

CHAPTER TWENTY (B)

MASTER PLANNED DISTRICT

ARTICLE I, PURPOSE AND INTENT:

20B-1.1 **Purpose and Intent.** The Master Planned District is intended to accommodate large-scale developments that utilize high quality materials and innovative design to promote pedestrian-friendly environments, contribute to community character, and provide a wide array of potential uses and public benefits. The purpose of the Master Planned District is to apply design standards and additional guidelines to ensure that developments are appropriately located, are integrated with the surrounding area, and are consistent with the objectives of the Forsyth County Comprehensive Plan. The Master Planned District aims to provide uses that complement and are compatible with the orderly development of the project as well as surrounding land uses, thus improving upon the overall connectivity, walkability, and user experience.

The provisions of this chapter are intended to establish a zoning district that will:

- (A) Provide a mechanism to incorporate and implement the goals and intent of the Forsyth County Comprehensive Plan in a manner that is not possible in conventional zoning classifications;
- (B) Provide greater community benefits than a development carried out under conventional zoning district regulations;
- (C) Allow for flexible and compatible arrangements of complementary land uses;
- (D) Provide for creative site design in relation to the subject property and surrounding community;
- (E) Provide for the mobility of all inhabitants by walking, biking, or other means of transportation with diminished emphasis on the automobile via sidewalk systems and pedestrian connections between amenities;
- (F) Maintain mobility along traffic corridors and state highways;
- (G) Provide transitions between high traffic corridors and low density residential development;
- (H) Create a development of the highest architectural and aesthetic quality by demonstrating such standards via an approval process that is more rigorous than the requirements for rezoning to other zoning districts but no more onerous than is necessary to enable thorough analysis;
- (I) Create a desirable destination that includes open space that serves the public and provides community benefit;
- (J) Minimize the environmental impacts of new development;
- (K) Promote the efficient use of land resulting in networks of utilities, streets, and other infrastructure features that maximize the allocation of fiscal and natural resources; and
- (L) Encourage the creation of new employment opportunities.

ARTICLE II, USES PERMITTED:

20B-2.1 **General.** Uses shall provide an orderly relation and function to other uses in the development and to existing land uses. Adherence to the Forsyth County Comprehensive Plan in regards to recommended uses, development intensity, and residential density shall be required. Development within the district shall be limited to those uses specifically requested as part of the Master Development Handbook and approved by the Board of Commissioners, unless otherwise specifically noted in the approval of the Master Planned District.

20B-2.2 **Uses Permitted.** The Master Planned District may propose either a mixed-use, exclusively residential or exclusively non-residential development.

20B-2.3 **Residential Density.** The maximum residential density for the Master Planned District shall be six (6) units per acre. The maximum residential density may be increased above six (6) units per acre based on the application of incentives pursuant to Article IV.

20B-2.4 **Open Space.** The Master Planned District shall have a minimum open space requirement of twenty (20%) percent of the total site acreage.

ARTICLE III, DESIGN CRITERIA:

20B-3.1 **Design Criteria.** The following design criteria will be used to evaluate conformity with the purpose and intent of this Chapter. Appropriate criteria that have not been incorporated into the Master Development Handbook will be utilized to develop recommended zoning conditions as part of the review process.

(A) **General Site Design**

- (1) The minimum size for a Master Planned District should not be less than thirty-five (35) acres.
- (2) A functional town center, community green, park, or other focal point shall be included to create character and identity.
- (3) Perimeter setbacks and buffers shall protect the privacy of existing and anticipated uses that adjoin the subject property.
- (4) For a mixed-use or non-residential Master Planned District, a minimum undisturbed buffer of forty (40) feet and setback of fifty (50) feet shall be provided along an exterior property line abutting a residential, OR, A1 or AG-Res district. For a residential Master Planned District, a minimum undisturbed buffer of twenty-five (25) feet and setback of fifty (50) feet shall be provided along an exterior property line abutting a residential, OR, A1 or AG-Res district.
- (5) The Master Planned District should incorporate multi-modal transportation elements in the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for public transport, carpooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, and other similar provisions.
- (6) A grid system of streets is preferred over cul-de-sac designs. Block length should be conducive to pedestrian traffic.
- (7) Interconnections to adjoining property, whether developed or undeveloped, shall be included and incorporated into the design where appropriate. Proposed parcels should be arranged and designed so as to allow for the opening of future streets and provide access to those areas not presently served by streets.

