildings may be increased 10 feet, provided that there are two side yards for each permitted use, each of which is 10 feet or more, plus one foot or more of side yard for each additional foot of building height over 35 feet. Chimneys, flues, cooling towers, water towers, church spires, belfries, cupolas, flagpoles and radio, television or communications aerials/towers not normally occupied are excluded from this limitation.

B. A public or semipublic building such as a school, church, library or hospital may be erected to a height in excess of 45 feet after public hearing and conditional approval by the Board of Supervisors. Increased frontage, side and rear yards may be required.

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- C. No accessory building which is within 10 feet of any party lot line shall be more than one story high.

§ 148-88. Septic regulations. Any development under the PUD shall be connected to centralized or public sewer and water.

§ 148-89. Signs.

Signs shall conform to Article TBD of this ordinance.

§ 148-90. Administration.

A. Applicant. The applicant for PUD zoning shall be the owner of the site, or if more than one, all owners of the site acting jointly. For the purposes of this provision, "owner" shall mean and include any public body corporate, or a holder of a written option to purchase.

B. Preliminary consultation. The Applicant should consult with the Zoning Administrator and provide such information as requested and as required by the Chapter 128 Subdivision Ordinance of Northumberland County. This consultation should take place prior to formally filing a site plan and application. In addition the following is recommended:

(1). Inventory and Site Analysis. To aid the County in determining whether the applicant has accomplished the intent and objectives as described in § 148-76 and § 148-77, and the design standards for cluster groups and common open space as described in § 148-81 the initial application for any development shall include an inventory and site analysis of the parcel. The Zoning Administrator shall provide instructions on the preparation of such an analysis.

(2). Preliminary Schematic. A preliminary schematic site plan shall be submitted to the Zoning Administrator for a review as to the compliance with the requirements of this section. This procedure is designed to encourage an applicant to submit informal plans for comment before the expense of final plans is incurred to facilitate the application process and assist the Applicant in meeting the requirements of this ordinance. The schematic plan should be drawn to scale showing the existing physical features of the proposed development.

C. Site Plan and Application for PUD zoning. An application for residential planned unit development zoning shall be filed with the Zoning Administrator on a form prescribed by the Zoning Administrator and provided for that purpose.

(1). A site plan; which should, as a minimum contain the following items:

- a. Title of the project.
- b. Name and address of owners.
- c. Location of the site by an insert map at a scale of no less than one inch equals 2,000 feet.
- d. Indication of the scale north arrow, zoning and such information as the names and numbers of adjacent roads, streams and bodies of water, topography and other landmarks sufficient to clearly identify the location and nature of the property.
- e. Boundary survey of the site of a plan drawn to scale.
- f. Location and dimensions of existing structures, all existing and proposed streets and easements, their names, numbers and widths; existing and proposed utilities, watercourses and their names

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- and owners.
- g. Location of all entrances to the site.
 - h. Proposed sewage disposal system.
 - i. Stormwater management plan including LID analyses, location of drainage and LID facilities and percentage of impervious surface.
 - j. Water supply and distribution plan.
 - k. Fire protection plan.
 - l. Provisions for off-street parking, including areas for recreational vehicles, boats, etc.
 - m. Location of each building on the site, including any accessory buildings, utility lines, streetlights, etc.
 - n. Size of each building, height and number of stories.
 - o. For multi-family residential units, the number, size and type of dwelling unit, location, type and percentage of allocation of common property or open space.
 - p. Location and general design and width of all driveways, curb cuts and sidewalks.
 - q. Location and identification of all other proposed recreational facilities i.e., swimming pools, tennis courts, etc.
 - r. Any flood areas, the RPA and buffer zones, if applicable,.
 - s. Primary conservation areas such as wetlands, and steep slopes, historic and archeological sites,
 - t. Secondary conservation areas such as mature woodlands, greenways and trails, river and stream corridors, prime farmland, hedgerows, large individual free-standing trees or tree groups, and similar areas important to protect the rural nature of the parcel.
 - u. Landscaping, screening, and lighting plans.
 - v. Traffic impacts and the results of VDOT consultations.
 - w. Additional information may be requested.
- (2). The Inventory and Site Analysis described in Section B.1 above.
- (3). Written statement of facts explaining in detail the proposal and justifying the project at this location. Included also will be the proposed provisions for service, maintenance and continued protection of the common property.

The application shall include such other pertinent information as the Zoning Administrator shall prescribe; but to promote efficiency and minimize expense, the Zoning Administrator may provide for the serial submission of portions of the application.

End of Article R-5