

DIVISION 8 PLANNED DEVELOPMENT DISTRICT (PD-1)

Sec. 2-8-1 Purpose

The purpose of this district is to promote the efficient use of land by allowing a wide range of land uses at various densities and allowing the flexible application of development controls, while protecting surrounding property, natural and cultural resources, and the scenic beauty of the land.

The PD-1 district is intended to allow greater flexibility than is generally possible under conventional zoning district regulations by encouraging ingenuity, imagination and high-quality design. Incorporation of significant areas of open space is a primary component of this district. The PD-1 district is particularly appropriate for parcels which contain a number of constraints to conventional development. In addition to an improved quality design, the PD-1 district creates an opportunity to reflect changes in the technology of land development, provide opportunities for new approaches to home ownership, and provide for an efficient use of land which can result in reduced development costs.

The Planned Development shall be a visual asset to the community. The appropriate siting of buildings, controlled access points, attractive and harmonious architecture, and effective landscape buffering shall be characteristics of these planned communities. The PD-1 district should have a variety of uses. Development within the PD-1 district shall promote:

1. Compact development with defined edges
2. Human scale buildings and streets
3. A mix of uses, including residential, commercial, civic, and open space uses
4. A mix of housing styles, types, and sizes to accommodate households of all ages, sizes and incomes
5. A system of interconnected streets with sidewalks for the connection of those streets to existing and future developments
6. Preservation and adaptive use of existing buildings with historical significance or architectural features that enhance the visual character of the community
7. Preservation of significant environmental features and incorporation of such features into the design of new neighborhoods
8. Design and development consistent with the County's Comprehensive Plan

Sec. 2-8-2 Permitted Uses

Permitted uses shall be those listed or those similar to those listed in the Nottoway County Zoning Ordinance.

Sec. 2-8-3 Site Development Regulations

Each planned development shall be subject to the following site development standards.

1. Acreage requirement. Minimum acreage required to create a planned development district shall be 25 acres of contiguous land.
2. Lot sizes, lot frontage and density. Minimum lot sizes for allowable uses, minimum lot frontage requirements, and residential densities shall be established during review and approval of the preliminary master plan.
3. Lot coverage. Maximum lot coverage shall be established during the review and approval of the preliminary master plan but in no case shall exceed 75%.
4. Building setbacks and spacing.
 - 1) Minimum front setbacks: All structures proposed to front on existing public streets external to the PD-1 shall be located a minimum of 30 feet from the front property line.
 - 2) Minimum setbacks and spacing requirements shall be specifically established during the review and approval of the preliminary master plan. The following guidelines shall be used in establishing the building spacing and setbacks:
 1. Building spacing shall provide privacy within each dwelling unit;
 2. Building spacing shall ensure that each room has adequate light and air;
 3. Areas between buildings used as service yards, storage of trash, or other utilitarian purposes should be designed so as to be compatible with adjoining dwellings;
 4. Building spacing and design shall provide privacy for outdoor activity areas (patios, decks, etc.) associated with individual dwelling units.
 - 3) Height of buildings/structures. The height of buildings and structures shall be established during the review and approval of the preliminary master plan. Buildings and structures over 45 feet in height will need to be justified in order to receive approval.
 - 4) Architectural standards. A variety of architectural features and building materials should be utilized to provide the development with a unique character, while maintaining compatibility with surrounding area's architecture. Architectural renderings shall be submitted with all phases of the development. The renderings should include the features, materials, and the articulation of the façade of a building for all sides visible from a public right-of-way.

- 10) **Parking.** The applicant may propose a reduction to the number of parking spaces required by this Ordinance for each use type, if justified. This proposal will be reviewed with consideration given to potential future uses of the site, parking demand and expansion potential. The use of shared parking arrangements shall be encouraged. Parking should be located to the side or rear of the principal structures on the lot, wherever feasible. During review, consideration will be given to topographical constraints, innovative site design, buffering and landscaping factors. The use of on-street parking is also encouraged, provided that the design and placement of such spaces are approved by the Virginia Department of Transportation (VDOT). On-street as well as off-street parking spaces may be counted toward satisfying the use-based parking requirements contained within.
- 11) **Loading areas.** Loading areas shall be screened for public view and shall not be placed in front yards.
- 12) **Pedestrian facilities.** Pedestrian facilities (sidewalks, benches, pocket parks, trash receptacles, etc.) should be incorporated into all areas of the planned development.
- 13) **Lighting.** Street lighting shall be provided along all public streets. Floodlights or directional lights may be used to illuminate alleys, parking garages and working (maintenance) areas, but must be shielded or aimed in such a way that they do not shine into other lots, the street or direct light out of the PD-1 district.
- 14) **Open Space.** Minimum common open space and/or recreational areas should be 15 percent of the gross area of the PD-1 district. Common open space shall not include proposed street rights-of-way, open parking areas, driveways, or sites reserved for schools or places of religious assembly. Common open space and/or recreational areas shall be of an appropriate nature and location to serve the residents of the district.
- 15) **Landscaping/Buffer Yards.** Planned development districts shall be well landscaped and have a park-like atmosphere. The overall composition and location of landscaping shall complement the scale of the development and its surroundings. Street trees planted shall be native species.

