**Chapter 84 – ZONING ORDINANCE**

**ARTICLE VII – PLANNED DISTRICTS (RPD)**

**PART 700. – GENERAL**

**Sec. 84-700.01. – Purpose of the planned districts.**

1. *General purposes.* The planned development district is a flexible land development zoning category intended to promote efficient use of land, allow a compatible mix of land uses on a single parcel or group of parcels, obtain design flexibility not otherwise possible, ensure efficient traffic circulation and the preservation of open space and sensitive environmental and historic features, ensure compatibility of the development with surrounding properties and the public utilities and services necessary to the development and to implement the purposes of zoning set forth in Code of Virginia, § 15.2-2283.
2. *Organization of dwelling types and commercial uses.* Generally, planned districts shall be designed to provide principally residential uses with supporting commercial uses. The organization of dwelling types and commercial uses shall be provided as;
3. Land bays of differing dwelling types.
4. Overall development mixing dwelling types throughout the district.
5. Commercial uses shall support the residential community, can be provided as;
6. Mixed use structures: Hours of operation are limited to 7:00 am to 8:00 pm,
7. Building pads internal to residential land bays: Hours of operation are limited to 5:00 am to 10:00 pm,
8. Land bays for commercial uses only.
9. *Specific objectives*. The specific objectives of the planned development districts are:
10. To facilitate the efficient use of land through a more economical arrangement of buildings, circulation systems, land use and utilities;
11. To preserve the existing sensitive environmental areas to utilize such features in a harmonious fashion, and to promote environmentally sustainable development patterns;
12. To provide for more usable and suitably located recreation facilities and other public common facilities that would not otherwise be provided using conventional land development controls; and
13. To combine and coordinate architectural styles, building forms and building relationships within the planned development.
14. Roadway designs that support the interconnection of land bays and limiting the inclusion of dead-end and cul-de-sac design. Roadways connected to interparcel connections shall be designed to deter the use of these roadways as a thoroughfare.
15. *Relationship to Comprehensive Plan*. In accordance with the general purposes and specific objectives stated above, planned development districts are generally intended to be consistent with and implement the intent, goals, objectives, policies and action strategies of the Comprehensive Plan. The RPD, planned mixed residential district is intended to implement the development of AG/Rural Residential, Future Residential and redevelopment of Existing Residential future land use classifications of the Comprehensive Plan.

**Sec. 84-700.02. – Purpose of the general design plan.**

A general design plan demonstrates how the proposal provides a planned cohesive development and achieves the purpose of planned development by ensuring efficient use of property, efficient traffic circulation, and preservation of open space and sensitive environmental and historic features. The master zoning plan guides the progress of a planned development district by identifying designations where compatible uses are proposed. The General Deign Plan shall be provided as identified in Part 1100 of this Chapter.

**Sec. 84-700.03. – General provisions applicable to planned districts.**

The language that shall govern the development within planned districts shall be in the following order.

1. Chapter 84 – the Town of Strasburg Zoning Ordinance in its entirety.
2. Language within this Article that specifically modifies other sections of Chapter 84.
3. Modifications identified as conditions within the planned district proffer statement.
4. Any approved waivers or variances.

