

**ARTICLE I
PLANNED UNIT DEVELOPMENTS**

9-3111 Planned Unit Development – Residential (PUD-R)

Intent: The purpose of the planned unit development – residential is to encourage the development of living environments, which meet the needs of the people who live in them by providing certain development privileges in exchange for preplanning and design considerations. The planned unit development – residential provides flexibility in using new development concepts and in introducing variety into neighborhoods by encouraging mixed uses, variable lot size, and environmentally sensitive design, which promotes the conservation of open space and ensures substantial compliance with the intent of the Town of Valdese Zoning Ordinance. Furthermore, it is the purpose of this Section to:

- a. Encourage development that enhances the quality of life while protecting the health, safety and general welfare of residents;
- b. Encourage variety in housing opportunities;
- c. Encourage the development of a viable economic base;
- d. Encourage the development of land uses that will complement existing adjacent land uses;
- e. Provide guidelines for development of planned unit developments.

The Town Council may approve this form of development in the districts that allow it as a conditional use, if the conditions specified in this article are met.

9-3111.1 Permitted Uses and Requirements

- (a) Planned Unit Developments may be approved for any residential use or combination of uses except the combination of residential and industrial.
- (b) General Requirements:
 - (1) At the time of application for a planned unit development, all land, structures and other real property shall be in single or joint ownership of whatever form, or the petitioner shall have the right to acquire ownership under a valid option, and this information shall be included in the application for a planned unit development.

- (2) A residential planned unit development shall be located on a site containing at least two (2) contiguous acres.
- (3) If land or structures within a proposed PUD-R are to be sold to more than one person, firm, corporation or other entity, then the proposed PUD-R shall be subject to the Town of Valdese Subdivision Ordinance. Deviations from said standards may be approved provided they are stated as part of the PUD-R Application Requirements.
- (4) A minimum of 10 percent of the land area for the PUD-R shall be common open/recreational space. This area shall be identified as open/recreation space on the submitted plans, which shall be recorded in the Office of the Register of Deeds. In residential mixed use PUD-R's, required open space may not be part of any proposed pr platted single-family residential lots.
- (5) All new planned unit developments shall provide adequate pedestrian facilities that are consistent with the general theme of the development. Pedestrian facilities can include (but are not limited to) foot trails, bike paths, greenways, and sidewalks and may have both pervious and impervious surfaces. If sidewalks are used, they shall meet or exceed ADA standards and shall be constructed of concrete. Sidewalks, trails and paths shall connect wherever possible to maximize the network of pedestrian facilities.
- (6) The design and layout of a PUD-R shall take into account the relationship of the site of the surrounding areas. Additionally, the perimeter of the PUD-R shall be so designed as to minimize any negative impact on adjacent properties.
- (7) Development of a PUD-R may be phased, in which case all the property anticipated for the PUD-R development shall be submitted as part of the PUD-R development plan showing a conceptual depiction of the eventual development and approximate phase lines shown. During the phased development of a PUD-R, proportional overall common open space required shall be incorporated into each phase and be dedicated and installed or improved by the end of the construction of each proposed phase.
- (8) Following review of the proposed PUD-R, the Planning Board shall recommend approval or denial of the application and accompanying PUD-R plans. Planning Board may recommend to Town Council conditional

approval with such conditions as are necessary to ensure conformity to all applicable requirements. If conditions are placed on the approval of the PUD-R, a revised plan including the required changes must be submitted to the Valdese Town Council.

- (9) In order for an application for a PUD-R to be approved, the Town Council must find that the proposed development will be compatible with comprehensive land use, and neighborhood development plans, and will not place an excessive traffic load on local streets. In addition, Town Council must find that the site can be developed according to a site plan that will be compatible with existing neighborhood development, and that the site can be provided with adequate utility services.
- (10) Site development within the PUD-R shall conform to the schematic plan and associated requirements of the conditional use permit approved by the Town Council. Modification of the development plan may be made by the Town Council subsequent to its initial approval upon application by the owner of the property.
- (11) Following approval by the Town Council of a PUD-R Conditional Use Permit, the property for which approval was granted shall be labeled “PUD-R” on the official zoning map.
- (12) Lot Design and Requirements: Clustering of structures on smaller lots is encouraged. Lots in a PUD-R may be smaller than established in the Zoning Ordinance provided that the overall average lot size and density of the entire PUD-R meets Zoning requirements and the proposed lot sizes are shown in the PUD-R application. The following are the minimum building setbacks:

<i>Lot Size</i>	<i>Setbacks from ROW and Parcel Line</i>
>=8,000 Sq. Feet	Front: 25' Side: 10' (15' for side abutting a street ROW) Rear: 25'
<8,000 Sq. Feet	Front: 25' Side: 10' (15' for side abutting a street ROW) Rear: 20'

(c) Application requirements:

An application for a conditional use permit to allow a PUD-R shall be accompanied by schematic plans showing the information listed below. In addition, the Town Council may require additional information necessary to ensure compliance with the provisions of this ordinance.

