

*ALBEMARLE COUNTY CODE*

**CHAPTER 18**

**ZONING**

**SECTION 19**

**PLANNED RESIDENTIAL DEVELOPMENT - PRD**

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**19.1 INTENT, WHERE PERMITTED**

PRD districts may hereafter be established by amendment to the zoning map in accordance with the provisions set forth generally for PD districts in sections 8.0 and 33.0, and with densities and in locations in accordance with the comprehensive plan.

The PRD is intended to encourage sensitivity toward the natural characteristics of the site and toward impact on the surrounding area in land development. More specifically, the PRD is intended to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious physical development, and creative design consistent with the best interest of the county and the area in which it is located.

To these ends, the PRD provides for flexibility and variety of development for residential purposes and uses ancillary thereto. Open space may serve such varied uses as recreation, protection of areas sensitive to development, buffering between dissimilar uses and preservation of agricultural activity.

While a PRD approach is recommended for developments of any density, it is recommended but not required that the PRD be employed in areas where the comprehensive plan recommends densities in excess of fifteen (15) dwelling units per acre, in recognition that development at such densities generally requires careful planning with respect to impact. (Amended 8-14-85)

**19.2 APPLICATION**

Notwithstanding the requirements and provisions of section 8.0, planned development districts, generally, where certain planned community (PC) or residential planned neighborhood (RPN) districts have been established prior to the adoption of this ordinance, such districts shall be considered to have been established as PRD districts under this ordinance and shall be so designated on the zoning map.

**19.3 PERMITTED USES**

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### **19.3.1 BY RIGHT**

The following uses shall be permitted subject to the requirements and limitations of this ordinance:

1. Detached single-family dwellings.
2. Semi-detached and attached single-family dwellings such as duplexes, triplexes, quadraplexes, townhouses, atrium houses and patio houses provided that density is maintained, and provided further that buildings are located so that each unit could be provided with a lot meeting all other requirements for detached single-family dwellings except for side yards at the common wall.
3. Multiple-family dwellings.
4. (Repealed 9-2-81)
5. Parks, playgrounds, community centers and noncommercial recreational and cultural facilities such as tennis courts, swimming pools, game rooms, libraries and the like.
6. Electric, gas, oil and communication facilities, excluding tower structures and including poles, lines, transformers, pipes, meters and related facilities for distribution of local service and owned and operated by a public utility. Water distribution and sewerage collection lines, pumping stations, and appurtenances owned and operated by the Albemarle County Service Authority. Except as otherwise expressly provided, central water supplies and central sewerage systems in conformance with Chapter 16 of the Code of Albemarle and all other applicable law. (Amended 5-12-93)
7. Public uses and buildings including temporary or mobile facilities such as schools, offices, parks, playgrounds and roads funded, owned or operated by local, state or federal agencies (reference 31.2.5); public water and sewer transmission, main or trunk lines, treatment facilities, pumping stations and the like, owned and/or operated by the Rivanna Water and Sewer Authority (reference 31.2.5; 5.1.12). (Amended 11-1-89)
8. Temporary construction uses (reference 5.1.18).
9. Accessory uses and structures including home occupation, Class A (reference 5.2) and storage buildings.
10. Homes for developmentally disabled persons (reference 5.1.7).
11. Stormwater management facilities shown on an approved final site plan or subdivision plat. (Added 10-9-02)
12. Tier I and Tier II personal wireless service facilities (reference 5.1.40). (Added 10-13-04)

(§ 20-19.3.1, 12-10-80; 9-2-81; 11-1-89; 5-12-93; Ord. 02-18(6), 10-9-02; Ord. 04-18(2), 10-13-04)

### **19.3.2 BY SPECIAL USE PERMIT**

The following uses shall be permitted by special use permit in the PRD district, subject to the applicable requirements of this chapter and provided that no separate application shall be required for any such use as shall be included in the original PRD rezoning petition: (Amended 5-5-10)

1. Day care, child care or nursery facility (reference 5.1.06).
2. Fire and rescue squad stations (reference 5.9).
3. Rest home, nursing home, convalescent home, orphanage or similar institution (reference 5.1.13).

