

CHAPTER TWENTY

PLANNED UNIT DEVELOPMENT DISTRICT

ARTICLE I, PURPOSE AND INTENT AND APPLICABILITY:

20-1.1 **Purpose and Intent.** The provisions of this Chapter are intended to establish a zoning district that will:

- (A) Encourage and allow the development of tracts of land as planned neighborhoods or communities according to designs that coordinate building forms that are interrelated and architecturally harmonious;
- (B) Encourage and allow unique, flexible, creative, and imaginative arrangements and mixes of land use in site planning and development, consistent with the Comprehensive Plan of Forsyth County;
- (C) Encourage a broader mix of residential housing types, including detached and attached dwellings, than would normally be constructed in conventional subdivisions;
- (D) Preserve the natural amenities of the land through maintenance of conservation areas and open spaces within developments, provide amenities, and provide where needed the civic and semi-public uses (e.g., schools, playgrounds, meeting halls, etc.) that help to make up a community;
- (E) Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lower development and housing costs; and
- (F) Provide an environment of stable character compatible with surrounding residential areas;
- (G) Establish application requirements that are more rigorous than the requirements for rezoning to other zoning districts but no more onerous than is necessary to enable thorough analyses;
- (H) Provide for slightly higher gross and net development densities and intensities as an inducement to develop in a manner consistent with the purposes of this chapter.

20-1.2 **Development as a Unit.** The land within an approved Planned Unit Development District is intended to be planned and developed by a single developer or group as a single, entire unit of land. Land within a Planned Unit Development District shall not be subdivided and sold to others prior to completion of the installation of required improvements.

ARTICLE II, USES PERMITTED WITHIN PLANNED UNIT DEVELOPMENT DISTRICTS:

20-2.1 **Generally.** It is the intent of the Planned Unit Development District to provide maximum flexibility with regard to the mixture of land uses. Within a Planned Unit Development District, any land use, may be permitted if such use or uses can be shown to provide an orderly relation and function to other uses in the development and to existing land uses, as well as with due regard to the Comprehensive Plan of Forsyth County. The permitted use or uses of property located in the planned unit development shall be determined at the time the zoning district and development plan is approved, and development within the district shall be limited to those uses specifically requested as part of the application and approved by the Board of Commissioners, unless otherwise specifically noted in the Board's approval of the planned unit development zoning district.

20-2.2 **Recommendations.** The following principles for proposing and mixing land uses are recommended:

- (A) Uses should be predominantly residential in accordance with the use recommendations of the Comprehensive Plan;
- (B) Where appropriate, the planned unit development should provide for more than just one type of dwelling unit, such as townhouses, duplexes, and multi-family dwellings;
- (C) Multi-family dwellings should not comprise more than twenty-five (25) percent of the total dwelling units within the proposed development;
- (D) Sites for churches, schools, community or club buildings, and similar civic or semi-public facilities are encouraged to be provided, where appropriate;
- (E) Commercial and offices uses, if proposed, should be located in careful relation to other land uses within and outside of the development; they should be scaled so that they primarily serve the occupants of the planned unit development; they should be designed and oriented to face the interior of the planned unit development rather than oriented toward passer-by traffic exterior to the planned unit development; In residential districts, the amount of land in a planned unit development devoted to commercial and office

uses should not exceed fifteen (15) percent of the unit of land within the planned unit development unless it can be shown that a greater percentage of land devoted to such uses is more conducive to the mix of uses.

- (F) Industrial uses are not typically considered to be appropriate for inclusion within planned unit developments; however, such uses are not prohibited and may be proposed and approved in larger (e.g., twenty acres or more) planned unit developments where living and working areas need to be proximate to one another, subject to separation and screening requirements to avoid nuisances.

ARTICLE III, PERFORMANCE STANDARDS:

20-3.1 **Minimum Acreage.** A planned unit development district must contain a minimum area of twenty (20) contiguous acres.

20-3.2 **Dimensional Requirements.** There shall be no requirements for minimum lot size, minimum lot width, lot coverage, yards and building setbacks, or height requirements that apply to planned unit developments. Dimensional requirements shall be as proposed by the applicant of the planned unit development and as approved by the Planning Commission and Board of Commissioners via a letter of intent and detailed site plan approved during the rezoning process, and as may be subsequently shown on the sketch plat approved by the Planning Commission.

20-3.3 **Residential Density.** The maximum number of dwelling units per acre in residential areas of the planned unit development should not exceed 1.2 times the gross density recommended by the future land use map of the Comprehensive Plan for the unit of land unless such density is found the Board of Commissioners to be justified to achieve the goals of the Land Use Plan. For purposes of this section, density shall be interpreted as the number of dwelling units per gross area devoted to residential development, and, in addition to land area and parcels used primarily for residential purposes, all open spaces including private lakes reserved for common usage within the planned unit development. Gross acreage for residential development shall exclude areas of dedicated street rights-of-way existing prior to development, and all lands devoted to non-residential uses.

20-3.4 **Recommendations for Design.**

- (A) Unless topographical or other barriers protect the privacy of existing adjoining uses, structures or buildings located at the perimeter of the planned unit development should be setback a distance of at least one hundred (100) feet to protect the privacy and amenities of adjacent, existing uses.
- (B) Structures or buildings located at the perimeter of the development should be permanently screened in a manner that sufficiently protects the privacy and amenities of the adjacent, existing uses.
- (C) Portions of the development containing commercial and office uses are specifically encouraged to conform to the general site development and design regulations for commercial and office zoning districts as specified in Chapter 12, Article 10 of this Code.
- (D) Planned unit developments of sufficient size are specifically encouraged to conform to the design guidelines for activity centers provided in Chapter 13 of this Code, as may be considered appropriate to the specific land development context.
- (E) Residential portions of planned unit developments that are intended to be subdivided are specifically encouraged to conform to provisions for conservation subdivisions as specified in Chapter 19 of this Code, as may be considered appropriate to the specific land development context.
- (F) Land uses proposed to be a part of a planned unit development that have Code provisions specifically pertaining to such uses, as specified in Chapter 16 of this Code, will typically be expected to comply with the applicable requirements of Chapter 16, unless specific reasons can be show why such requirements should not apply.

ARTICLE IV, APPLICATION REQUIREMENTS AND PROCEDURES:

20-4.1 **Revisions.** Amendments to approved planned unit developments shall be permitted but governed by the modification process established in Article IX of Chapter Eight of this Code.

ARTICLE V, PERMITS AND CERTIFICATES:

20-5.1 **Building Permits.** The department shall issue building permits for buildings and structures in the area covered by the approved sketch plan for a planned unit development if they are in substantial conformity with the approved planned unit development, in accordance with the development schedule, after improvements are installed in accordance with applicable improvement requirements in accordance with approved construction plans for said improvements, and if found to be in conformance with all other applicable regulations.

20-5.2 **Certificate of Occupancy.** The department shall issue a certificate of occupancy for any completed building or structure located in the area covered by the planned unit development if it conforms to the requirements of the approved planned unit development and all other applicable regulations.

20-5.3 **Other Permits or Certificates.** No work, including, but not limited to, grading and other land disturbing activities, which requires permits or certificates, shall be commenced in a planned unit development until all permits or certificates required under other provisions of this Code are obtained.

20-5.4 **Control of Area Following Completion.** After completion of a planned unit development, the use of land and construction, modification or alteration of any buildings or structures within the area covered by the planned unit development shall be regulated by the planned unit development and approved sketch plat and construction plans as well as other applicable provisions of this Code.