**Sec. 84-700.04. - Approval of comparable uses for planned districts and minor variations.**

1. The Zoning Administrator, in pursuit of his duties as specified by section Part 201 of this chapter, is empowered to interpret the uses permitted in any planned district contained in this chapter, as provided in this section.
2. The Zoning Administrator may find that, upon submission of appropriate materials, a use, which is not otherwise specifically allowed or disallowed by this chapter, but which otherwise meets the intent and standards of this chapter may be ruled to be a "comparable use" and thus be permitted to exist in a planned district. The applicant shall demonstrate that the proposed comparable use is similar to uses which are otherwise specifically permitted by the planned district and shall comply with the following:
3. All of the proffered development standards of the planned district must be met;
4. All standards regarding all environmental factors within the planned district in which the comparable use is proposed must be met; and
5. Submission of the following:
6. A letter from the owner of the building or the land on which the comparable use will exist approving establishment of the proposed comparable use;
7. A plat showing the property on which the proposed use is to be located;
8. A plan of the building in which the use is to be located showing any and all modifications to the building;
9. A plan or list of equipment which will be placed in the building;
10. A statement signed by the applicant indicating the types and amount of air pollutants, water and noise emissions from the proposed comparable use; and
11. A statement indicating the type and amount of vehicular traffic generated by the proposed comparable use.
12. Minor variations in site development plans and subdivision plats from the approved master zoning plan may be permitted by the Zoning Administration and Public Works upon finding that such variations are: generally in keeping with the intent and concept of the approved master zoning plan; in accordance with conditions or modifications required by the board in their approval; and in accordance with the regulations currently in effect. Said variations shall allow for the shifting of features shown on the master zoning plan that results in an improvement and/or reduces the impact of the development.
13. Nothing in this section shall authorize a waiver or modification of density, intensity, or height restrictions.
14. Amendments to a planned district general design plan may be made through the rezoning process set forth in Article XI of this chapter.

**PART 701. NONRESIDENTIAL USE AND MIXED RESIDENTIAL IN COMMERCIAL LAND BAYS**

**Sec. 84-701.01. – Uses applicable to non-residential and mixed residential/commercial land bays.**

1. This land bay designation shall be NRC for Nonresidential Community and MUC for Mixed Use Community. Uses identified in the B-2 district identified as by-right, secondary and special uses may be permitted in a planned district,
2. The following uses are specifically prohibited in commercial land bays:
3. Arcade, amusement
4. Club
5. Dance Hall
6. Drive-in restaurant
7. Feed and grain retail store.
8. Funeral Services
9. Greenhouse or nursery
10. Gun store
11. Home improvement center
12. Indoor shooting range
13. Mobile home or office sales
14. Motor vehicle related uses including sales, leasing, service, repair, towing, impoundment, excluding fuel and car wash where adequate buffering from the residential uses is provided.
15. Pawn shop.
16. Tool and equipment rental
17. The following uses are specifically prohibited in mixed use community land bays.
18. Arcade, amusement
19. Brewery, craft
20. Carpet or flooring sales.
21. Club
22. Dance Hall
23. Drive-in restaurant
24. Farmers market
25. Feed and grain retail store.
26. Funeral Services
27. Greenhouse or nursery
28. Gun store
29. Home improvement center
30. Indoor shooting range
31. Mobile home or office sales
32. All motor vehicle related uses including sales, leasing, service, repair, towing, impoundment, fuel, and car wash.
33. Pawn shop.
34. Payday loan establishment
35. Pet store
36. Tool and equipment rental
37. Uses within mixed residential and commercial land bays shall have restricted hours of operation of 5:00 am to 10:00 pm.

**Sec. 84-701.02. - General development standards for nonresidential areas.**

1. Specific design standards in non-residential and mixed residential and commercial land bays:
2. The maximum height for any building or structure shall be 45 feet. The minimum height shall be 30 feet.
3. Buildings may have zero lot line yards and setbacks.
4. Buildings containing only commercial uses in mixed use land bays shall be set back at least 30 feet from all street rights-of-way.
5. No rear or side yards are required except that every building shall have access for emergency response purposes, approved by the Fire Marshal.
6. At least 50 percent of the aggregate net floor area in the mixed residential and commercial land bay(s) shall contain residential dwellings that shall only be permitted on the second or higher floors or buildings. Lobbies or entries serving residential dwelling uses are permitted on the ground floor. These structures shall be set back 15 feet from the front property line or right-of-way.
7. Parking standards in the non-residential and mixed residential and commercial land bays:
8. Parking requirements shall be suspended for the outdoor terrace portions of restaurants.
9. On-street parking within the public right-of-way shall be parallel only.
10. Parking, for all uses in this land bay, shall be calculated pursuant to standards in the Technical Design Manual and is subject to a sharing formula in the parking impact analysis. On-street parking within the public right-of-way can be used to satisfy minimum parking requirements.
11. Buffers shall be provided between nonresidential land bays and residential land bays set identified in Chapter 6 of the Technical Design Manual.