(B) **Open Space.** Open space within the context of the Master Planned District shall be independent of regulations found in other parts of this Code. Open space for the Master Planned District is intended to create active community spaces and preserve undisturbed land areas. Open space shall meet the minimum standards found in Article II, Article III, and shall incorporate the use of active community spaces as defined in Table 20B.1. Notwithstanding anything to the contrary herein or in Chapter 47 of the Code of Forsyth County, Georgia, no property that is approved for MPD use pursuant to this Article shall be eligible for impact fee credits for parks.

(1) **General Requirements.**

- (a) Easements for electric transmission lines or any other above-ground improvement shall not count toward the required open space.
- (b) Structural stormwater control practices shall not count toward the required open space.

(2) **Active Community Spaces.** Active community spaces shall be designed for recreational or leisure purposes and may be constructed of pervious and non-pervious materials. Active community spaces shall comply with the following criteria:

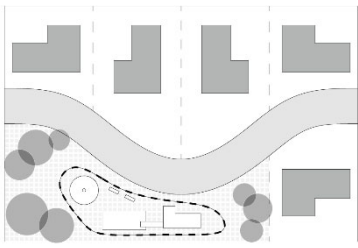
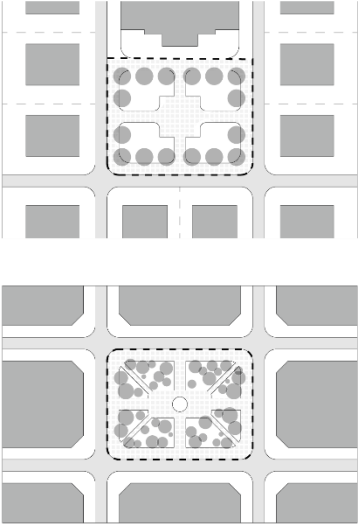
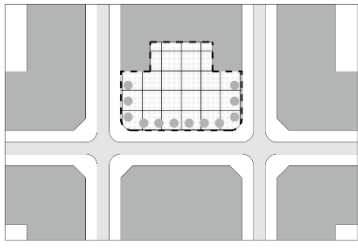
- (a) A minimum of twenty-five (25%) percent of the total open space requirements as identified in Article II shall be an active community space.
- (b) Active community space shall be publicly accessible during daylight hours and shall be directly accessible from a public sidewalk as illustrated in Table 20B.1.
- (c) Active community spaces shall provide landscaped areas which must include a combination of trees, shrubs, herbaceous ornamentals, and vegetative ground cover including grasses.
- (d) Trees used to satisfy minimum active community space requirements shall:
 - (i) Be at least three and one-half inches in caliper size;
 - (ii) Reach a mature height of forty (40) feet; and
 - (iii) Be spaced a minimum twenty-five (25) feet on-center.


(3) **Undisturbed Land Areas.** Undisturbed land areas shall create open space that conserves natural resources not counting areas otherwise required to be preserved by federal, state or local regulations. Undisturbed land areas shall comply with the following criteria:

- (a) A minimum of twenty-five (25%) percent of the total open space requirements as identified in Article II shall be an undisturbed land area.

- (b) Undisturbed land areas used to satisfy the requirements of this Chapter shall be preserved in a natural state except for the removal of litter and dead, diseased or hazardous trees as approved by a registered forester or certified arborist.
- (4) When a building adjoins open space, pedestrian access (both ingress and egress) shall be provided.
- (5) Covenants or other legal arrangements shall specify ownership of all open spaces, the method of and responsibility for maintenance, taxes and insurance, compulsory membership and assessment provisions, and shall be incorporated into legal instruments sufficient to ensure that the open space requirements of this article are maintained.

