

4-101

Purpose and Intent

The Planned Residential District (PRD) is intended to permit development in accordance with the Comprehensive Plan of a mixed-use community. Planned Residential District developments shall be designed to provide a variety of residential unit types in an orderly relationship to one another, with a balance of community supporting commercial uses, community amenities, and open space areas.

It is intended that the PRD be utilized to create pedestrian oriented residential neighborhoods of traditional design physically integrated with the existing surrounding development. To accomplish this goal, the PRD regulations provide flexibility in residential development by providing for a mix of residential uses, including housing types, densities and alternative forms of housing, with appropriate non-residential uses, flexibility in internal relationships of design elements and, in appropriate cases, increases in residential densities over that provided in conventional districts.

In recognition that the PRD was utilized prior to 2009 to develop communities of a less-traditional, more suburban form, the PRD continues to accommodate these pre-approved projects to develop in the less traditional form where envisioned under the original approvals.

4-102

Size and location

PRDs shall only be located within the Service Districts. The minimum area required for the initial establishment of a PRD shall be 25 acres, or a 5 acre minimum if the parcel has frontage on a street identified as the main street of the Service District in the Comprehensive Plan. Additional areas may be added to an established PRD if they adjoin and form a logical addition to an established PRD. The minimum acreage for such addition shall be five acres. Procedures for any additions shall be the same as for establishing an initial PRD.

The PRD shall be located within an area in the Service District that the Comprehensive Plan designates for planned residential development and which has sufficient infrastructure to support the proposed development, including roads, public facilities and utilities, or where sufficient infrastructure is planned and expected to be in place. In cases where necessary infrastructure is not yet available the applicant shall make provisions for the necessary infrastructure in the Concept Development Plan or Code of Development.

4-103

Principal Uses Permitted

The following principal uses shall be permitted, subject to designations of areas and sites for such uses in the approved Concept Development Plan and subject to the use limitations set forth in Section 4-106 below:

- A. Detached, single family dwellings
- B. Attached, single family dwellings including duplex, townhouses, atrium houses, and patio houses

- C. Multi-family dwellings
- D. Live-work dwellings
- E. Urban cottages, if accessory to a detached, single family dwelling

4-104

Secondary Uses Permitted

The following secondary uses shall be permitted only in a PRD which contains one or more principal uses; subject to designation of areas and sites for such uses in the approved Concept Development Plan and subject to the use limitations set forth in Section 4-106 below:

- A. Parks, playgrounds, community centers and non-commercial recreational and cultural facilities such as tennis courts, swimming pools, game rooms, libraries and related facilities.
- B. Electric, gas, water, sewer, and communication facilities, including transformers, pipes, meters, pump stations and related facilities for distribution of local service.
- C. Public uses and public buildings such as schools, post offices, governmental offices, and roads.
- D. Accessory uses and structures including home occupations, storage buildings, and efficiency apartments.
- E. Temporary buildings, the uses of which are incidental to construction during development being conducted on the same or adjoining tract or section which shall be removed upon completion or abandonment of such construction.
- F. Day care, child care, or nursery facility
- G. Place of worship
- H. Financial institutions
- I. Eating establishments
- J. Drug stores
- K. Barber and beauty shops
- L. Dry cleaners and laundries
- M. Bakeries
- N. Florist, gift and antique shops
- O. Retail stores, including food and hardware stores
- P. Convenience stores

- Q. Offices, including medical facilities and professional and business offices
- R. Theaters
- S. Farmer's market
- T. Retail nurseries and greenhouses
- U. Commercial/Office uses collocated with residential dwelling units
- V. Bed and breakfast, inn

4-105 Special Exception Uses

The following uses may be approved by the Board of Supervisors either in conjunction with the establishment of the PRD or, if following the establishment of the PRD, pursuant to the provisions of Section 4-100 and 13-200 of this ordinance, and if approved, may be the subject of certain conditions:

- A. Any use listed in Sections 103 and 104 above which was not specifically designated in the approved Concept Development Plan establishing the PRD.
- B. Commercial Recreational Facilities
- C. Continuing care facilities

4-106 Use Limitations

Unless otherwise specified in this Article or modified pursuant to Section 4-112 below, all uses shall conform to the general and specific use limitations and performance standards of Article 6 (Accessory Uses, Accessory Service Uses and Home Occupations); Article 7 (Off-Street Parking and Loading, Private Streets); Article 8 (Signs); and Article 9 (Performance Standards) of this Ordinance. Specific use limitations relating to the PRD are:

