PART 3 6-300 PRC PLANNED RESIDENTIAL COMMUNITY DISTRICT

6-301 Purpose and Intent

The PRC District is established to permit the development of planned communities on a minimum of 750 contiguous acres of land, which at the time of the initial rezoning to establish a PRC District is owned and/or controlled by a single individual or entity. Such planned communities shall be permitted only in accordance with a comprehensive plan, which plan, when approved, shall constitute a part of the adopted comprehensive plan of the County and shall be subject to review and revision from time to time.

The PRC District regulations are designed to permit a greater amount of flexibility to a developer of a planned community by removing many of the restrictions of conventional zoning. This flexibility is intended to provide an opportunity and incentive to the developer to achieve excellence in physical, social and economic planning. To be granted this zoning district, the developer must demonstrate the achievement of the following specific objectives throughout all of his planning, design and development.

1. A variety of housing types, employment opportunities and commercial services to achieve a balanced community for families of all ages, sizes and levels of income.

2. An orderly and creative arrangement of all land uses with respect to each other and to the entire community.

3. A planned and integrated comprehensive transportation system providing for a separation of pedestrian and vehicular traffic, to include facilities such as mass transportation, roadways, bicycle or equestrian paths and pedestrian walkways.

4. The provision of cultural, educational, medical, and recreational facilities for all segments of the community.

5. The location of structures to take maximum advantage of the natural and manmade environment.

6. The provision of adequate and well-designed open space for the use of all residents.

7. The staging of development in a manner which can be accommodated by the timely provision of public utilities, facilities and services.

To these ends, rezoning to and development under this district will be permitted only in accordance with a comprehensive plan and development plan prepared and approved in accordance with the provisions of Article 16.

6-302 Permitted Uses

Subject to the use limitations set forth in Sect. 305 below and the exceptions permitted by Sections 303 and 304 below, the following and similar uses as may be approved shall be permitted only in those locations respectively designated Residential, Neighborhood Convenience Center, Village Center, Town Center and Convention/Conference Center on an

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(17) Repair service establishments.

(18) Retail sales establishments.

(19) Theatres.

(20) Transportation facilities (Category 4), limited to:

(a) Bus or railroad stations

(b) Electrically-powered regional rail transit facility

(c) Regional non-rail transit facilities

(21) Vehicle transportation service establishments.

F. In those areas approved for industrial use on the adopted comprehensive plan of the planned community, upon application, such areas may be reclassified to the I-I, I-1, I-2, I-3, I-4 or I-5 District. Industrial areas shall not be included in the PRC District nor be subject to the requirements thereof.

6-303 Special Permit Uses

The following uses shall be permitted uses in those areas as qualified when they are specifically designated on an approved development plan; otherwise they may be allowed in such qualified areas only as a special permit use upon approval by the BZA.

1. Uses presented in Par. A, B, C, D and E in Sect. 302 above as a Group use.

2. Commercial recreation centers - Village and town centers.

3. Open air markets - Neighborhood convenience, village, town and convention/conference centers.

4. Open refreshment stands - Neighborhood convenience, village, town and convention/conference centers.

5. Group 8 - Temporary Uses.

6. Group 9 - Uses Requiring Special Regulation, limited to:

A. Home professional offices

B. Accessory dwelling units

6-304 Special Exception Uses

The following uses shall be permitted uses in those areas as qualified when they are specifically designated on an approved development plan; otherwise they may be allowed in such qualified areas only as a special exception use upon approval of the Board.

1. All uses presented in Par. A, B, C, D and E in Sect. 302 above as a Category use.

2. Heavy public utility uses (Category 2), limited to sewage treatment and disposal facilities - Residential.

3. Hotels, motels - Village and town centers.

4. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:

   A. Bed and breakfasts

   B. Commercial off-street parking in Metro Station areas as a temporary use

6-305 Use Limitations

1. All development shall conform to the standards set forth in Part 1 of Article 16.

2. Uses in a PRC District shall be permitted only in those areas as designated on the approved development plan, or in those areas as may be approved under Sections 303 and 304 above.

3. When a use presented in Sect. 302 above as a Group or Category use is being considered for approval on a development plan, the standards set forth in Articles 8 and 9 shall be used as a guide.

   When a use presented in Sect. 302 above as a Group or Category use is being considered for approval as a special permit or special exception use, pursuant to Sections 303 and 304 above, the use shall be subject to the provisions of Article 8 or Article 9, respectively. Provided that such use is in substantial conformance with the approved development plan and any imposed development conditions or proffered conditions and is not specifically precluded by the approved development plan, no development plan amendment shall be required.

   In either of the above, all Group 3 medical care facility uses shall be subject to the review procedures presented in Part 3 of Article 9.

4. All uses permitted pursuant to an approved development plan shall be in substantial conformance with the approved development plan as provided in Sect. 16-202.

5. All uses shall comply with the performance standards set forth in Article 14.

6. In areas approved for low density residential uses, no multiple family dwellings shall be allowed, except if such dwellings are provided pursuant to Part 8 of Article 2 and are specifically shown on the approved development plan.