TABLE 20B.1 ACTIVE COMMUNITY SPACE PERFORMANCE STANDARDS

| Active Community Space Type | Example Illustration | General Description | Design Requirements |
|-----------------------------|---|---|---|
| Playground |  | <p>A Playground provides space for supervised recreation for children within a neighborhood, or as part of a larger neighborhood or community park.</p> | <ul style="list-style-type: none"> • Shall be designed with commercial grade play equipment • Minimum area of two thousand (2,000) square feet with no maximum requirement |
| Square |  | <p>A Square provides a means to emphasize important places, intersections, or centers.</p> | <ul style="list-style-type: none"> • Shall be bound by streets on a minimum of three (3) sides or seventy-five (75%) percent • May be bound by front facing lots on one (1) side or twenty-five (25%) percent of their perimeter • No rear facing lots allowed adjacent to a square • Tree planting is encouraged parallel to the street right-of-way • Minimum area of two thousand (2,000) square feet up to a maximum area of two (2) acres |
| Plaza |  | <p>A Plaza is an outdoor area for community leisure that is entirely bounded by streets, lanes, or buildings.</p> | <ul style="list-style-type: none"> • Shall maintain an orthogonal shape that is parallel to a bounded street, lane, or building • Shall be level, stepped or gently sloping • Minimum area of four thousand (4,000) square feet up to a maximum area of one (1) acre |

| Active Community Space Type | Example Illustration | General Description | Design Requirements |
|-----------------------------|---|--|---|
| Community Park |  | <p>Community Parks are designed for active and passive recreational use. Community Parks create a central open space that services an entire neighborhood or group of neighborhoods, or incorporates physical features that are an asset to the community.</p> | <ul style="list-style-type: none"> • Trees shall be planted at the edge of community park boundaries • Shall be bounded by streets on a minimum of fifty (50%) percent of their perimeter • Minimum area of twenty thousand (20,000) square feet with no maximum requirement |

(C) **Aesthetic Quality**

- (1) When appropriate, streets should terminate at a focal point, which may be a civic building, principal use, place of worship, bell tower, gazebo, or other similar feature.
- (2) The location and width of residential garage doors shall be designed so as to not dominate the streetscape. Standards on garage width and garage setbacks should be used to ensure that garage doors do not dominate the streetscape.
- (3) Attached housing shall be designed to reduce the monolithic nature of the structure.
- (4) Fences, walls, and berms should be designed and maintained in relationship with the character of the surrounding land uses and structures. Retaining walls should be constructed of architectural masonry or faced with rock, brick, and/or constructed to blend with adjacent surroundings.
- (5) Detention and retention structures are discouraged in areas subject to view from a public street if not used both for aesthetic purposes and designed so as to not require a fenced enclosure.
- (6) Master Planned Districts are encouraged to utilize creative methods for stormwater management, when such methods provide additional open space opportunities.
- (7) Service and loading zones shall be located to minimize visibility from public streets and neighboring properties.

(D) **Site Development**

- (1) Transitions at property edges should seem natural for the surrounding terrain.

(E) **Parking**

- (1) Decorative fences or walls, plantings, berms, or other similar features shall be used to screen surface parking lots from public view or soften their visual impact.
- (2) The location and design of parking structures should minimize their visibility from the street or other public areas.
- (3) Surface parking lots should be oriented behind or to the side of a building when possible. Surface parking lots should not be located on street corners.
- (4) The architectural features of a parking deck or structure shall be constructed of similar materials, colors, and detailing to match those used on the rest of the principal structure(s).

(F) **Pedestrian Scale**

- (1) For predominantly nonresidential areas, activities such as shops, offices or other commercial space should be located along the ground level of street frontage.
- (2) For nonresidential uses, corner buildings should make a strong tie to the building lines of each street. However, this does not preclude angled or sculpted building corners or an open plaza at the corner. Vertical focal points to visually “anchor” corners are encouraged.

- (3) Comfortable and attractive street furniture shall be provided in public spaces for public enjoyment, comfort, and convenience. These may include seats and benches, drinking fountains, trash receptacles, information kiosks, directories, or other similar features.
 - (4) Nonresidential building entrances shall be visible from the street, well-lit, and easily accessible. Articulation such as canopies and roof forms should be used to further identify entrances.
 - (5) Nonresidential uses that face a street or pedestrian area shall have transparent windows along each first floor wall.
 - (6) Nonresidential buildings shall have at least one entrance facing every abutting street.
 - (7) Clear pedestrian and visual paths shall be established using a combination of covered arcades, covered walkways, courtyards, landscape patterns, consistent paving materials, minimal interruption of pedestrian paths, and other similar features.
 - (8) Sidewalks shall be present in all residential areas. In nonresidential areas, sidewalks should be present along both sides of all streets.
 - (9) All parts of the Master Planned District shall remain ungated for public access.
- (G) **Landscape and Natural Environment**
- (1) Specific emphasis should be placed on the preservation or planting of trees between buildings and the street.
 - (2) Existing topography, significant tree cover, state waters and other natural features should be considered and incorporated into the project design whenever possible.
 - (3) Required open space should be distributed throughout the project.
 - (4) Landscaping shall provide buffering between non-compatible land uses.
- (H) **Built Environment**
- (1) The height of any structure shall be compatible with the existing buildings in the area, and proposed structures within the project site.
 - (2) Limitations on the height, size, and type of exterior signage shall produce an overall theme that is compatible with proposed buildings and surrounding property.
 - (3) The primary entrance and front façade of individual buildings within a development may be oriented toward streets, private drives or open space, and shall not be oriented toward off-street parking lots, garages, or carports.