- A. Commercial uses within the PRD shall be designed to serve primarily the needs of the residents of the proposed community and nearby areas and such uses, including offices and retail, shall be located and designed to protect the primary residential character of the PRD.
- B. A maximum of 100 square feet of commercial floor area shall be permitted within a project for each dwelling unit in the project; commercial space located within a live-work dwelling shall not be included in this calculation.
- C. The maximum land area utilized for commercial use shall not exceed 10 percent of the total land area of the PRD.
- D. Live-work dwellings and secondary uses of a commercial and office nature shall be permitted only in a PRD which has a minimum of 50 residential dwelling units except that live-work units shall also be allowed in PRDs with fewer than 50

dwellings if the live-work units are located on the main street of a Service District, as identified in the Comprehensive Plan.

- E. A level of commercial use beyond that set forth in Sections A, B, C and D above, may be approved by the Board in conjunction with a PRD if either of the following conditions is met:
 - 1. In areas designated for residential uses at a density of 2 or more units per acre in the Comprehensive Plan, the amount of commercial allowed may be increased provided:
 - a. commercial neighborhood location as proposed is consistent with the associated Service District's adopted Comprehensive Plan including any recommended development scale requirements, guidelines and other associated provisions of the Comprehensive Plan for that specific site;
 - b. proposed commercial buildings planned in scale, bulk and mass shall be similar to and compatible with the adjoining planned or existing neighborhoods within the Service District; and the
 - c. ratio of commercial to residential uses is consistent with the Service District's Comprehensive Plan for the specified location.
 - 2. Where a PRD abuts any portion of the main street of a Service District, as identified in the Comprehensive Plan, additional commercial uses may be approved on parcels located along the main street.
- F. Urban cottages shall be accessory to a single family detached principal dwelling unit and subject to the following restrictions and conditions:
 - 1. Only one urban cottage shall be allowed per lot. Said lot shall have a minimum size of 7,500 square feet. Urban cottages shall be limited to 20% of the total dwellings in the PRD. The Concept Development Plan shall show residential land bays where urban cottages may be permitted.
 - 2. The maximum gross floor area shall be 1,200 square feet.
 - 3. The maximum height shall be 30 feet.
 - 4. One additional parking space shall be required for an urban cottage.
 - 5. Urban cottages shall require a site plan submitted and approved pursuant to Section 12 of this Ordinance prior to construction. Lots that are to contain urban cottages shall be designated on the approved final plat.
- G. Residential dwelling units, when located in the same building as commercial/office uses, shall be located on levels above street level at a density not to exceed one dwelling unit per floor per 1,000 feet of gross floor area devoted to commercial/office uses.

4-107**Lot and Building Requirements**

- A. Lot sizes, widths, frontages and setbacks shall be determined by the approval of a Code of Development, subject to the following guidelines:
1. Single family residential units should generally be set back no further than 10-20 feet, with a variety of setbacks provided within blocks.
 2. Commercial or mixed-use buildings should abut the front property line except where areas are provided to accommodate additional landscaping or streetscape elements, including wider sidewalks and/or seating areas.
 3. Side and rear setbacks may be minimal, except that setbacks more consistent with conventional development should be provided at the edge of the project where it abuts more conventional forms of development.
 4. A variety of lot sizes, widths, setbacks, unit sizes and spacing between units shall be provided within blocks along individual streets.
- B. The maximum building heights shall be determined by the approval of a Code of Development, with heights generally no more than two or three stories, and a variety of heights shall be provided within blocks along individual streets.
- C. Building form and character shall be determined by approval of a Code of Development, subject to the following guidelines:
1. Monotony shall be avoided through the use of a variety of building styles, floor plans, widths, mass, setbacks, roof types, heights and slopes, entry details, height, trim detailing, porches, fenestration, materials and color.
 2. Pitched roofs shall be utilized to promote variety, with 45-60 degrees generally the minimum pitch for such roofs. Flat roofs shall include a parapet wall screening any rooftop equipment.
 3. Residential units shall be designed so that garages do not dominate the street, with an emphasis on rear-loaded garages. Where garages cannot be rear-loaded from alleys, the driveway for an individual house shall not exceed 10 feet in width up to where the driveway meets the vertical plane of the front wall or porch of the house. Where garages are unable to be alley served, shared driveways and garages loaded from side-streets are encouraged. Any front loading garage shall be set back a minimum of 14 feet behind the front wall of the house. Any side loading garage shall be set back a minimum of 8 feet behind the front wall of the house.
 4. Buildings shall be designed with architectural elements, cues, features and materials that are evocative of the architectural vernacular of the Virginia piedmont and its traditional, historic towns, and shall not include generic design approaches intended to identify a particular building with the user thereof.

