

ARTICLE 7: Urban Development Area Overlay District (UDA-O)

7-10 Urban Development Area Overlay District

7-10.10 Purpose and Intent, General

Relationship to the Comprehensive Plan: The Urban Development Area Overlay Zoning District (hereinafter UDA-O District) provides the framework under which the Town will implement its designated Urban Development Area (UDA). The UDA-O District establishes the zoning parameters, design guidelines, and regulatory process by which Traditional Neighborhood Development (TND) and Economic Development projects will be reviewed and approved. The UDA-O District shall be applied to locations in the Town's designated Urban Development Area as depicted in Figure 1. The Comprehensive Plan establishes goals for the Urban Development Area that integrates residential, commercial, and industrial uses.

UDA-O Zoning Map Amendment Process: The rezoning of property that lies within the designated Urban Development Area shall be initiated by the Applicant in accord with the provisions of this chapter.

UDA-O applications shall be accepted only for properties for which adequate public facilities are available or where adequate public facilities can be provided by and at the expense of the Applicant. The Applicant shall be responsible for submission of the requirements cited herein for any project proposed to be located within the designated UDA.

The UDA-O District is unique in that it does not restrict land development to uses under the applicable terms and conditions within existing underlying conventional zoning districts. However, an Application Plan and Code of Development shall be required for all UDA-O rezoning land development applications (in advance of applications for final site plan and subdivision plat approval) for projects which are located within the designated UDA.

The Town may waive specific application requirements depending on the scope, location and underlying zoning of a particular project. An approved Application Plan and Code of Development shall be considered to fulfill the Town's requirements for a Preliminary Subdivision Plat and Preliminary Development Plan.

General Review Criteria for UDA-Overlay Projects: The Application Plan for a TND project shall demonstrate a strong physical interrelationship to contiguous parcels and neighborhoods, individual buildings, civic spaces, infrastructure, and landscaping that creates a *sense of place and community*. Individual buildings should be defined by varying scale and architectural styling. Except where constrained by geographical location, parcel size, terrain features, and environmental conditions, each TND project shall have a mix of uses.

Zoning map amendment applications shall address the purpose and intent of traditional neighborhood development and, further, the application should demonstrate compatibility with the following TND principles:

1. Appropriate Location and UDA-Overlay Densities: Establish viable areas for residential and commercial land uses at a compact scale.

2. **Mix of Uses:** Establish a blended mix of residential and non-residential land uses within the UDA-O that reflect new urban planning objectives, enhance the quality of life of those who live there, and best serve the Town's demographic demands.
3. **Variety of Housing:** Create a variety of housing types to meet the range of projected family income distributions of both existing residents and future residential growth.
4. **UDA-Overlay Lot Types and Geometry:** Encourage better spatial organization through the reduction of front and side yard building setbacks and smaller lot sizes.
5. **Pedestrian and Vehicle Compatibility:** Incorporate a network of pedestrian-friendly road and street designs.
6. **Street Design Standards and Criteria:** Reduce subdivision street widths and turning radii at street intersections, and provide enhanced standards for street landscaping, pedestrian improvements, and pavement design.
7. **Neighborhood Connectivity:** Establish interconnectivity between streets and pedestrian networks within the UDA-Overlay project.
8. **Local and Regional Transportation Connectivity:** Promote the interconnection of new local streets with existing local streets and regional thoroughfares.
9. **Environmental Preservation:** Ensure the preservation of natural areas and open space in conjunction with the UDA-Overlay master planning process.
10. **Adequate Public Infrastructure:** Demonstrate (a) the availability and adequacy of public water and sewer systems and other requisite public infrastructure, or (b) the ability to concurrently provide for these systems and infrastructure.
11. **Economic Development within the UDA:** Create opportunities for selective integration of large scale commercial, manufacturing, warehousing, and other employment uses in locations that are compatible with TND uses.
12. **Phasing of Development:** Plan for the phasing of development within the UDA-O District that is consistent with anticipated population and employment growth as well as public facilities and infrastructure capacity.

7-20 UDA-O Sub-Areas

The Application Plan shall categorize and graphically depict the organization of internal land uses in terms of general land use groupings (or neighborhoods) known as Sub-Areas. The UDA-O District recognizes three primary Sub-Areas--Core, Transitional Mixed Use, and Residential. These three sub-areas shall depict locations proposed for the implementation of land uses at a compact village scale that incorporate the Traditional Neighborhood Development principles cited in 7-10.10c above.