**PART 702. RESIDENTIAL LAND BAYS**

**Sec. 84-702.01. - Overall site planning and site development requirements applicable to residential land bays.**

1. The principal uses allowed in this land bay shall be a mixture of density and dwelling types. This land bay designation shall be RPC for Residential Planned Community. The general design plan shall identify the house type grouping. The following group designation shall used.
	1. MFG – Multifamily Group
	2. THG – Townhouse Group
	3. CDG – Condominium Group
	4. DPG – Duplex Group
	5. SFG – Single-family Group
2. The following uses may be included within the general design plan for consideration by the Planning Commission and Town Council.
3. Adult day-care facility
4. Child day-care facility
5. Churches or religious institutions and satellite parking lots
6. Community operated recreation facility
7. Guest quarters for temporary personal guests of residents.
8. Home office
9. Home sales office
10. Libraries
11. Nursing homes or homes for the aged providing medical and convalescent care.
12. Parks, plazas, or squares
13. Post office.
14. Recreation, meeting, administrative and other community-serving facilities
15. Schools, public or private, excluding boarding.
16. Specific design standards in residential multifamily, mid-rise land bays:
17. Multifamily buildings in this land bay are subject to the Performance Standards in section Part 409, respectively. Buffers and yards and setbacks for other uses shall be determined at the time of the general design plan reviews or in accordance with the Technical Design Manual.
18. The front of all multifamily buildings shall depict a residential facade and be at least three stories. The maximum height of all multifamily shall be 35 feet. Heights for other uses, except for public uses, shall be determined at the time of their respective general Design plan reviews.
19. For multifamily buildings and any attachments thereto, there shall be a minimum separation of 20 feet.
20. For multifamily buildings, landscaped courtyards or plazas shall be provided. Roof-top uses such as terraces, decks, plantings, and other common area space shall allow for a density bonus.
21. Parking standards in residential multifamily land bays:
22. On-street parking within the public right-of-way shall be parallel only.
23. For multifamily buildings any multispaced carports shall be placed to the rear of buildings accessible by way of an alley; garage structures shall be integrated into the residential structure, as a doughnut or U-shaped residential structure with the internal as the garage structure.
24. Parking, for all uses in this land bay only, shall be calculated pursuant to standards in the Technical Design Manual and is subject to a sharing formula in the parking impact analysis. On-street parking within the public right-of-way may be used to satisfy minimum parking requirements.

**Sec. 84-702.02. – Overall site planning and site development requirements applicable to residential townhouses dwellings within the RPC Residential Planning Community land bays.**

1. The principal use allowed in this land bay shall be townhouses which shall be located entirely within blocks. This group designation shall be THG as Townhouse Group. The only other allowed uses include:
2. Specific design standards in residential townhouse land bays:
3. Townhouse uses may have zero lot line yards and setbacks except the rear setback shall be at least 30 feet and for corner lots, the side setback shall be ten feet. Unroofed landings, porches, decks, steps, and stoops, in any combination, may encroach up to 20 feet into the required rear yard setback of 30 feet. Buffers and yards and setbacks for other uses, except for public uses, shall be determined at the time of their respective Special Use Permit reviews or in accordance with the Technical Design Manual.
4. Townhouse unit widths shall be a minimum of 14 feet to a maximum of 30 feet.
5. For townhouses, fences or walls in rear and side yards may be placed on a lot line for any fence or wall that does not exceed six feet in height. In the front yard, fences or walls shall not exceed four feet in height. These provisions are not intended to apply to retaining walls. Notwithstanding these provisions, sight distances pursuant to Section 3.1.7 of the Technical Design Manual shall be provided.
6. The front of all townhouse units shall depict a residential facade. The maximum townhouse building height shall be 35 feet. Heights for other uses, except for public uses, shall be determined at the time of their respective general design plan reviews.
7. Parking standards in residential townhouse land bays:
8. On-street parking within the public right-of-way shall be parallel only.
9. Any detached garages for a townhouse use shall be placed behind units that are accessed by an alley and shall be setback a minimum of five feet from the side and rear lot lines. A maximum lot coverage of 75 percent shall be allowed. Garage units within townhouses shall only be allowed as rear entry garages.
10. Parking for all uses in this land bay shall be calculated pursuant to standards in the Technical Design and Manual. On-street parking within the public right-of-way can be used to satisfy minimum parking requirements. Calculations for parking shall be subject to the sharing formula contained in the parking impact analysis.