Maintenance and replacement of landscaping and buffer yards shall be the responsibility of the property owner or property owners' association.

- 16) **Arrangement of areas:**
 1. The location and arrangement of structures, parking, access drives, outdoor lighting, signs and other uses and developments within the PD-1, in addition to achieving these development standards, shall be accomplished in accordance with an approved final master plan to assure compatibility with the existing and future land use in the vicinity.

2. Areas designed for future expansion or not intended for immediate improvement or development shall be specified as reserve areas on the preliminary master plan. The future use and the limitations on future use of such area shall be specified, or else such areas shall not be included as part of the PD-1 application. Reserve areas included in the PD-1 shall be landscaped or otherwise maintained in a neat and orderly manner.
- 17) Utilities. Planned development districts shall be served by public water and public sewer systems. If existing public water and public sewer facilities are not available to the property, then the applicant/developer shall provide assurances that such facilities acceptable to the County Health Department will be in place within a reasonable period of time not to exceed 24 months. Final subdivision plats and/or final site development plans will not be approved until water and sewer are guaranteed to be available Unless a waiver is granted by the Board of Supervisors at the time of rezoning, underground utilities (and associated pedestals, cabinets, junction boxes and transformers) including electric, cable TV, telephone and natural gas service shall be required and should be located to the rear of properties in alley rights-of-way or the rights-of-way of minor streets and not along the streetscape frontage.
- 18) Fire Prevention Systems and Hydrants. The placement of fire hydrants or other fire prevention systems shall be reviewed by the local Fire Marshall to ensure compliance with the standards set forth by the National Fire Protection Association, or NFPA.
- 19) Miscellaneous.
 1. Any outside storage area shall be fully screened so that no materials so stored are visible from the public right-of-way.
 2. Fences shall not be placed in front yards except as necessary for security purposes or on individual lots where decorative fencing, not to exceed 3' in height, is used as an architectural element to separate private yards from public sidewalks, squares or plazas. Fencing shall be uniform and well kept.

Sec. 2-8-4 Relationship to Existing Development Regulations

All zoning regulations shall apply to the development of the PD-1, unless modified in the approval of the final master plan.

Sec. 2-8-5 Application Process

Applicants may request a rezoning if the parcel is not currently designated a Planned Development zoning district by initiative and action of the Board of Supervisors. If an amendment to the zoning map is required, the applicant shall complete a rezoning application packet.

1. Prior to submitting a formal application for review and approval under these provisions, the applicant and county staff shall meet to discuss the requirements of this section. The purpose of the meeting is to obtain a mutual understanding of the application requirements and process. The applicant is encouraged to submit information on the scope and nature of the proposal to allow staff to become familiar with the proposal in advance of this meeting.
2. A preliminary master plan shall include all graphic and written information. All information submitted shall be of sufficient clarity and scale to clearly and accurately identify the location, nature, and the character of the proposed location. At a minimum this information shall include:
 - 1) A legal description and plat showing the site boundaries, and existing street lines, lot lines, and easements.
 - 2) Existing zoning, land use, and ownership of each parcel proposed for the district.
 - 3) A general statement of planning objectives to be achieved by the PD-1 district, including a description of the character of the proposed development, the existing and proposed ownership of the site, the market for which the development is oriented, and objectives towards any specific man-made and natural characteristics located on the site.
 - 4) A description and analysis of existing site conditions, including information on topography, archeological and historic resources, natural water courses, floodplains, unique natural features, tree cover areas, etc.
 - 5) A land use plan designating specific uses for the site, both residential and nonresidential uses, and establishing site development regulations, including setback, height, building coverage, lot coverage, and density requirements.
 - 6) A circulation plan and/or a Traffic Impact Statement may be required per Virginia Department of Transportation guidelines.
 - 7) A public services and utilities plan providing requirements for and provision of all utilities, sewers, and other facilities to serve the site.
 - 8) An open space plan, including areas proposed for passive and active recreational uses, natural and undisturbed areas, and proposed buffer areas proposed around the perimeter of the site. Information on the specific design and location of these areas and their ownership and maintenance should be included.
 - 9) Architectural renderings and community design guidelines should be submitted in sufficient detail to provide information on building designs, orientations, styles, lighting plans, etc.
 - 10) A development schedule indicating the location, extent and sequence of proposed development. Specific information on development of the open space, recreational areas, and nonresidential uses shall be included. Common community amenities shall be completed in sequence with residential and commercial areas.
3. The completed rezoning application and supporting preliminary master plan materials shall be submitted to the Planning Commission for review and analysis. The Planning Commission shall review this information and make a report of its findings to the Board of Supervisors. The Planning Commission shall as part of its review hold a public hearing pursuant to Section 15.2-2204 of the Code of Virginia, as amended.