The internal Sub-Areas should be structured to differentiate the geographical location of land uses, mix of uses, densities and other design parameters of land use groupings. A fourth Sub-Area--Economic Development--is incorporated to allow for specialized and conditional accommodation of certain large scale commercial, manufacturing, warehousing, and other employment uses that are not commonly located within traditional neighborhood developments and village centers. Given geographical and marketplace conditions, every UDA-O application may not require that all four of the Sub-Areas be included. During the UDA-O application process, the Applicant and the Town will determine the optimal mix and match of Sub-Areas.

- a. The Core (or Village Center) Sub-Area is intended to be the primary activity center for the majority of village center uses within the UDA-O District, providing neighborhood-scaled retail shops, restaurants, service, and civic uses. Institutional uses as well as churches and government buildings are appropriate for the Core.
- b. The Transitional Mixed Use Sub-Area is intended to accommodate a transitional mix of both residential and commercial at a lower intensity of uses. This sub-area physically separates the Core Sub-Area from the lower density Residential Sub-Area. Shops and civic uses that don't compete with those uses in the Core Sub-Area may be mixed with residential uses developed on small single family and townhouse lots.
- c. The Residential Sub-Area provides the structure for neighborhoods with lower density residential uses than those found in the Core and Transitional areas. Mixed housing types, sizes, and lot types are recommended, with guidelines for the mix established within each UDA-O District application. In larger projects, the Residential Sub-Area should be located around the perimeter of the portions of the UDA that are contiguous to existing residential areas.
- d. The Economic Development Sub-Area recognizes that certain employment-generating land uses that have a higher density, larger footprint, and community impact may be appropriate for inclusion in a UDA application, but, due to type, scale and intensity of use, are inappropriate to be located with the other town-scaled Sub-Areas. This approach relieves the developer of having to initiate a separate commercial or industrial zoning application when pursuing a UDA-O approval.

7-30 UDA-O Area Requirements

- a. UDA-O Size (Land Area Guideline): There is no minimum or maximum UDA-O District size (land area) stipulated by ordinance. The Town Council, at its sole discretion, shall establish the appropriate size for the UDA-O upon review of an Applicant's zoning map amendment package. The proposed size and configuration of the UDA-O shall be described by a current boundary plat prepared by the Applicant that establishes the metes and bounds and acreage for the property or properties subject to the zoning map amendment application.
- b. UDA-O Sub-Area size: There is no maximum or minimum size for the interior Sub-Areas. The size and configuration of the Core, Transitional Mixed Use, Residential, and Economic Development Sub-Areas shall be depicted on an exhibit accompanying the Application Plan. The exhibit shall establish the approximate boundary and acreage for the properties to be configured as Sub-Areas.
- c. Changes and Modifications: Requests for modification to the size and location of an approved UDA-O shall require a separate zoning map amendment application. Modifications to the size and location of internal Sub-Areas within an approved UDA-O District may be administratively approved by the Planning Director.

7-40 Permitted Land Uses and Special Permit Uses

By-right uses and special permit uses allowed in the UDA-O are specified in *Table 1* hereinafter. The specific uses to be developed within a UDA-O application shall be defined by the Applicant's Code of Development, provided that the Town Council, at its sole discretion, may, upon consideration of the zoning amendment application, establish certain (1) additional uses, (2) prohibited uses, or (3) restricted uses.

Table 1
UDA-O Land Uses Permitted By-Right (BR), Special Use Permit (SUP)
and Excluded Uses (EU)

Category 1: Residential

UDA Sub Districts:

Land Uses:	<i>Core</i>	<i>Transitional</i>	<i>Residential</i>	<i>Economic Development</i>
Single Family Detached Residential	BR	BR	BR	EU
Townhouse/Attached Residential	BR	BR	BR	EU
Multifamily Residential	BR	BR	SUP	EU
Live-work Residential	BR	BR	SUP	EU
Residential in Mixed Use Building	BR	BR	EU	EU
Assisted Living Facility	BR	BR	EU	EU
Nursing Home	BR	BR	EU	EU
Accessory Dwelling	SUP	SUP	SUP	SUP
Bed and Breakfast	SUP	SUP	SUP	EU
Day Care Facilities	BR	SUP	EU	SUP
Neighborhood Greens, Parks, Playgrounds	BR	BR	BR	EU
Community Gardens	SUP	SUP	SUP	SUP
Home Occupation Uses	SUP	SUP	SUP	EU
Other: To be Determined by Code of Development	SUP	SUP	SUP	EU

Category 2: Commercial – Office - Lodging

UDA Sub Districts:

