

ARTICLE 10. - RESIDENTIAL PLANNED COMMUNITIES

Statement of intent.

This article is intended to permit the development of planned satellite communities under one ownership or control in those areas of the county where sewage disposal, water supply, and adequate highway access are assured. Within such planned communities, the location of all residential and commercial uses, school sites, parks, playgrounds, recreational areas, parking areas, and other open spaces shall be controlled in such a manner as to permit a variety of housing accommodations and land uses in orderly relationship to one another.

10-1. - Definitions.

For the purpose of this ordinance, the following terms are defined with specific reference to the residential planned community (RPC).

10-1-1. Master plan for RPC development. Such a plan shall consist of a graphic representation of the following information at a suitable scale, together with necessary explanatory material:

- (a) Boundaries of the area involved and the ownership of properties contained therein and of all adjoining tracts, as well as all existing public roads or streets within and adjacent to the site.
- (b) Location and proposed use of all existing buildings on the site, as well as the approximate location, height, dimensions and general use of all major additions to existing buildings.
- (c) Proposed general layout of the community on a topographic map having maximum contour intervals of ten feet, with the general location of the various types of land uses, the proposed densities of population in residential areas, a major thoroughfare plan, a general public utility plan, a general storm drainage plan, and a plan showing the location of recreational spaces, parks, schools and other public or community uses.
- (d) A phasing schedule that describes when, within the development of the RPC, any required school sites, library sites, recreation and green space areas, major streets and parking lots, and similar amenities or community facilities will be dedicated or reserved. The schedule shall include the estimated timing of providing all improvements as proffered. The schedule shall also consider the need for future amendments that may arise due to the trend of development in the RPC and the county. The planning commission may approve revisions to the

phasing schedule when they can be shown to be in the best interests of the RPC and the county.

- (e) A discussion including calculations of planned population density at various phases of development of the RPC, meeting the requirements of section 10-2 below.

10-1-2. Gross residential acreage [means] total tract acreage less areas set aside for commercial use.

10-2. - Permitted population density.

10-2-1. The overall population density permitted in an RPC district shall not exceed 11 persons per acre. This overall density shall be calculated using the entire acreage of the RPC, including designated areas of nonresidential use, and the following factors:

- (a) Three persons per single-family dwelling;
 - (b) Two and five-tenths persons per unit of a duplex, townhouse, or multifamily dwelling (except high-rise multifamily buildings or buildings exclusively intended for housing the elderly or handicapped);
- (c) One and five-tenths persons per unit of a high-rise multifamily building (which is any multifamily building that exceeds the normally permitted height in the zoning district in which the RPC lies);
- (d) One and one-tenth persons per unit in buildings exclusively for housing the elderly or handicapped.

10-2-2. The following densities shall be permitted in the RPC district, and shall be designated on the master RPC plan:

- (a) Low-density area, which shall permit up to four persons per gross residential acre;
 - (b) Medium-density area, which shall permit up to 13 persons per gross residential acre;
- (c) High-density area, which shall permit up to 30 persons per gross residential acre.

10-2-3. The average population density of the developed areas of the RPC shall never at any time during the development of the RPC exceed a density of 13 persons per gross residential acre.

10-2-4. At least 15 percent of the gross residential acreage of the RPC shall be held as green space or open space (defined for the purposes of this article as land or water areas within the boundaries of a planned RPC designated for use and enjoyment as an open area or areas and not improved with any

building, structure, street, or road).

10-3. - Permitted uses within residential areas.

Permitted uses within areas designated on the master RPC plan for residential use shall be as follows:

- (a) Low-density area permitted uses are single-family dwellings and child care facilities with a special use permit.
- (b) Medium-density area permitted uses are single-family dwellings, duplex dwellings, townhouses and condominiums, multifamily dwellings (except high-rise buildings), and child care facilities with a special use permit.
- (c) High-density area permitted uses are single-family dwellings, duplex dwellings, townhouses and condominiums, multifamily dwellings including high-rise buildings, and child care facilities with a special use permit.

