

# ARTICLE 6: Special and Planned Development Districts

## 6-10 Traditional Neighborhood Development (TND) District

### 6-10.10 Purpose and Intent

The “Traditional Neighborhood Development” (TND) District provides the zoning regulatory framework and platform upon which the Town may consider zoning district amendment applications (rezonings) for Traditional Neighborhood Developments, Mixed Use projects, or related New Urbanism forms of land use. The purpose and intent of this zoning structure is for the TND District to be applied where the Town has determined a more creative approach to zoning is needed in order to implement its adopted Comprehensive Plan and land use policies.

The application of the TND District should place a primary emphasis on the physical form of the built environment in order to produce the type of community that best meets Town’s “vision” for an applicant’s property. In areas where the Town, via its Comprehensive Plan or other land use policies, has not designated the applicant’s property for planned development or traditional neighborhood development, the rezoning application may be either preceded or accompanied by a concurrent amendment to the Town’s comprehensive plan. The comprehensive plan should generally establish the guiding principles of what should be incorporated into that “vision” for the applicant’s property, while the rezoning process provides that formal documentation, regulatory plans, specific land use codification, infrastructure schematics, and urban design guidelines that establish how the particular project best fits within the Town’s “vision”.

This approach to traditional neighborhood development is intended to better define the theme, scale, character, form and intensity of any given development proposal than that which could be otherwise governed by the application of the Town’s other conventional zoning districts. Individual applications for the TND District shall be evaluated based on the extent to which the proposed project addresses and includes the following essential elements for this form of land use:

- 1) The creation of compact neighborhoods oriented toward pedestrian activity and including an identifiable neighborhood center, commons, or square;
- 2) A variety of housing types, jobs, shopping, services and public facilities;
- 3) Residences, shops, workplaces, and public buildings interwoven within the neighborhood, all within close proximity;
- 4) A pattern of interconnecting streets and blocks, preferably in a rectilinear or grid pattern, that encourages multiple routes from origins to destinations;
- 5) A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit, and automotive vehicles;

- 6) Nature features and undisturbed areas that are incorporated into the open space of the neighborhood;
- 7) Well configured squares, greens, landscape streets, and/or parks woven into the pattern of the neighborhood;
- 8) Public buildings, open spaces, and other visual features that act as landmarks, symbols, and focal points for community identity;
- 9) Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character, and landscaping to establish a livable, harmonious, and diverse environment; and
- 10) Public and private buildings that form a consistent, distinct edge, are oriented toward streets, and define the border between the public street space and the private block interior.

### **6-10.20 Permitted Uses**

Permitted uses shall be defined by the Code of Development for the TND District project, provided that the Town may establish at its sole discretion certain prohibited or restricted uses.

### **6-10.30 Uses Permitted by Special Use Permit**

Special permit uses shall be defined by the Code of Development for the TND District project or established by proffer, provided that the Town may establish certain prohibited or restricted uses at its sole discretion with the approval of the rezoning.

### **6-10.40 Maximum Residential Density**

The maximum residential density for a TND District project shall be established by the Code of Development with the approval of the rezoning application. The maximum density for non-residential uses is not regulated.

### **6-10.50 Area Requirements**

- 1) TND District size: Shall be established by the Regulating Plan and the Rezoning Plat for the specific property subject to the rezoning application. The rezoning plat shall describe the metes and bounds of the district and shall be based on a certified boundary survey of the subject property to be submitted with the rezoning application.
- 2) Lot size and areas: Shall be established by the Code of Development for each lot type, land use classification, transect zone and/or building type.

## **6-10.60 Bulk Regulations**

- 1) Building heights: Shall be established by the Code of Development for each land use, land use category and/or transect zone.
- 2) Minimum and maximum setbacks, build-to lines and yard requirements (front, side, rear and corner) shall be established by the Code of Development for each land use, building type, land use category and/or transect zone.
- 3) Lot width and lot depth regulations for all forms of residential uses shall be established by the Code of Development for each lot type, residential building type, land use category and/or transect zone.
- 4) Lot width and lot depth regulations for all forms of non-residential and mixed-uses shall be established by the Code of Development for each lot type, building type, land use category and/or transect zone.

## **6-10.70 Parks, Open Space, and Recreation Areas**

- 1) The percentage of the gross site area to be platted and developed as community parks and open space dedicated as perpetual common usage or Town ownership shall be established by the TND regulating plan and the Code of Development.
- 2) The percentage of the gross site area to be platted and developed as active recreational areas and facilities shall be established by the TND regulating plan and the Code of Development.
- 3) The applicant shall establish that the type and quality of the planned improvements for parks, open space, and recreation areas shall satisfy the needs of the residents of the project. The location, mix, type, quality and phasing of active recreation facilities and open spaces shall be delineated on the TND regulating plan.
- 4) Common open space, parks, recreational areas and other common properties as depicted by the TND regulating plan and further delineated by the Code of Development shall be dedicated to the Town in accord with the terms and conditions established and approved with the rezoning application.

## **6-10.80 Rezoning Application Requirements**

The following information outlined herein below is required to be submitted with the application for rezoning to the TND District. All applicable requirements of the Town's zoning ordinance pertaining to minimum design standards and improvements for site development plans, signs, off-street parking and loading, and landscaping, but excluding administrative or procedural requirements, which are superseded by or conflict with any provision of the Code of Development or the rezoning plans, guidelines, statements or agreements required below, may be

waived or modified by the written approval of the Zoning Administrator, at the time of the rezoning application or at any time subsequent thereto, upon finding that: (1) the Code of Development or other documentation approved for a specific TND District project imposes a higher standard than the specific requirement contained in the applicable section of the zoning ordinance, or (2) such modifications or waivers are necessary to achieve an integrated design for the development that is consistent with the purpose and intent of the TND District.