ARTICLE IV, INCENTIVES:

20B-4.1 **Incentives.** The Master Planned District offers an incentive to developers to increase their allowable residential density through the redevelopment of properties with deteriorated conditions.

- (A) **Redevelopment.** The Master Planned District encourages developers to redevelop properties through a residential density bonus up to two (2) residential units per acre on areas identified as deteriorated per the criteria listed below.
- (1) All deteriorated areas within properties shall be identified by the applicant and approved by staff.
 - (2) Shall redevelop one hundred (100%) percent of the deteriorated conditions acreage found on the development site to qualify for the density incentive.
 - (3) Deteriorated conditions shall be determined as follows:
 - (a) Uninhabitable, unsafe, or abandoned structure(s);
 - (b) Structures that are substantively declining in value or usefulness due to observable neglect;
 - (c) A site or portion of a site identified by the federal Environmental Protection Agency as having environmental contamination to an extent that requires remedial investigation or a feasibility study;
 - (d) Is in a state or condition that attracts rodents, mosquitoes, or other disease-transmitting animals;
 - (e) Is in a state or condition that attracts or propagates criminal activity on the property or adjacent properties.
 - (4) The applicant shall provide the following documents, prepared by a professional architect, engineer, surveyor, landscape architect, and or land planner:
 - (a) An inspection report of the property containing written and photo documented evidence of the existing, deteriorated conditions onsite;
 - (b) A scaled map identifying where deteriorated conditions exist on the property and the affected acreage on the development site;

- (c) A scaled plan and strategy for redevelopment and any rehabilitation of the existing conditions that ensures the safety and welfare of future inhabitants and remediates any environmental impacts.

ARTICLE V, GENERAL CONDITIONS:

20B-5.1 **Code Provisions.** Whenever there is a conflict or difference between the provisions of this chapter and those of other chapters of the Unified Development Code, the provisions of this chapter shall prevail. Subjects not covered by this chapter shall be governed by the respective provisions found elsewhere in the Unified Development Code.

20B-5.2 **Water and Sewer.** Public water with sufficient flow volume and pressure to meet water supply and fire flow needs shall be required for all Master Planned Districts. Public Sewer or an Existing Private Sewage Treatment Plant with Sufficient treatment and collection system Capacity shall be required for all Master Planned Districts.

20B-5.3 **Variance Requests.** Applications requesting rezoning to the Master Planned District must identify all variance requests in the rezoning application and represent such requests in the Master Development Handbook. Variances shall be limited to the requirements of the Unified Development Code and shall follow the requirements of Chapter 8.

ARTICLE VI, PROCEDURES:

20B-6.1 **Pre-Application Meeting.** Before submitting an application for rezoning to Master Planned District, the applicant shall schedule a pre-application meeting with planning staff to determine the feasibility for the proposed plan and its relationship to the Forsyth County Comprehensive Plan and the Unified Development Code.

20B-6.2 **Master Development Handbook.** To enable a thorough analysis of an application for the Master Planned District, the application requirements exceed those of other zoning districts. In addition to the standard requirements, applications for the Master Planned District shall include a Master Development Handbook. The handbook shall illustrate design criteria per Article III in addition to proposed land use standards listed below. To avoid duplication, the information required for the Master Development Handbook can be combined with the standard requirements to amend the official zoning map. The Master Development Handbook shall include:

- (A) **The Uniform Plan.** A plan of the project showing the location of proposed zones and the general trajectories of the various thoroughfares. At a minimum, the Uniform Plan shall differentiate between the following zones:

- (1) Vertical Mixed Use Zones
- (2) Residential Zones with separate designations for varying housing types
- (3) Commercial, Office, or Industrial Zones
- (4) Civic and Institutional Zones
- (5) Open Space Zones with active community spaces identified

The applicant may develop more specific zones and or modify the name of the zones to better represent the theme of the proposed Master Planned District. An application is not required to include each of the zones listed above, see Article II of this Chapter for requirements related to permitted uses.