4-108**Density**

The maximum base residential density in the PRD is 5.5 dwelling units per acre as defined in Section 2-308 of this Ordinance. An additional 0.5 dwelling units per net

developable acre may be allowed (up to a maximum of 6.0 dwelling units per acre) for urban cottages.

4-109 **Open Space and Recreational Requirements**

Not less than 25 percent of the gross area of the PRD shall be in open space, except that PRDs with fewer than 20 acres located along the main street of a Service District, as identified in the Comprehensive Plan, may have lesser open space as approved by the Board. This area shall exclude vehicular areas such as streets (including sidewalks), roads, travelways, and parking lots. Open space may encompass common and non-common open space, active and passive recreational areas, transitional yards, golf courses, buffer areas, utility easements, water bodies, wetlands and floodplains. The open space shall be treated as an integral part of the development, with small parks provided throughout the development within walking distance of all residents. Small open spaces such as plazas or courtyards shall also be incorporated into any commercial areas of the development at appropriate locations, to provide a focal point for activity and serve as gathering places. Larger developments shall also provide for active recreation opportunities for residents within some of the open spaces. Calculations of the area qualifying for open space credit shall be as specified in Section 2-309 of this Ordinance, except that the minimum dimension and consolidated open space requirements of 2-309.3 shall not apply.

4-110 **Ownership, Operation, and Management of Common Open Space and Common Facilities**

The approved Concept Development Plan or Code of Development shall include provisions for the ownership, operation and management of all common open space, common private facilities, including private streets, parking, trails and pathways, stormwater management facilities and lakes. This requirement shall apply to both residential and commercial areas.

4-111 **Architectural Controls and Design Standards**

A PRD is intended to be of a scale, size and location which encourages a harmonious environment and promotes a sense of community and place at the pedestrian scale for the residents and visitors of the district. To that end, the PRD rezoning application shall include plans for architectural controls and design standards, to include Lot and Building standards consistent with Section 4-107, which shall be codified as a Code of Development as set forth in Section 4-113.D. The Code of Development shall be approved by the Board of Supervisors as part of the rezoning, and shall include a mechanism accountable to the public interest whereby the developer will implement the Code of Development for individual buildings within the PRD.

4-112 **Modifications**

In order to better accomplish the purpose of the PRD as set forth in Section 4-101 above, the Board of Supervisors may, after review by the Planning Commission, modify the regulations of this Ordinance, the Subdivision Ordinance and the Design Standards Manual upon a finding that the proposed modifications, although not literally in accord with applicable regulations, will satisfy public purposes of the ordinance and regulations to at least an equivalent degree. Modifications to regulations shall be requested and processed concurrent with the rezoning to the PRD pursuant to provisions listed in

Section 4-113 below and Section 13-200 of this Ordinance. However, no modification shall be permitted which affect uses, density, or the minimum district size of the PRD.

4-113

Rezoning to the Planned Residential Development District

Rezoning to PRD shall be established by amending the Zoning Map of Fauquier County. The procedures for such an amendment shall be generally as set forth in Section 13-200 of this Ordinance except as provided below. In the event of conflict between the provisions of Section 13-200, the provisions below shall prevail.

A. Pre-Application Conference

Applicants for rezoning to the PRD shall meet with Department of Community Development staff and other appropriate review agencies to review the proposed Concept Development Plan and Code of Development prior to formal submittal. The purpose of such conferences shall be to assist in bringing the application and material submitted therewith as nearly as possible into conformity with these or other regulations applying in the case, and to define specific modifications to the applicant of these regulations which may be modifiable pursuant to Section 4-112 above and which seem justified by alternative means to achieve the public purpose for such regulation to at least an equivalent degree. The timing and number of pre-application conferences shall be as mutually agreed to by the applicant and staff.

B. Rezoning Application - General

All rezonings to the PRD shall require a Concept Development Plan, a Code of Development, and other documents which may include, but not be limited to, proffer statements, dedications, and contributions

C. The Concept Development Plan

Applicants for rezoning to the PRD shall submit at time of application a proposed Concept Development Plan which shall include on one or more sheets not to exceed 24 by 36 inches in size at a scale to be approved by the Director:

1. Wetlands, floodplain, streams, other significant environmental features, and historic resources and elements proposed to be preserved.
2. Proposed grading/topography with a maximum of two (25) foot contours.
3. A general street, block and open space layouts, including:
 - a. proposed streets, alleys, sidewalks and pedestrian paths;
 - b. connections to existing and proposed streets adjoining the development property, including streets proposed in the County's Comprehensive Plan;
 - c. size, location, character, and connections between proposed open spaces.
4. The general layout for the water and sewer systems, and a conceptual stormwater management plan.
5. A conceptual landscaping/buffering plan.