**Sec. 84-702.03. - Overall site planning and site development requirements applicable to residential single-family detached land bays.**

1. The principal use allowed in this land bay shall be single-family detached dwelling units which shall be located entirely within blocks. This land bay designation shall be SDR. The only other allowed uses include:
2. Adult day-care facility
3. Child day-care facility
4. Community operated recreation facility
5. Group home
6. Home occupation
7. Home office
8. Home sales office
9. Libraries
10. Parks, plazas, or squares
11. Religious institutions, places of religious worship, and satellite parking lots
12. Schools, public or private, excluding boarding.
13. Specific design standards in residential single-family detached land bays:
14. Flag or flag-shaped lots shall be prohibited. All lots shall have frontage on a public street except lots used for public uses or community operated recreation facilities.
15. The front of all single-family detached dwellings shall depict a residential facade and be at least two stories visible at the finished front grade to the top of the unit.
16. For single-family detached dwellings, the lot width minimum is 50 feet, and the maximum is 70 feet.
17. A majority of dwellings shall have a front porch provided in accordance with the approved design guidelines.
18. The front setback for single-family detached dwellings shall be ten feet measured to the front porch, excluding steps. The rear setback for the principal dwelling shall be at least 30 feet and side setbacks can be zero feet with maintenance easements, except for corner lots the side setback, including any porches, shall be ten feet. Unroofed landings, porches, decks, steps, and stoops, in any combination, may encroach up to 20 feet into the required rear yard setback of 30 feet. Buffers and yards and setbacks for other uses, except for public uses, shall be determined at the time of their respective Special Use Permit reviews or in accordance with the Technical Design Manual, except for community operated recreation facilities which are subject to the standards contained in Part 311 of this Chapter.
19. Parking standards in the residential single-family detached land bays:
20. On-street parking within the public right-of-way shall be parallel only.
21. For single-family detached dwellings, all garages shall be located in the rear yard and shall be connected to the street with a driveway or by an alley. Only porte-cocheres shall be allowed in the side yard; carports shall be prohibited.
22. Parking, for all uses in this land bay, shall be calculated pursuant to standards in the Technical Design Manual and is subject to a sharing formula in the parking impact analysis. On-street parking within the public right-of-way can be used to satisfy minimum parking requirements.
23. Lot standards in the residential single-family detached land bays:
24. Flag or flag-shaped lots shall be prohibited. All lots shall have frontage on a public street except lots used for public uses or community operated recreation facilities.
25. Lots fronting major collector and arterial streets as defined in Chapter 3 of the Technical Design Manual, shall front the major collector and arterials streets and be provided with rear access via a minor collector road or alley to the required off street parking.

**Sec. 84-702.03. – General development standards for residential land bays.**

1. The land bays shall identify the standard zoning district in which development in the land bay shall follow.
2. The development standards of the proposed zoning district shall apply.
3. Those development standards are;
	1. setbacks,
	2. road frontage,
	3. lot size,
	4. building height,
	5. required open space, and
	6. lot width/depth ratio.
4. These development standards may be modified by proffered conditions, specifically identified within the proffer statement.