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4. Electrical power substations, transmission lines and related towers; gas or oil transmission lines, pumping stations and appurtenances; unmanned telephone exchange centers; microwave and radio-wave transmission and relay towers, substations and appurtenances (reference 5.1.12).
5. Home occupation, Class B (reference 5.2).
6. Churches. (Added 9-2-81)
7. Stand alone parking and parking structures (reference 4.12, 5.1.41). (Added 11-7-84; Amended 2-5-03)
8. Swim, golf, tennis or similar athletic facilities (reference 5.1.16). (Added 9-13-89)
9. Professional offices. (Added 6-8-94)
10. Tier III personal wireless service facilities (reference 5.1.40). (Added 10-13-04)
11. Historical centers, historical center special events, historical center festivals (reference 5.1.42). (Added 6-8-05)
12. Farmers' markets (reference 5.1.47). (Added 5-5-10)

(§ 20-19.3.2, 12-10-80; 9-2-81; 11-7-84; 9-13-89; 6-8-94; Ord. 03-18(1), 2-5-03; Ord. 04-18(2), 10-13-04; Ord. 05-18(7), 6-8-05; Ord. 10-18(4), 5-5-10)

### **19.4 RESIDENTIAL DENSITIES**

The gross and net residential densities permitted in any PRD district shall be shown on the approved application plan therefor, which shall be binding upon its approval. The overall gross density so approved shall be determined by the board of supervisors with reference to the comprehensive plan, but shall, in no event, exceed thirty-five (35) dwelling units per acre. In addition, the bonus and cluster provisions of this ordinance shall be inapplicable to any PRD except as herein otherwise expressly provided.

### **19.5 MINIMUM AREA REQUIRED FOR ESTABLISHMENT OF DISTRICT**

- 19.5.1 Minimum area required for the establishment of a PRD district shall be three (3) acres.
- 19.5.2 Additional area may be added to an established PRD district if it adjoins and forms a logical addition to the approved development. The procedure for an addition shall be the same as if an original application were filed, and all requirements shall apply except the minimum acreage requirement of section 19.5.1.

### **19.6 MINIMUM AREA REQUIREMENTS FOR OPEN SPACE AND RECREATIONAL USES**

- 19.6.1 Not less than twenty-five (25) percent of the area devoted to residential use within any PRD shall be in common open space except as hereinafter expressly provided. (Amended 9-13-89)

#### **19.6.2 RECREATIONAL AREA REQUIREMENTS**

See section 4.16 for recreation requirements. (Amended 3-5-86)

- 19.6.3 In the case of any proposed PRD having a total gross area of not less than three hundred (300) acres and a gross residential density of not more than two (2) dwelling units per acre, the board of supervisors may waive the provision of common open space and recreation area as hereinabove required provided that not less than thirty-five (35) percent of the gross area of such proposed PRD shall be devoted solely to agriculture. For purposes of this section only, the term "devoted solely to agriculture" shall be deemed to

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include not more than one dwelling unit, which shall be included in the determination of the gross density of the PRD.

### **19.7 HEIGHT REGULATIONS**

Except as otherwise provided in section 4.10, structures may be erected to a height not to exceed sixty-five (65) feet; provided that any structure exceeding thirty-five (35) feet in height shall be set back from any street right-of-way or single-family residential or agricultural district; in addition to minimum yard requirements, a distance of not less than two (2) feet for each one (1) foot of height in excess of thirty-five (35) feet. (Amended 9- 9-92)

### **19.8 BUILDING SEPARATION**

Except as otherwise provided in section 4.11.3, whether or not located on the same parcel, there shall be a minimum of thirty (30) feet between main structures. This provision shall not apply to structures built to a common wall. (Amended 1-1-83)

### **19.9 SETBACK AND YARD REGULATIONS**

- 19.9.1 Structures to be located on the outer perimeter of a PRD district shall conform to the setback and yard regulations of the adjoining district.
- 19.9.2 Within the PRD district, the board of supervisors shall establish minimum setback and yard requirements at time of establishment of such district.

### **19.10 MINIMUM OFF-STREET PARKING REGULATIONS**

Off-street parking and loading space requirements shall be in accordance with section 4.12; provided that the board of supervisors may vary or waive such requirements at time of establishment of a PRD district.

### **19.11 SIGN REGULATIONS**

Sign regulations shall be as prescribed in section 4.15.