6. The location and general boundaries of each neighborhood proposed within the development
7. The location of key features or major elements within the development, such as key uses and civic buildings, etc.
8. Typical lot layouts. The actual layout that occurs as lots develop may vary from the typical lot layout, provided the degree of variability within individual blocks and along individual streets is maintained.
9. The proposed phasing and sequence of the development for each phase.

D. Code of Development

1. A table of uses permitted in the district.
2. A summary of land uses proposed in the development, overall as well as for each neighborhood and block. Residential lot sizes and types shall be specified, as well as other key uses for each Sub-district and Block.
3. Design standards establishing lot sizes, build-to-lines and heights for each block.
4. Architectural standards that will apply to the development to address the Building Requirements set forth in Section 4-107 and 4-111, including specific architectural sketches, renderings and massing plans for typical buildings, and general exterior finish materials specifications for buildings.
5. Design requirements for open spaces, including specific character and facilities for key open spaces.
6. Design requirements for streets, sidewalks and trails, including typical cross-sections to show dimensions, proportions and streetscape.
7. Landscape standards that will apply to the development to address the Landscaping and Buffering Requirements set forth in Section 4-914.
8. The mechanism whereby the developer will implement the Code of Development.
9. The proposed phasing and sequence of the Concept Development Plan.

E. Additional Submission Materials

The following additional materials shall be submitted at the time of the application. These materials are to be used by staff, the Planning Commission and the Board of Supervisors in reviewing and evaluating the application and may, along with the proposed Concept Development Plan and basic application materials required by Section 13-200 of this ordinance, form a basis for identification and mitigation of impacts of the proposed development and for making modifications to the proposal to allow it to better satisfy the purpose and

intent of the PRD and to meet all requirements of this Ordinance. The required additional materials are:

1. A statement which confirms the ownership or control of the property, the nature of the applicant's interest in the same, and the place of record of the latest instrument in the chain of title for each parcel constituting the subject property.
2. Specific requests for any modifications pursuant to Section 4-112 above. Such requests shall be specific as to all modifications that are being requested, why they are needed or desired and shall provide detailed justification as to how, if approved, the modifications will serve public purposes to at least an equivalent degree as the ordinances being modified. Where such modifications include a reduction in parking or use of on-street spaces to meet parking requirements, a detailed parking impact assessment shall be submitted in support of such reduction.
3. A Traffic Impact Analysis (TIA) or Traffic Assessment per Section 301B of the Design Standards Manual.
4. A statement indicating anticipated impacts of the development including the extent, approximate timing and estimated costs of proposed off-site infrastructure improvements such as roads, water, sanitary sewer and stormwater management facilities necessary to construct the development. This statement should identify those facilities to be constructed by the applicant and explain how and when those to be constructed by others will be provided.
5. A draft Proffer Statement to address mitigation of impacts, including but not limited to, transportation impacts, impacts on public facilities such as schools.

4-114

General Standards for Approval of a Rezoning to the Planned Residential District

In addition to the specific requirements of this section and the standards for rezoning for all development contained in Section 13-200, the following standards shall be utilized and adhered to by the Planning Commission and Board of Supervisors in determining whether to approve the proposed development:

- A. The design of the development is such that it will achieve the stated purpose and intent of the PRD District, to create pedestrian oriented residential neighborhoods of traditional design, providing for a reasonable and sustainable transition to adjoining development, with open space, landscaping and/or larger lots utilized to provide buffers where appropriate.
- B. The development is in substantial conformance with the adopted Comprehensive Plan with respect to type, character and intensity of use and public facilities.
- C. The development provides complementary commercial uses where appropriate.