**PART 703. CLUSTER DEVELOPMENT WITHIN PLANNED DISTRICTS**

**Sec. 84-703.01. – Cluster development, generally.**

1. Cluster development of single-family detached dwellings may be permitted in the RPC land bays if the following design criteria, in addition to any specific design criteria for cluster developments set out in the regulations for each district are met.

**Sec. 84-703.02. – Cluster development, general design standards.**

1. The proposed cluster development shall be designed so as to protect natural vegetation and the topographic features of the site and concentrate construction so as to minimize the intrusion of manmade improvements upon the surrounding area.
2. No minimum development area shall be required for cluster development. The cluster development may be a part of a larger planned residential or mixed-use project approved in one preliminary subdivision or site plan, in which case the cluster development area shall be specifically set forth on such plan. Additions may be made to existing cluster developments provided that all other design criteria of this section are met, and the existing homeowner’s association agrees in writing to accept the new area as part of its association.
3. A minimum of 35 percent of the gross acreage shall be designated as open space. Open space area shall be equitably and logically distributed throughout the development or concentrated in environmentally sensitive areas, particularly on slopes adjacent to perennial streams.
4. Land within a major utility easement or right-of-way for existing above-ground utilities shall not represent more than ten percent of the area needed to satisfy the open space requirement or be counted as any part of a required dedicated open space area. For the purpose of this section, a major utility easement or right-of-way for existing above-ground utilities shall be one having a width of 25 feet or greater and used to support above-ground structures, existing at the time of final subdivision approval, which are associated with a public utility.
5. A 50-foot-wide perimeter landscaped buffer area surrounding the edge of cluster developments shall be provided in accordance with Chapter 6 of the Technical Design Manual. When these buffer areas contain mature trees and other vegetation adequate to screen the development from the street, such vegetation may be used to satisfy the buffer area requirement; however, when the buffer areas are devoid of any significant vegetation, landscaping as set forth in the Technical Design Manual shall be provided. These buffer areas may be crossed by necessary street and utility connections, and necessary temporary disturbance of these buffer areas along the edges of such connections may be permitted, provided any disturbed areas are thereafter landscaped. Except for such temporary disturbance and the installation of landscaping, these buffer areas shall remain undisturbed. Buffer areas conveyed to a homeowner’s association or other authorized grantee accepting the buffer area into its approved open space program may be counted as a part of the required open space.
6. Adequate access to and within the development for vehicular and pedestrian traffic shall be provided, including common walkways to open space areas.
7. No portion of any residential lot shall be platted in any nontidal wetland area, any 100-year floodplain, perimeter buffers, any major utility easement or right-of-way for existing above-ground utilities, as that term is defined in subsection 4. above, or on slopes greater than 15 percent adjacent to a perennial stream.
8. No street shall be located in any wetland area (tidal or upland) or in any 100-year floodplain except for necessary crossings or access points.
9. Flag lots may be permitted only in accordance with the following standards:
10. No more than 20 percent of the total number of lots shall be flag lots.
11. Flag lots shall be designed to take advantage of the natural land features, and shall be located, to the extent possible, so as to abut areas of common or dedicated open space.
12. No more than four flag lots shall be served by a common driveway easement not less than 40 feet in width. No more than one flag driveway connection shall be permitted on the cul-de-sac portion of any public street; and the one driveway permitted shall be permitted only if there is no driveway connection on the cul-de-sac for a common driveway permitted by subsection 84-703.02.9.D of this chapter.
13. No more than six flag lots shall be served by a common driveway built to private street standards as set forth in the Technical Design Manual. Such driveways shall be privately maintained by a bona fide homeowner’s association. No more than one such driveway connection shall be permitted on the cul-de-sac portion of any public street, and then only if there is no driveway connection on the same cul-de-sac for a driveway permitted by subsection 84-703.02.9.C of this chapter. Such driveways shall have two public street connections, shall not connect with any other flag common driveway, and shall be permitted only in locations specifically approved.
14. Minimum front, side and rear setback requirements shall be met for all flag lots. The minimum front setback for a flag lot shall be measured parallel to the common driveway property line, not to easement boundary lines or the edge of the driveway. If any lot in a cluster subdivision has the required minimum lot width on a public right-of-way, such lot is not a flag lot, and the front setback is measured parallel to the public right-of-way line.
15. For lots located at the end of a group of flag lots, the minimum front setback shall be measured from the lot line where the common driveway enters the main body of the property.