- (1) Proposed location of buildings and their general exterior dimensions of all non-single family structures;
- (2) Proposed use of all the land within the area requested for a PUD-R, in addition to the zoning designation and land use of adjacent properties;
- (3) Dimensions between all buildings and from buildings to property lines;
- (4) Traffic, parking and circulation plan, showing proposed locations and arrangement of parking spaces and ingress and egress to and from adjacent streets;
- (5) Proposed location and material of any screening walls, fences, or plantings;
- (6) Proposed exterior design of buildings for all non-single family structures;
- (7) Schedule of number and size of dwelling units within the project;
- (8) Proposed time schedule and staging, if any, for construction of the project;
- (9) Statement of Intent, including plans for selling or renting the property;
- (10) Provision to assure maintenance of all common areas and open space; Example: Property owners' association, private conservancy, etc;
- (11) Location of all common yards, open space and recreational areas;
- (12) Street lighting, if any;
- (13) Signage plan, if it will vary from base zoning ordinance (Section 9-3097);
- (14) The location and size of all non-residential structures;
- (15) If approved, prior to construction the following items must be submitted to Planning Staff:

1. Professionally prepared plans of each phase with the items listed below

as a minimum must be submitted and approved by the Planning Board:

- Existing site topographical conditions, showing contours at five (5) foot intervals, if reasonably available, and location of significant geographical features, including watercourses;
- The location of drainage facilities/basins and other similar features;
- A boundary survey;
- Construction specifications for streets and pedestrian ways including typical roadway sections showing locations of all utilities. These specifications must be sealed by a professional engineer licensed in the State of North Carolina;
- Sealed engineering plans for water, sewer, storm drainage and erosion/sedimentation;
- Preliminary subdivision plat if the property is to be subdivided;
- General concept landscape plans for open space, common areas, streets, pedestrian ways and recreational facilities;
- Location, arrangement and number of parking facilities and loading areas;
- Architectural concept plans of typical structures.

Should the Planning Board deny the application, the applicant may appeal to the Valdese Town Council by filing a written notice of appeal within 30 days from receipt of the Planning Board's denial of the application.

9-3112 Planned Unit Development – Business (PUD-B)

Intent: The purpose of the planned unit development – business is to encourage the development of environments, which meet the needs of the people who live or work in them by providing certain development privileges in exchange for preplanning and design considerations. The planned unit development – business provides flexibility in using new development concepts and in introducing variety into neighborhoods by encouraging mixed uses, variable lot size, and environmentally sensitive design which promotes the conservation of open space. The Town Council may approve this form of development in the districts that allow it as a conditional use, provided that the conditions specified in this article are met.

9-3112.1 Permitted Uses and Requirements

- (a) Uses permitted within the PUD-B:
 - Uses permitted within the zoning district for which the project site is located.
- (b) Permitted building and lot types:
 - Building and lot types permitted within the zoning district for which the project site is located.
- (c) Permitted accessory structures and uses:
 - Accessory structures and uses permitted within the zoning district for which the project site is located.
- (d) General Requirements:
 - (1) At the time of application for a planned unit development, all land, structures and other real property shall be in single or joint ownership of whatever form, or the petitioner shall have the right to acquire ownership under a valid option, and this information shall be included in the submission of an application for a planned unit development.
 - (2) The development shall be in full compliance with all density and lot coverage limitations and requirements of the zoning district in which the development is to be located.
 - (3) All new planned unit developments shall provide concrete sidewalks along both sides of all existing and proposed public streets within the PUD-B. Sidewalks shall only be required on the internal side of existing streets that

are on the perimeter of the PUD-B. Sidewalks shall be a minimum of 5 feet wide and four inches thick. Sidewalks will not be required along alleys. All pedestrian segments shall meet or exceed ADA standards and shall be constructed of concrete.

- (4) The Town Council may require buffering around the proposed PUD-B.
 - (5) In approving an application for a PUD-B, the Town Council shall find that the proposed development will be compatible with comprehensive, land use, and neighborhood development plans, will not place an excessive traffic load on local streets, that the site can be developed according to a site plan that will be compatible with existing neighborhood development, and that the site can be provided with adequate utility services.
 - (6) Site development within the PUD-B shall conform to the schematic plan and associated requirements of the conditional use permit approved by the Town Council. Modification of the development plan may be made by the Town Council subsequent to their initial approval upon application by the owner of the property.
 - (7) Following approval by the Town Council of a PUD-B conditional use permit, the property for which approval was granted shall be labeled “PUD-B” on the official zoning map.
- (e) Application requirements: An application for a conditional use permit to allow a PUD-B shall be accompanied by schematic plans showing the information listed below. In addition, the Town Council may require additional information necessary to ensure compliance with the provisions of this ordinance.
- (1) Proposed location of buildings and their general exterior dimensions;
 - (2) Proposed use of all the land within the area requested for a PUD-B;
 - (3) Dimensions between all buildings and from buildings to property lines;
 - (4) Traffic, parking and circulation plan, showing proposed locations and arrangement of parking spaces and ingress and egress to and from adjacent streets;
 - (5) Proposed location and material of any screening walls, fences, or plantings;
 - (6) Proposed exterior design of buildings;

- (7) Schedule of number and size of dwelling units/buildings within the project;
- (8) Proposed time schedule and staging, if any, for construction of the project.

Sections 9-3113 through 9-3115 reserved