- D. The development provides for a mixture of housing types, sizes, and affordability. Housing in a range of sizes and styles is integrated throughout the development. Opportunities for accessory apartments and live-work units are provided where appropriate.
- E. The development is designed with a pedestrian orientation, with clearly defined continuous sidewalks and paths enhanced by trees, pocket parks, seating and other streetscape elements. Buildings are located close to the sidewalk with the mix of uses providing for a variety of possible pedestrian destinations within walking distance of each other.
- F. Buildings and spaces within the PRD are designed to create neighborhoods that are attractive and inviting, and in keeping with the feel, style and architectural vernacular of a traditional town in the Virginia piedmont. The elements of building height, setback, yards, architecture and spatial enclosure as established by the Code of Development for the project all contribute to the appearance and function of the development.
- G. Streets are designed to consider their influence on the character of the neighborhood as well as their carrying capacity. Street networks provide multiple connections internally and connect through to adjoining properties where appropriate, providing multiple routes to any destination. Generally, local streets are narrower, minimizing pavement. Parking is accommodated on the street. Utilities are provided within the street wherever possible, in order to accommodate a streetscape that includes street trees as well as sidewalks.
- H. Open space is treated as an integral component of the development design. Small parks are provided throughout the development within walking distance of all residents. In core areas, small open spaces such as plazas or courtyards are provided at appropriate locations to provide a focal point for the community and to serve as gathering places. Larger developments provide for active recreational opportunities for residents. Natural and environmentally sensitive areas are preserved and protected. The open spaces within the development are connected by sidewalks or trails, and connected to other open spaces.
- I. The development minimizes the amount of parking provided, maximizing opportunities for on-street parking and shared parking. Parking for commercial uses are located to the rear and side of buildings and dispersed in smaller lots where possible, so that it does not dominate the street. In residential areas, garages are predominately located to the rear, with alley access, returning the street to the pedestrian. Where garages are fronting on streets rather than alleys, they are designed such that they are not a prominent feature of the street, with side-loading doors and greater setbacks than the remainder of the house.
- J. Lighting is traditional in form and consistent with the human-scale orientation of the development, oriented toward pedestrians and minimizing impacts on dark-skies.
- K. The development efficiently utilizes the available land and protects and preserves floodplains, wetlands and steep slopes.

- L. The development is designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede use of surrounding properties in accordance with the adopted Comprehensive Plan.
- M. The development shall be located in an area in which transportation, police and fire protection, other public facilities and utilities, including water and sewer, are or will be available and adequate for the uses proposed; provided, however, that the applicant shall make provision for such facilities or utilities which are planned but not presently available.

4-115

Deviations from the Modifications to the Approved Concept Plan

Development of the PRD shall be in substantial conformance with the Concept Development Plan and Code of Development. Minor deviations from the approved Concept Development Plan and Code of Development may be permitted when the Director determines that such deviations are necessary due to the requirements of topography, drainage, structural safety or vehicular circulation and such deviations will not materially alter the character of the proposed development, including the proposed development phasing and does not violate other binding components of the Plan including approved Proffers. In no case shall deviations include changes to the general location and types of land uses; an increase in the total number of dwelling units or the floor area for commercial uses; or a decrease in total area for open space and recreational amenities. Changes not in conformance with this section or not deemed minor deviations shall require amendments to the approved rezoning.

4-116

PRD Approved Prior to January 1, 2009

Consistent with the Purpose and Intent set forth in Section 4-101, it is recognized that development was approved utilizing the PRD prior to 2009 which was less traditional and more suburban in form. Therefore, the following special provisions shall apply to amendments to projects where such project was initially approved prior to 2009:

- A. The Lot and Building requirements set forth in Section 4-107 shall not apply; instead, projects shall adhere to the lot and building requirements approved as part of the initial approval.
- B. The items required under Section 4-113.C for the Concept Development Plan submittal shall not be required; instead, the information submitted on the approved Concept Development Plan shall be sufficient (with proposed amendments shown).
- C. The items required under Section 4-113.D for the Code of Development shall not be required; instead, the architectural standards required and approved under the initial rezoning shall be sufficient (with proposed amendments shown).
- D. The standards for approval set forth in Section 4-114 shall not apply; rather the standards listed below, which were in place prior to 2009 utilized to evaluate the initial approval, shall also apply in consideration of any amendment:
 - 1. The development is located within an area designated in the Comprehensive Plan for planned residential development and is consistent with the phasing of the Comprehensive Plan.
 - 2. The development is of such design that it will result in a development achieving the adopted goals of the Comprehensive plan and the stated purposes of the PRD more than would development under a conventional zoning district.

3. The development efficiency utilizes the available land and protects and preserves to the extent possible all scenic assets and natural features such as trees, streams, and topographic features.
4. The development is designed to prevent substantial negative impact 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 development shall be located in an area in which transportation, police and fire protections, other public facilities and utilities, including water and sewer, 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.