**Sec. 84-703.03. – Cluster development, tiny house general design standards.**

1. Setbacks
	1. Front 20 feet from right-of-way, private street, or access easement
	2. Rear 20 feet
	3. Side 8 feet for internal cluster lot lines

10 feet for external cluster lot lines to dwellings other than tiny house clusters

1. Lot Coverage 60%
2. Parking
	1. Two off-street spaces shall be provided.
	2. One of the two off-street spaces must be on the lot in which the dwelling is located.
	3. A shared off-street parking lot may be permitted to serve a single cluster. Such parking lots shall be privately maintained by a bona fide homeowner’s association.
3. Dwellings shall have a permanent foundation and utility connections.
4. Tiny House Cluster developments are permitted in any residential zoning district except in districts classified as Residential Historic District (R-H).
5. Buffers to other districts and dissimilar uses shall meet the requirements set forth in Chapter 6 of the Technical Design Manual.
6. The accumulative square footage of accessory structures cannot exceed the square footage of the dwelling.
7. No more than four flag lots shall be served by a common driveway easement not less than 40 feet in width. No more than two flag driveway connections shall be permitted on the cul-de-sac portion of any public street.
8. No more than eight flag lots shall be served by a common driveway built to private street standards as set forth in the Technical Design Manual. Such driveways shall be privately maintained by a bona fide homeowner’s association. No more than one such driveway connection shall be permitted on the cul-de-sac portion of any public street. Such driveways shall not connect with any other flag common driveway and shall be permitted only in locations specifically approved.

**PART 704. CONSERVATION SUBDIVISIONS**

**Sec. 83-704.01. - Purpose.**

In A-3 or R-1 districts, the owner of a parent tract may apply to the Zoning Administrator for approval of a conservation subdivision.

1. Conservation subdivisions are intended to preserve valuable agricultural and environmentally significant lands by use of conservation easements and development rights restrictions while allowing some residential development in the rural areas of the County. Other specific purposes of this section are to:
	1. Avoid surface and groundwater pollution, contaminated run-off, air quality contamination, and urban heat islands that result from pavement and the clearing of natural vegetation;
	2. Protect and preserve natural resources, such as wetlands, streams, lakes, steep slopes, woodlands, and water recharge areas;
	3. Reduce infrastructure and housing costs by reducing the engineering and construction costs produced by conventional subdivision design, which requires more pavement, wetland crossings, grading of trees and natural areas, and maintenance from lawn and landscaping maintenance;
	4. Protect property values by allowing open space design features that enhance the marketability of development; and
	5. Promote development on soils that are most suitable for urban densities while preserving soils that are primarily adaptable to other uses, such as woodlands, wildlife habitat, and agriculture.

