

Article

4

Planned Development District

*City of Richmond
Unified Development
Ordinance*

Planned Development (PD) District

4.01 PD District Intent, Regulations, and Prerequisites

District Intent

The Planned Development (PD) District is **intended to provide flexible development standards in order for the development to result in a significantly better design than what would have been the result under the zoning regulations. The first priority for the City of Richmond is to make sure the development exceeds the quality that that would have resulted from traditional application of the zoning ordinance. The second priority is to confirm that a PD District is necessary due to any of the following:**

- A development with complex mixes of land uses, or mixes of land uses within buildings
- A development on a unique geological feature, or on a site with a notable quality natural features, or on a site with a notable quantity of natural features
- A development with a notably unique or innovative design

Plan Commission

- Any parcel that meets the prerequisites specified herein may be considered for a PD District
- The necessity for variances shall not by itself justify a developers pursuit of a PD District
- The base zoning district and the City of Richmond Comprehensive Plan shall be used to determine the appropriateness of the dominant land use in the PD District
- The proposed development shall be a clear benefit to the community

Common Council

- under no circumstance is the Common Council required to rezone a property as a PD District
- rezone a property to a PD District only after the Plan Commission provides a favorable recommendation
- require commitments that will improve the quality of the development
- restrict particular land uses that would not be appropriate for the district
- assure the development is consistent with the City of Richmond Comprehensive Plan

Regulations

Permitted Uses

- Predominantly in line with the permitted uses and special exception uses in the base zoning district
- Predominantly in line with the City of Richmond Comprehensive Plan
- Compatible with surrounding land uses (if developed) or adjacent zoning districts (if not developed)
- Flexible only to the extent permitted in *Article 4: Planned Development District*

Development Standards

- Generally consistent with the intent of the base zoning district
- Predominantly in line with the City of Richmond Comprehensive Plan
- Compatible with surrounding land uses and adjacent zoning districts
- Flexible only to the extent permitted in *Article 4: Planned Development District*

Design Standards

- Predominantly in compliance with the design standards in *Article 7: Design Standards*
- Flexible only to the extent permitted in *Article 4: Planned Development District*

Construction Standards

- Fully in compliance with the City of Richmond's construction and engineering standards

Prerequisites

Ownership

- The entire property proposed for a PD District shall be under single ownership, or if multiple owners exist, a legal document shall be provided (e.g. contract, legal partnership, or corporation) indicating that all owners of the property support and desire to develop the land as a planned development. The legal document or a letter signed by each owner shall indicate who the owners appoint as their representative through the process.

Site Area

- The minimum land area required for a PD District is five (5) acres

Regulating Ordinance

- Concurrent to the process of rezoning a property to PD District, the developer shall prepare a Regulating Ordinance for review and approval by the Plan Commission. The Regulating Ordinance shall be in a format provided by the Zoning Administrator

Timing of Rezoning

- A property shall not be rezoned to a PD District prior to final review of a Regulating Ordinance by the Plan Commission. The adoption of the Regulating Ordinance shall occur concurrently to the rezoning of the property to a PD District.