10-3-1. All major commercial uses shall be prohibited. However, neighborhood commercial uses (defined as a limited range of retail commercial and convenience business uses, no one of which shall exceed 10,000 square feet) may be permitted if designated with reasonable specificity on the master RPC plan, provided:

- (a) Such use shall be reasonably necessary to serve a neighborhood no larger than the planned population of the RPC;
- (b) Such use is reasonably compatible with the surrounding residential uses;
 - (c) Such use is reasonably compatible with the proposed traffic pattern and has adequate access for both vehicles and pedestrians;
- (d) Such use meets the standards set forth in article 6 of this ordinance for commercial buildings in a village center, when not located within a multifamily building. The village center district permitted commercial uses of section 6-1 shall be permitted in a neighborhood commercial area of an RPC.
- (e) When located within a multifamily building, such use shall be on a separate floor from dwelling units, or the entrance to such use shall be on a separate side of the building from the main residential entrance.

10-3-2. Notwithstanding any provision of articles 11, 12, or other articles of this ordinance, no residential dwelling may be converted to any other type of residential dwelling (as defined by article 17 of this ordinance) after construction of such dwelling is completed.

10-3-3. Streets and off-street parking areas in an RPC shall meet the construction standards of the Prince Edward County Subdivision Ordinance [appendix A] and article 12 of this ordinance, respectively.

10-4. - Permitted uses within commercial areas.

Commercial development shall be permitted within an RPC lying within a general agricultural district provided that the land area devoted to commercial uses not exceed ten percent of the total acreage within the RPC tract. The site plan for the RPC shall show areas designated for commercial development and demonstrate adequate highway access and utility service. Activities designated in article 7 of this ordinance as permitted uses (section 7.1) or conditional uses (section 7.2) shall be permitted or conditionally permitted within an RPC on the same basis as in that article. Other provisions of article 7 shall apply to commercial development within an RPC.

10-5. - Procedure for establishment of master RPC plan.

Applicants desiring the establishment of a residential planned community shall submit to the Prince Edward County Planning Commission a site plan and descriptive language showing that the conditions of this article have been or will be met. In addition, if public water and sewer are not provided to the RPC at the time of submission, the applicant must submit a schedule for provision of public water and sewer service or a privately owned distributed system meeting all county, state, and federal standards for water quality and sewage treatment. If the master RPC is approved, initial units may be built with individual wells and septic tanks provided such wells and septic tanks meet all county, state, and federal standards as they apply to the district in which the RPC is located. All such units having individual wells or septic tanks shall be required to connect to a distributed water or sewer collection system within 36 months of its availability at the property line. An applicant for establishment of an RPC may be required to dedicate or reserve, to the appropriate public agency or community group, areas for recreation, green space, library sites, fire station sites, rescue squad or ambulance sites, streets, and public parking areas as may be appropriate to the planned development.

Applicants may meet with the county administrator and chairman of the planning commission to review the proposed master plan and original proposal prior to submission. The purpose of such a conference shall be to assist in bringing the application and material submitted therewith as nearly as possible into conformity with the provisions of this ordinance, and/or to define specific variances from this ordinance that seem justified in view of equivalent compensating service to the public purpose. The planning commission shall be notified in writing of any such variances before considering the application.

The planning commission shall approve a master RPC plan submitted under the provisions of this section when it finds, after reviewing a report from the county administrator and after holding a public

hearing on the provisions of the master RPC plan, that the development shown on the master RPC plan is in compliance with the general intent of this ordinance and of the district in which the RPC is to be located; that such development will not be detrimental to the public health, safety and welfare; and that said development may be adequately served with utilities.

The action of the commission shall be based upon a finding of fact, which shall be reduced to writing and preserved among its records. The commission shall specifically consider the relation of the proposed RPC to the county's comprehensive plan, to the physical characteristics of the land, to the surrounding area, to major roads, utilities and public services, and review the adequacy of evidence on unified control and the suitability of any proposed deed restrictions and dedications or reservations of land for public use. The commission shall submit to the board of supervisors a copy of its findings and a copy of the master RPC plan, together with its recommendations.

The master RPC plan shall be reviewed and voted upon by the board of supervisors following a public hearing thereupon. If the master RPC plan is approved, any departures specified therein from other provisions of this ordinance shall be deemed to be approved permitted uses. If the master RPC plan is approved, the county administrator may issue zoning permits if such permits are deemed by said administrator to be in compliance with the provisions of this section and substantially in accordance with the approved master plan or subsequent amendments thereto.

Amendments to any master RPC plan may be accomplished by the same procedure as for an original application.