**Sec. 83-704.01. - Procedure.**

1. Initial Conference. Before submitting an application for a conservation subdivision, the Applicant shall schedule an appointment and meet with the Zoning Administrator to discuss the procedure for approval of a conservation subdivision, including submittal requirements and design standards. The initial conference may be conducted in coordination with a site visit.
2. Inventory and Mapping of Existing Resources. After the initial conference, the Applicant shall submit the following information to the Zoning Administrator, which shall be mapped at a scale of no less than one (1) inch to fifty (50) feet:
	1. Topographic contours at 2-foot intervals;
	2. United States Department of Agriculture, Natural Resource Conservation Service soil type locations and identification of soil type characteristics such as agricultural capability, depth to bedrock and water table, and suitability for wastewater disposal systems;
	3. Hydrologic characteristics, including surface water bodies, floodplains, groundwater recharge and discharge areas, wetlands, natural swales, drainage ways, and steep slopes;
	4. Land cover on the site, according to general cover type (pasture, woodland, etc.), and stand-alone trees with a caliper of more than 24 inches measured four and one-half feet off the ground. The inventory shall include comments on the health and condition of the vegetation;
	5. Current and past land use, including all buildings and structures on the land, cultivated areas, brownfields, waste sites, and history of waste disposal practices, paved areas, and all encumbrances, such as easements or covenants;
	6. Known critical habitat areas for rare, threatened or endangered species;
	7. Views of the site, including views onto the site from surrounding roads, public areas and elevated areas, including photographs with a map indicating the location where the photographs were taken;
	8. Unique geological resources, such as rock outcrops and glacial features; and
	9. Cultural resources: brief description of historic character of buildings and structures, historically important landscapes, and archeological features. This includes a review of existing local, state and national inventories for historic buildings, archaeological sites, and burial sites.
3. Site analysis and concept plan. Using the inventory described in the previous paragraph and applying the design standards specified in the following Section, the Applicant shall submit a Concept Plan and site analysis on one or more sheets that shall include at least the following information at a scale of no less than one inch to 50 feet:
	1. Open space areas indicating which areas are to remain undeveloped;
	2. Boundaries of areas to be developed and proposed general street and Lot layout;
	3. Number and type (e.g., single-family detached, townhome, etc.) of dwelling units proposed;
	4. Proposed Best Management Practices methods for and location of water supply, wastewater collection system, stormwater management and sewage treatment;
	5. Inventory of preserved and disturbed natural features and prominent views;
	6. Preliminary building envelopes showing areas for lawns, pavement, buildings;
	7. Proposed methods for ownership and management of open space;
	8. General location map showing the general outlines of existing buildings, land use, and natural features such as water bodies or wooded areas, roads and property boundaries within 500 feet of the subdivision;
	9. Boundary line of the proposed site and all property to be subdivided, including all contiguous land owned or controlled by the Applicant; and
	10. Identification of primary and secondary conservation areas.
4. Conservation subdivisions are approved as a Planned Development.