Land Uses:	<i>Core</i>	<i>Transitional</i>	<i>Residential</i>	<i>Economic Development</i>
Retail Sales	BR	BR	EU	BR
Personal Services	BR	BR	EU	BR
Profession Offices	BR	BR	EU	BR
General Offices	BR	BR	EU	BR
Financial Services	BR	BR	EU	BR
Artisan Shops	BR	BR	EU	BR
Art-Dance-Music Studios	BR	BR	EU	BR
Hotels/Motels	BR	SUP	EU	BR
Restaurant/Eating Establishments	BR	BR	EU	BR
Mixing Category 1 and 2 Uses	BR	BR	EU	BR
Commercial Education Facilities	BR	SUP	EU	BR
Health/Fitness Clubs	BR	BR	EU	BR
Day Care Facilities	BR	SUP	EU	BR
Hospitals/Medical Clinics	BR	SUP	EU	BR
Funeral Homes	BR	SUP	EU	BR
Gas Stations/Vehicular Service	SUP	SUP	EU	BR
Outdoor Storage/Display/Sales	SUP	SUP	EU	BR
Drive Thru	SUP	SUP	EU	BR
Special Events	SUP	SUP	EU	BR
Temporary Wayside Stands	SUP	SUP	EU	BR
Uses >10,000<20,000 sf gfa on ground floor	SUP	EU	EU	SUP
Uses >20,000 sf gfa on ground floor	EU	EU	EU	SUP
Other	SUP	SUP	EU	SUP

Category 3: Public and Quasi-Public

UDA Sub Districts:

Land Uses:	<i>Core</i>	<i>Transitional</i>	<i>Residential</i>	<i>Economic Development</i>
Places of worship	BR	BR	SUP	BR
Community Centers	BR	BR	SUP	BR
Cemeteries	SUP	SUP	EU	SUP
Museums and Galleries	BR	BR	EU	BR
Government Offices	BR	BR	EU	BR
Public schools and colleges	BR	SUP	SUP	BR
Private schools and colleges	BR	SUP	SUP	BR
Public safety facilities	BR	BR	SUP	BR
Public parks, civic spaces, and recreation	BR	BR	BR	BR
Recycling facilities	BR	SUP	SUP	BR
Public and Private parking facilities	BR	SUP	SUP	BR
Other	SUP	SUP	SUP	SUP

Category 4: Economic Development

UDA Sub Districts:

Land Uses:	<i>Core</i>	<i>Transitional</i>	<i>Residential</i>	<i>Economic Development</i>
Research and development facilities	SUP	EU	EU	BR
Manufacturing and assembly establishments	EU	EU	EU	BR
Warehousing and storage facilities	SUP	EU	EU	BR
Wholesale sales and distribution facilities	SUP	EU	EU	BR
Repair service facilities (non-vehicular)	SUP	EU	EU	BR
Repair service facilities (vehicular)	SUP	EU	EU	BR
Category 4 Uses > 10,000 sf gfa on ground floor	SUP	EU	EU	BR
Outdoor storage, display, or sales	SUP	EU	EU	BR
Public and commercial parking facilities	SUP	SUP	SUP	SUP
Other	SUP	SUP	SUP	SUP

7-50 Development Density and Yields

- a. Density, General: The UDA-O District regulates both minimum and maximum development densities. The total minimum and maximum development yields for individual land uses within a UDA-O project shall be established by proffer to the Town Council upon consideration of the Applicant’s Code of Development and other application requirements. Density regulations shall apply to both new development and redevelopment uses.
- b. Minimum Density: Development densities for the land uses shall achieve a minimum density of at least the levels for the individual land uses as indicated in Table 2 hereinafter or as shall otherwise be established by the Code of Development.
- c. Maximum Density: Development densities for the land uses shall not exceed the levels for the individual land uses as indicated in Table 2 hereinafter or as shall otherwise be established by the Code of Development.
- d. Modification of Minimum Density: Upon request of the Applicant, the Town Council, at its sole discretion, may reduce the minimum required density for individual uses within the UDA-O District, provided that the revised minimum density shall be established for each land use or lot and incorporated into the Code of Development. It shall be the responsibility of the Applicant to demonstrate the justification for the reduction in density.

- e. **Modification of Maximum Density:** Upon request of the Applicant, the Town Council, at its sole discretion, may increase the maximum allowable density for individual uses within the UDA-O, provided that the revised maximum density shall be established for each land use or lot and incorporated into the Code of Development. It shall be the responsibility of the applicant to demonstrate the justification for the increase in density.