4. The Planning Commission shall make a report of its findings to the Board of Supervisors within 90 days of the receipt of the materials, unless the applicant requests, or agrees to an extension of this time frame. The Planning Commission's report shall recommend approval, approval with modifications, or disapproval of the preliminary master plan. Failure of the Planning Commission to make a report of its findings to the Board of Supervisors within this period shall constitute a Planning Commission recommendation of approval.
5. If the Planning Commission recommends denial of the preliminary master plan, or approval with modification, the applicant shall, if requested, have 60 days to make any modifications. If the applicant desires to make any modifications to the preliminary master plan, the Board of Supervisor's review and action shall be delayed until such changes are made and submitted for review.
6. The Board of Supervisors shall review the preliminary master plan, and act to approve or deny the plan within 12 months from the date of application. Approval of the preliminary master plan shall constitute acceptance of the plan's provisions and concepts. The plan approved by the Board of Supervisors shall constitute the final master plan for the PD-1.

Once approved by the Board of Supervisors, the Zoning Administrator shall authorize the revisions to the official zoning map to indicate the establishment of the PD-1 district.

Sec. 2-8-6 Revisions to Final Master Plan

All revisions to the final master plan shall be reviewed by the Planning Commission. The Planning Commission shall determine if the revisions to the final master plan are major or minor. Major revisions shall be reviewed and approved following the procedures and requirements. Minor revisions shall be reviewed and approved by the Planning Commission. Major revisions include, but are not limited to changes such as:

1. Any increase in the density of the development;
2. Substantial change in circulation or access;
3. Substantial change in the mixture of dwelling unit types included in the project;
4. Substantial changes in grading or utility provisions;
5. Substantial changes in the mixture of land uses or an increase in lot coverage or the amount of land devoted to nonresidential purposes;
6. Reduction in the approved open space, landscaping or buffering;
7. Substantial change in architectural or site design features of the development;
8. Any other change that the Zoning Administrator finds is a major divergence from the approved final master plan.

Sec. 2-8-7 Approval of Preliminary and Final Site Development Plans

1. Following the approval of the final master plan, the applicant or its authorized agent shall be required to submit preliminary and final site development plans for approval. Final site development plans for any phase or component of the PD-1 that involves the construction of structures or facilities, shall be approved prior to the issuance of a building and zoning permit, and the commencement of construction.
2. Subdivision review under the subdivision regulations will be carried out simultaneously with the review of a planned development under this section. The plans required under this section shall be submitted in a form which will satisfy the requirements of the subdivision regulations.
3. Preliminary and final site development plans submitted for review shall be in compliance with the final master plan approved by the Board of Supervisors. Nottoway County shall review and approve or disapprove any final site development plan within 45 days of the monthly filing deadline.
4. No Planned Development shall be approved and no work shall be authorized on construction until all property included in the final master plan is in common ownership.

Sec. 2-8-8 Failure to Begin Development

Failure of the applicant to submit a preliminary site development plan for at least one portion of the planned development within 18 months of the approval of the final master plan, shall constitute an application on the part of applicant to rezone the PD-1 to the district designations in effect prior to the approval of the final master plan.

Sec. 2-8-9 Control Following Approval of Final Development Plans

The Zoning Administrator shall periodically inspect the site and review all building permits issued for the development to ensure that the development schedule is generally complied with. The provision and construction of all of the common open space and public and recreational facilities shown on the final development plan must proceed at the same rate as the construction of dwelling units. If the Zoning Administrator finds that the development schedule has not been followed, no permits, except for the above-mentioned facilities, shall be issued until the developer complies with the development schedule, unless the developer has provided a performance bond or similar instrument to guarantee that such common open space and/or public and recreational facilities will be provided for at a specific date.