- 1) **Regulating Plan**, which establishes the regulating geometric parameters and geographic locations for the transect zone, internal planning sub-areas, and other geographic components of development of the property, including but not limited to:
  - a) internal transect form and organization, to include size, location, and configuration,
  - b) highway, street and alley hierarchy and type, to include geometric layout, street sections, ROW considerations, and infrastructure and locational characteristics,
  - c) transect form allocations by building function, type or general use classification, such as residential, commercial, office, service, industrial, civic and other defined use category.
  
- 2) **Code of Development**, to establish zoning parameters individualized for each transect zone or internal planning sub-area, including but not limited to:
  - a) streetscape patterns, to address the transportation design, landscape and hardscape characteristics, and urban design guidelines for each street designated by the Regulating Transect Plan
  - b) land use categories for each transect zone and other internal planning sub-area: residential uses, commercial and retail uses, service and office uses, industrial uses, open space and recreational areas, and special civic spaces,
  - c) land use exclusions (by specific use),
  - d) building forms,
  - e) guidelines for “build to” lines (and/or minimum and maximum setbacks) and yard requirements within each block, transect zone, or interior planning sub-area,
  - f) lot prototypes and building envelope standards,
  - g) minimum and maximum building heights within each transect zone or interior planning sub-area,

- h) sidewalk and pedestrian trail locations, type and widths within each transect zone or interior planning sub-area,
  - i) parking requirements and parking locational guidelines, including geometric standards, for each transect zone and land use category, addressing the total parking requirements project for the project at full development. A parking impact study may be required that documents sequential parking requirements and shared-parking provisions for TND District projects which are to be phased.
- 3) **Streetscape and Street Classification Plan**, to graphically address and depict the street sections and transportation design criteria for the types of vehicular and pedestrian access improvements as well as other major infrastructure components within the project:
- a) street classifications and sections for each street identified by the Regulating Plan,
  - b) parking and loading standards within each transect zone or internal planning sub-area,
  - c) street intersection design and configuration standards for each street category, to include cross-walks, handicap standards, curb and gutter specifications, curb return radii, and other information as may be required by the Zoning Administrator.
  - d) sidewalk (including pedestrian trails) location, geometry and design options within each transect zone or internal planning sub-area,
  - e) streetscape, site hardscape and landscape guidelines, and
  - f) coordinated utility and infrastructure standards and easement regulations.
- 4) **Architectural and Landscape Design Guidelines**, which define the characteristics of urban design and landscape architectural improvements for each transect or planning area:
- a) conceptual representations of preferred architectural themes,
  - b) general building forms,
  - c) building scale and massing options and/or requirements within each transect zone,
  - d) expectations for coordination of architecture guidelines with landscape treatment of streets, civic spaces, open areas, parking areas, and other activity centers within the project.

- e) landscape design guidelines and materials specifications for streetscapes, parking areas, and other community spaces.
  - f) design criteria and guidelines would be individually established for other relevant improvements such as paths, street lights, signage, utilities, buffers and landscaping for each transect.
- 5) **Schematic Infrastructure Master Plans**, which provide sufficient preliminary design and support documentation to ensure the functionality of the Regulating Plan to the satisfaction of the Zoning Administrator with respect to the following:
- a) storm drainage.
  - b) street grading.
  - c) stormwater management and best management practices.
  - d) sanitary sewer.
  - e) domestic water.
  - f) transportation systems.
  - g) floodplains and environmentally sensitive areas.
  - h) easement specifications and requirements for each public utility and facility.
- 6) **Traffic Impact Statement (TIA)**, to be prepared in accord with VDOT 527 guidelines, as may be amended from time to time, as enabled by the Code of Virginia and adopted by the Town of Orange and the Virginia Department of Transportation. The preliminary TIA scope of work meeting shall be conducted by and between the applicant, the Town and the Virginia Department of Transportation prior to the filing of the rezoning application. The final traffic impact statement shall be submitted to and reviewed by the Town prior to the approval of the rezoning application.
- 7) **TND District Rezoning Plat**, a certified boundary plat that describes the metes and bounds of the TND District boundaries and the total land area contained therein. The plat shall be based on a current boundary survey of the applicant's property.
- 8) **Administrative Rules and Agreements**, to include additional documentation to define the process by which the zoning amendment for the specific project is to be reviewed and integrated with the Code of Development and other Town requirements:

- a) Prepare statement of compatibility with the Town’s “Traditional Neighborhood Development” (TND) Zoning District.
- b) Identify and establish standards for TND utility and infrastructure design and easement requirements; adopt procedures for required waivers and modification of existing Town zoning, subdivision, and design standards related thereto, as applicable.
- c) Establish coordinated process for review and processing of traffic impact study with VDOT and pursuit of waivers and modifications to VDOT transportation design criteria as may be desired by Town and applicant.
- d) Establish rules and criteria for internal street ownership (public or private) and maintenance responsibility.
- e) Establish agreements for public ownership, management, and maintenance of properties within the project to be dedicated to public use, where applicable, and establish provisions to adopt rules for common property ownership and maintenance, as applicable.
- f) Provide assessment of cash and in-kind improvements that may qualify for proffers associated with the specific project.
- g) Prepare proffer statement and final zoning agreements including establishment of maximum number of dwelling units in the TND project.

**Article 6A: Uptown North Orange**

**Traditional Neighborhood Development (TND) District Regulations**

**Code of Development**