- f. **Qualifying Area for Density Calculation:** The allowable range of land use yields within the UDA-O District shall be calculated based on the Qualifying Area (or Net Acreage) of the property submitted with the rezoning application. The calculation of minimum and maximum yield for individual uses shall be based on the application of the minimum and maximum density for each use (*see Tables 2 and 3 herein*) to an adjusted Qualifying Area that reduces the gross area of the UDA-O by the total of the non-qualifying land components. (See the UDA-O Reference Guide for an example)

Table 2

Category 1: Residential

“per COD” = per Code of Development – “NP” = Not Permitted in Sub-district – “NR” = No restrictions

<i>UDA Sub Districts:</i>		<i>Core</i>		<i>Transitional</i>		<i>Residential</i>		<i>Economic Development</i>	
		Density		Density		Density		Density	
Land Uses:		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Single Family Detached	Units/acre	4	6	4	6	4	6	NP	NP
Townhouse/Attached	Units/acre	6	12	6	10	6	8	NP	NP
Multifamily	Units/acre	14	20	12	16	8	12	NP	NP
Live-work Attached	Units/acre	6	10	6	8	NP	NP	NP	NP
Residential in Mixed Use Building	Units/Lot	per COD	per COD	per COD	per COD	NP	NP	NP	NP
Assisted Living Facility	Units/Lot	per COD	per COD	per COD	per COD	NP	NP	NP	NP
Nursing Home	Units/Lot	per COD	per COD	per COD	per COD	NP	NP	NP	NP
Accessory Dwelling	Units/Lot	0	1	0	1	0	1	0	1
Bed and Breakfast	Beds/Unit	per COD	per COD	per COD	per COD	NP	NP	NP	NP
Day Care Facilities	Occupancy/Unit	per COD	per COD	per COD	per COD	NP	NP	NP	NP
Other	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD

Category 2: Commercial-Office-Lodging

UDA Sub Districts:

Core

Transitional

Residential

Economic Development

Land Uses:		Density		Density		Density		Density	
		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Retail Sales	FAR	0.4	1.0	0.4	0.6	NP	NP	nr	0.6
Personal Service	FAR	0.4	1.0	0.4	0.6	NP	NP	nr	0.6
Professional Offices	FAR	0.4	1.0	0.4	0.6	NP	NP	nr	0.6
General Offices	FAR	0.4	1.0	0.4	0.6	NP	NP	nr	0.6
Financial Services	FAR	0.4	1.0	0.4	0.6	NP	NP	nr	0.6
Artisan Shops	FAR	0.4	1.0	0.4	0.6	NP	NP	nr	0.6
Art-Dance-Music Studio	FAR	0.4	1.0	0.4	0.6	NP	NP	nr	0.6
Hotels/Motels	units/lot	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Restaurants/Eating Establishments	occupancy/unit	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Mixing Category 1 & 2 Uses	per COD	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Commercial Education Facilities	sf qfa/lot	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Health/Fitness Clubs	sf qfa/lot	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Day Care Facilities	occupancy/load	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Hospitals/Medical Clinics	occupancy/load	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Funeral Homes	sf qfa/lot	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Gas Stations/Vehicular Service	sf qfa/lot	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Uses > 10,000 sq. ft. on ground floor	FAR	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Drive Thru	per COD	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD
Other	per COD	per COD	per COD	per COD	per COD	NP	NP	per COD	per COD

Category 3: Public and Quasi-Public

<i>UDA Sub Districts:</i>		<i>Village Center</i>		<i>Transitional</i>		<i>Residential</i>		<i>Economic Development</i>	
		Density		Density		Density		Density	
Land Uses:		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Places of Worship	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Community Centers	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Cemeteries	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Museums and Galleries	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Government Offices	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Public Schools and Colleges	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Private Schools and Colleges	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Public Safety Facilities	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Public Parks and Recreation Facilities	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Recycling Facilities	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD
Other	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD

Category 4: Economic Development

<i>UDA Sub Districts:</i>		<i>Village Center</i>		<i>Transitional</i>		<i>Residential</i>		<i>Economic Development</i>	
		Density		Density		Density		Density	
Land Uses:		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Research and Development facilities	FAR	0.4	0.6	NP	NP	NP	NP	nr	0.6
Manufacturing and Assembly establishments	FAR	NP	NP	NP	NP	NP	NP	nr	0.6
Warehousing and Storage facilities	FAR	0.4	0.6	NP	NP	NP	NP	nr	0.6
Wholesale sales and Distributing facilities	FAR	0.4	0.6	NP	NP	NP	NP	nr	0.6
Repair Service (non-vehicular)	FAR	0.4	0.6	NP	NP	NP	NP	nr	0.6
Repair Service (vehicular)	FAR	0.4	0.6	NP	NP	NP	NP	nr	0.6
Uses > 10,000 sq ft gfa on ground floor	FAR	0.4	0.6	NP	NP	NP	NP	nr	0.6
Outdoor storage, Display, Sales	per COD	per COD	per COD	NP	NP	NP	NP	per COD	per COD
Other	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD	per COD

Category 5: Uses Specifically Excluded

<i>UDA Sub Districts:</i>	<i>Village Center</i>		<i>Transitional</i>		<i>Residential</i>		<i>Economic Development</i>	
Land Uses:								

This table will be used in the final code of development to list the uses specifically excluded from the development which are not listed elsewhere in Table 1 as “EU – Excluded Uses” or in Table 2 as “NP – Not Permitted” uses.