7. Where commercial and residential uses are located in the same building, there shall be separate exterior entrances for the two uses.

ARTICLE 16

DEVELOPMENT PLANS

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

16-101 General Standards

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.

2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.

3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.

4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede 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 sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.

6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

16-102 Design Standards

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional

subject to the same procedures as the original amendment and the requirements of Sect. 301 below.

10. Additional land may be added to a planned residential community if it represents a logical extension of the planned residential community under the adopted comprehensive plan and is adjacent thereto. Any addition of land to a planned residential community shown on the adopted comprehensive plan shall be subject to the same requirements and procedures as the original amendment except for the minimum requirement of 750 acres owned and/or controlled by a single individual or entity.

16-202 Rezoning to a PRC District

1. Following Board approval of the comprehensive plan for a planned residential community, the Board may approve an application for rezoning to a PRC District subject to the provisions of this Part and Part 2 of Article 18. The initial rezoning to establish a PRC District shall contain a minimum land area of 750 contiguous acres owned and/or controlled by a single individual or entity.

2. The rezoning application shall include, in addition to the requirements presented in Sect. 18-202, a development plan. Such rezoning application and development plan shall be in accordance with the adopted comprehensive plan for the planned residential community, the standards set forth in Part 1 above and the PRC District regulations and objectives.

3. The rezoning application and development plan shall be filed with the Zoning Administrator and shall contain the information required by Sect. 302 below. A development plan not filed with the initial submission of the application shall be submitted to the Zoning Administrator within sixty (60) days of the acceptance date of the application. Failure to meet this requirement shall change the acceptance date of the application pursuant to Sect. 18-107, and may be due cause to dismiss the application in accordance with Sect. 18-209.

4. Upon a determination by the Zoning Administrator that the rezoning application and the development plan are complete in accordance with the requirements of Sect. 302 below, the application and plan shall be submitted for comment and review to appropriate County departments and agencies. Upon completion of such administrative review, the application and plan shall be submitted to the Planning Commission.

5. The Planning Commission shall consider the rezoning application and development plan in accordance with the adopted comprehensive plan, the standards set forth in Part 1 above and the PRC District regulations and objectives, and shall hold a public hearing thereon. Subsequent to the public hearing, the Commission shall transmit the rezoning application and development plan to the Board with its recommendation to approve, approve with modifications or disapprove.

6. The Board shall consider the rezoning application and development plan in accordance with the adopted comprehensive plan, the standards set forth in Part 1 above and the PRC District regulations and objectives, and shall hold a public hearing thereon.

7. In the event the Board shall approve the rezoning application, the Board shall also approve or approve with modifications or conditions the development plan. Such

conditions or modifications may be established by the Board to assure compliance with the standards of Part 1 above and the district regulations. Further, the Board may waive or modify subdivision and/or site plan requirements otherwise applicable to the development when such waiver or modification would be in conformance with said standards and regulations.

8. In the event that the Board shall disapprove the rezoning application, the development plan shall thereby be deemed to be denied.

9. Once a development plan has been approved, all subsequent approvals, uses and structures shall be in substantial conformance with the approved development plan and any development conditions associated with such approval. Should there be cause for amendment of the development plan or any portion thereof, such amendment shall be processed as a new submission. A development plan amendment application may be filed on a portion of the property subject to an approved development plan, upon a determination by the Zoning Administrator that the amendment (a) would not adversely affect the use of the property subject to the development plan and conditions but not incorporated into the amendment application, (b) would not inhibit, adversely affect, or preclude in any manner the fulfillment of the development plan and conditions applicable to the area not incorporated into the amendment application, and (c) would not increase the overall approved density/intensity for the development. The portion of the development plan and previously approved conditions which are not subject to the amendment request shall remain in full force and effect.

10. Additional land may be added to a PRC District by a rezoning application if such land is included within the area of the adopted comprehensive plan, if it represents a logical extension of the area zoned PRC, and if it is adjacent thereto. Any addition of land to the PRC District shall be subject to the same requirements and procedures as the original application except for the minimum requirement of 750 acres owned and/or controlled by a single individual or entity.

16-203 PRC Plan Approval

1. Subsequent to the approval of a rezoning application, a PRC plan shall be required for those uses as set forth in Par. 2 below. The Board may approve a PRC plan subject to the provisions of this Part and Sect. 18-110. Such PRC plan shall not be approved by the Board until the rezoning application and development plan have been approved by the Board. However, a PRC plan may be filed with and included in the processing of the rezoning application and development plan.

   All PRC plans shall be in accordance with the approved rezoning and development plan, any conditions or modifications that may have been approved by the Board, the design standards of Sect. 102 above, the applicable objectives and regulations of the PRC District and the provisions of Sect. 303 below.

2. A PRC plan shall be required for all uses, except the following:

   A. Single family detached dwellings, provided the general street and lot layout are shown on the approved development plan.