**Sec. 83-704.01. – Performance standards.**

1. Size and Location of Site. There is no minimum or maximum size for a conservation subdivision, provided the minimum open space requirements are met. The number of new parcels that may be created shall be consistent with the density established in the applicable zoning district unless bonus densities are sought.
2. Uses. Permitted uses are governed by the applicable zoning district regulations.
3. Lot and Block Design
	1. Lots within a conservation subdivision are not subject to the minimum lot size, minimum frontage, or minimum lot width requirements of the zoning district.
	2. In order to provide undivided open space for direct views and access, at least 50% of the lots within a conservation subdivision shall abut a conservation area. Direct pedestrian access to the open space from all lots not adjoining the open space shall be provided through a continuous system of sidewalks and trails.
	3. Lots within 100 feet of a conservation area shall front on a local street.
	4. Building lots shall be configured to minimize loss of woodlands.
	5. All lots within a neighborhood shall abut open space on at least one side. A local street may separate lots from the open space.
	6. Building lots should not be located on ridges, hilltops, along peripheral public roads or in other visually prominent areas.
	7. Residential structures shall be oriented to maximize solar gain in the winter months.
4. Residential Cluster Siting Standards. Residential clusters shall be located to:
	1. Minimize negative impacts on the natural, scenic and cultural resources of the site and conflicts between incompatible uses;
	2. Avoid encroaching on rare, threatened or endangered species habitats;
	3. Enable open spaces to connect with existing or potential open space lands on adjoining parcels and with greenways;
	4. Minimize impacts to prime farmland soils and large tracts of land in agricultural use, and avoid interference with normal agricultural practices;
	5. Minimize disturbance to woodlands, wetlands, grasslands, and mature trees.
	6. Prevent downstream impacts due to runoff through adequate on-site storm water management practices.
	7. Protect scenic views of open land from adjacent roads. Visual impact should be minimized through use of landscaping or other features.
	8. Protect archaeological sites and existing historic buildings or incorporate them through adaptive reuse.
	9. Enable the use of landscaping around the cluster to reduce off site views of residences.
5. Transportation
	1. A conservation subdivision shall comply with the street design standards, unless otherwise provided, and of this subsection.
	2. The conservation subdivision shall include a pedestrian circulation system. All sidewalks and trails shall connect to other sidewalks or paved or unpaved trail and trails shall connect to potential areas qualifying as conservation areas on the development parcel, adjoining undeveloped parcels, or with existing parks and open space on adjoining developed parcels.
	3. Streets shall not cross wetlands, unless the Zoning Administrator determines the tract has abnormal topography and the street would best serve town services and life safety.
	4. All lots shall be accessed from interior streets.
	5. Lots shall be configured to minimize the amount of road length required for the subdivision.
6. Parking. In order to encourage design flexibility, to preserve open space, and to minimize impervious surfaces, a conservation subdivision is not subject to minimum parking design standards.
7. Stormwater Management. Stormwater management ponds or basins may be included as part of the minimum required conservation areas, as provided in this chapter and the Technical Design Manual.
8. Landscaping and Screening. The landscaping and screening standards apply to conservation subdivisions.
9. Conservation Areas. This section establishes the standards for conservation areas. Conservation areas are the parks, natural features, and passive open space that distinguish this use pattern from other types of development.
	1. Conservation areas shall be designated as permanent open space, not to be further subdivided, and protected through a conservation easement held by a land trust or conservancy.
	2. The conservation easement shall prohibit further development in the conservation areas and may establish other standards safeguarding the site’s special resources from negative changes.
	3. The parks and open space standards relating to maintenance apply to a conservation subdivision. No other requirements of the parks and open space standards apply to a conservation subdivision.
	4. Set-Aside and Allocation of Conservation Areas. A minimum of 40% of the total tract area shall be designated as conservation areas. The following areas shall be designated as conservation areas:
		1. Wetlands;
		2. Woodlands;
		3. Sensitive aquifer recharge features;
		4. All of the floodway and flood fringe within the 100-year floodplain, as shown on the official Federal Emergency Management Agency (FEMA) maps;
		5. All areas within 100 feet of the edge of the 100-year floodplain, as delineated on the FEMA maps, and any Letter of Map Revision;
		6. All areas within 100 feet of the banks of any stream shown as a blue-line or black-line on the U.S. Geological Survey 1:24,000 (7.5 minute) scale topographic maps for the Strasburg;
		7. Soils subject to slumping, as indicated on the medium-intensity maps contained in the county soil survey, published by the U.S. Department of Agriculture Natural Resources Conservation Service;
		8. Significant wildlife habitat areas;
		9. Historic, archaeological, or cultural features listed (or eligible to be listed) on national, state, or county registers or inventories; or
		10. Scenic views into the property from existing public roads.
	5. Connectivity. Conservation areas shall abut existing conservation areas, parks or open space on adjacent parcels.
	6. Environmental Protection. A conservation subdivision shall comply with the following environmental protection standards:
		1. No conservation area shall be cleared, graded, filled, or subject to construction. However, rights-of-way for trails; any streets needed to provide access to the proposed subdivision; and water, sewer, electric, or cable lines may be cleared. The width of rights-of-way for streets or trails shall be restricted to the minimum required in this chapter and the Technical Design Manual; and
		2. No lot may be located on highly erodible or Karst soils.
	7. Ownership and Maintenance of Open Space and Common Facilities. The designated common open space and common facilities may be owned and managed by one or a combination of the following:
		1. A homeowners’ association;
		2. A non-profit conservation organization;
		3. An individual who will use the land for open space or agricultural purposes allowed by the Conservation Easement; or
		4. Public ownership, if accepted by the Town Council, which may include annual maintenance contributions.