Planned Development (PD) District

4.02 General

- A. **Description:** A Planned Development (PD) District is a special zoning district that can be petitioned for by a property owner allowing for a stand alone ordinance to be adopted which becomes the regulations for a proposed development.
- B. **Creation:** The procedure for the creation of a PD District shall be consistent with the process set forth in *Article 9: Processes* of the Unified Development Ordinance.
- C. **Official Zoning Map:** Once a planned development is approved, it shall be identified as a PD District on the Official Zoning Map, and shall include the ordinance number for the Regulating Ordinance.
- D. **PD District Regulations:**
 - 1. **Development Standards:** The development standards from the base zoning district shall apply a PD District unless an alternate base zoning district is assigned by the Plan Commission; or unless the Regulating Ordinance's standards supersedes the base zoning ordinance's development standards.
 - 2. **Design Standards:** The set of design standards applicable to the most similar type of subdivision shall apply to a PD District, unless:
 - a. An alternate set of design standards are assigned by the Plan Commission; or
 - b. The Regulating Ordinance's standards supersedes the design standards.
 - 3. **Permitted Land Uses:** The land uses within a PD District shall be determined by the Regulating Ordinance. Any land use not specifically permitted in the Regulating Ordinance. Any unspecified land uses shall not be permitted. Vague land uses or land use categories shall not be permitted in a Regulating Ordinance.
 - 4. **Land Use Consistency:** The dominant land use for a PD District shall be incorporated in the Regulating Ordinance as follows:
 - a. If the original zoning district was PR then the development shall be at least sixty-five percent (65%) single-family residential. No industrial land uses shall be permitted.
 - b. If the original zoning district was AG or IA then the development shall be at least eighty percent (80%) single-family residential. No industrial land uses shall be permitted.
 - c. If the original zoning district was R1, R2, or R3 then the development shall be at least seventy-five percent (75%) single-family, two-family, and/or three-family residential. No industrial land uses shall be permitted.
 - d. If the original zoning district was UR, M1, M2, or MP then the development shall be at least sixty percent (60%) single-family or multiple-family residential. No industrial land uses shall be permitted.
 - e. If the original zoning district was UV or IS then the development shall be at least fifty percent (50%) institutional land uses. No industrial land uses shall be permitted.
 - f. If the original zoning district was NC, LC, GC, OC, CB, or HC then the development shall be at least fifty percent (50%) commercial land uses. Up to twenty percent (20%) may be industrial land uses.
 - g. If the original zoning district was EP, IC, I1, I2, or HI then the development shall be at least fifty percent (50%) office or industrial land uses. No more than fifteen percent (15%) of the development may be residential land uses.
 - h. If the original zoning district was HI then the development shall be at least eighty percent (80%) high intensity industrial land use. No residential land uses shall be permitted.
 - 5. **Applicability of the Unified Development Ordinance:** If the PD District or Regulating Ordinance is silent or does not address a particular development standard, design standard, or other specification that is regulated by the Unified Development Ordinance, then the standard of the closest relating zoning district shall apply.

4.03 Procedure

All proceedings brought under *Article 4: Planned Development District* are subject to the Rules of Procedure of the Plan Commission. All applications that involve subdivision of a land shall also be subject to the subdivision procedures established by *Article 9: Processes* of the Unified Development Ordinance.

Planned Development (PD) District

4.04 Limitation of Revisions to the Unified Development Ordinance

- A. Public Health and Safety: Additions or modifications to the Unified Development Ordinance that directly effect public health and safety shall apply to any PD District whether prior to or during development.
- B. Deviation from the Unified Development Ordinance: A PD District and its Regulating Ordinance shall not modify or supersede the applicability of Articles 1, 3, 4, 8, 9, 10, or 11 from the Unified Development Ordinance.
- C. Failure to Comply: If a PD District is no longer proceeding in accordance with its Regulating Ordinance, commitments, conditions, covenants, or time related requirements imposed by its Regulating Ordinance, the fullest extent of *Article 10: Enforcement and Penalties* may be use by the Enforcement Official to cause remedy.
- D. Rezoning to Standard District: All PD Districts, including phases or subdistricts, once seventy percent (70%) built-out are subject to being rezoned into an appropriate standard zoning district if the Plan Commission deems it necessary to better administer the development.

4.05 Required Permanent Open Space

- A. Open Space: No PD District shall be approved, unless the design provides for the prescribed percentage of permanent landscaped or natural open space. Open space may be designated through the use of common area or other legal mechanisms such as conservation easements to the satisfaction of the Plan Commission and Common Council. The minimum required permanent open space shall be as follows:
 - 1. 50% when the original zoning district was PR.
 - 2. 35% when the original zoning district was AG or IA.
 - 3. 25% when the original zoning district was R1, R2, or R3.
 - 4. 20% when the original zoning district was UR, M1, M2, MP, UV, IS, NC, LC, GC, OC, CB, HC, EP, IC, I1, or I2.
 - 5. 40% when the original zoning district was HI.
- B. Mixed-Uses: In the case of a mixed-uses development, single-family areas shall generally have twenty-five percent (25%) permanent open space and non-single-family areas shall generally have twenty percent (20%) permanent open space. The distribution of permanent open space shall strive to preserve existing natural features (e.g. woodlots and wetlands).
- C. Development in Stages: If the planned development is to be constructed in phases, permanent open space shall be provided for each phase of the development.