- (B) **Land Use Standards.** A matrix of text and or diagrams that regulate the permitted uses and performance standards for each zone identified in the Uniform Plan. Regulations of the Unified Development Code that are not listed in the Land Use Standards shall default to the standards identified in other chapters, which will be determined by the director in any case in which applying the regulations of other chapters would be unclear. At a minimum, the following land use standards shall be established for each zone identified in the Uniform Plan:

- (1) Permitted uses
- (2) Minimum lot size
- (3) Minimum lot width
- (4) Minimum setbacks
- (5) Minimum building separation
- (6) Buffers and impervious surface setbacks
- (7) Maximum height
- (8) Maximum building coverage
- (9) Parking and loading requirements

- (C) **Community Standards.** The community standards are intended to produce visual compatibility among various building types and, at a minimum, the Community Standards shall address lighting, signage, fences, landscaping, building materials, building colors, and other architectural features.
- (D) **Phasing Standards.** The phasing standards shall consist of a construction phasing schedule and plan for phased projects. Phased projects shall comply with the following criteria:
- (1) For a mixed-use Master Planned District development, the developer is required to obtain a certificate of occupancy for a significant component of the non-residential uses prior to completing development of the residential component.
 - (2) For all Master Planned District developments, upon completion of the initial phased development, the proposed future phases shall remain as accessible open space areas, provided the land is undisturbed and not hazardous to the health, safety, and welfare of residents and the public, until such time that the proposed portion will be constructed.
- (E) **Additional Requirements.** Text and or diagrams providing the following information:
- (1) Method of water and sewer service, including verification of capacity;
 - (2) A summary of the anticipated maintenance and ownership of streets and open spaces;
 - (3) Proposed maximum number of residential dwelling units by type and minimum lot size.
 - (4) Proposed maximum gross floor area devoted to non-residential uses;
 - (5) Typical information on landscape features in relation to streets, parking areas, sidewalks, building footprints, and utilities;
 - (6) A plan identifying the existing tree canopy. Information available from the County's GIS data is acceptable for the rezoning stage;
 - (7) Existing topography with contour intervals no greater than four (4') feet. Information available from the County's GIS data is acceptable for the rezoning stage;
 - (8) State waters, wetlands, and floodplains. Information available from the County's GIS data is acceptable for the rezoning stage; and
 - (9) A summary of issues related to connectivity. The information should include available information on private and public streets; significant vehicular parking and loading areas; the provision of bicycle parking areas, paths, sidewalks, and other similar features; and interconnections to adjoining property.
 - (10) Signage plan for any proposed sign types that are not otherwise allowed under the Sign Ordinance to include sign type(s), dimensional details, and all locations.

ARTICLE VII, AMENDMENTS:

20B-7.1 **Conformance to Approved Master Development Handbook.** All further development of the property shall conform to the approved Master Development Handbook, regardless of any change in ownership, unless the County approves minor or major amendments.

20B-7.2 **Minor Amendments.** The director may approve minor amendments to the approved Master Development Handbook, which are in compliance with the provisions and intent of this chapter, and do not depart from the principal concept of the approved Master Development Handbook. Minor amendments are those determined by the director to meet the purpose and intent of the Master Planned District, which would not affect adjacent properties. Minor amendments shall be approved as part of the land disturbance permitting process. The director may require the applicant to provide written justification for the minor amendment if such justification is not evident within the land disturbance permit itself.

20B-7.3 **Major Amendments.** Should the director determine that a requested change or deviation from the approved Master Development Handbook departs from the principles of the Master Development Handbook and would affect adjacent properties, the proposed modification will be classified as a major amendment. The applicant may apply for approval of a major amendment to the Board of Commissioners as an application for modification of conditions of zoning, as established in Chapter 8 Article IX of this Code.