The Qualifying Area (or Net Acreage) = Gross Acreage - Non-Qualifying Area (or acreage of the sum of the Non-Qualifying land components.) The land components that comprise the Non-Qualifying land area include: (See the UDA-O Density Calculation Worksheet and sample calculation of density and yield which can be found in the UDA-O Reference Guide)

- a. existing rights of way and easements,
- b. existing land uses,
- c. areas deemed unbuildable due to geological, soils, or other environmental deficiencies,
- d. wetlands and floodplains (FEMA 100-year floodplain),
- e. existing ponds, stormwater management facilities and water features, and
- f. terrain with slopes in excess of thirty percent (30%).

7-60 Lot Types and Building Heights

Lot Types: Table 3 provides the guidelines for the lot types permitted in the UDA-O.

- a. Lots for small detached residential dwellings:
- b. Lots for medium detached residential dwellings:
- c. Lots for attached and multifamily residential dwellings:
- d. Lots for commercial and live-work commercial buildings:
- e. Lots for economic development and special permit buildings as established by Code of Development.
- f. Other lot as may be established by the Code of Development.

Lot Development Standards: Table 3 establishes the guidelines for the size and dimensions of individual lot types. Table 4: UDA-O Residential Lot Mix Work Sheet shall be submitted by the Applicant to propose the mix of lot types within each Sub-Area. The UDA-O Reference Guide provides illustrations of representative lot types and building configurations.

Supplemental Notes: The following notes refer to footnotes (1) - (9) as cited in Table 3.

- (1) The table is regulatory except where noted by asterisk (*) as guidelines. Modifications and guidelines for variations may be approved by the Planning Director.
- (2) For corner lots, lot width and side yards shall be increased by 5' in addition to the prescribed dimensions or as otherwise required by the Planning Director.
- (3) For attached dwellings, town homes and multifamily buildings, the indicated side yard regulations apply only to end units.
- (4) Rear setback applies to principal structure only. Garages and/or accessory units may have zero setbacks when an alley is present.
- (5) Lot frontage percentage represents the ratio between the building width and corresponding width of the lot on which the building is located.

- (6) Lot coverage ratio guideline applies to maximum percentage of building coverage. Lot areas for townhouses and multifamily units exclude areas for required off-street parking.
- (7) The Code of Development shall include a Lot Mix Matrix for maximum and minimum distribution of lot types that are permitted within any given Sub-Area. (See Table 4.)
- (8) The lot dimensions, lot area, yard and setback regulations, and lot frontage regulations shall be established with the Code of Development or as otherwise approved by the Town Council.
- (9) The Applicant shall submit a supplement to the Lot Types and Lot Development Standards matrix to identify, define, and regulate additional land uses and lot types that are to be incorporated into the Code of Development or as otherwise approved by the Town Council.

Building Heights: Building heights shall be identified and established by the Code of Development for each land use or combination of land uses, and, further, shall be subject to the following:

	<u>Minimum</u>	<u>Maximum</u>
Retail commercial, office, and service	24'	60'
Vertically mixed retail, office and residential	30'	60'
Hotels and motels	30'	72'
Live-work residential	30'	48'
Residential, single family detached	30'	48'
Residential, townhouse, attached and live-work	30'	48'
Residential, multifamily	36'	60'
Special permit uses and all other uses	per COD	per COD

Upon request of the Applicant, the Town Council, at its sole discretion, may either increase or decrease the regulations for building heights, yards, and lots for individual uses within the UDA-O and its Sub-Areas, provided that the revised regulations shall be established for each land use or lot within the Sub-Area and incorporated into the Code of Development. It shall be the responsibility of the Applicant to demonstrate the justification for the adjustments to these regulations.

Table 3: Lot Types and Lot Development Standards

Small Detached Housing Lots:

Cottage Lot:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
34'	38'	80'	3000	4000	10'	15'	5'	8'	15'	60%	80%	60%

Cottage Lots are allowed in the *Core, Transitional, and Residential* UDA-O Sub-Districts ⁽⁷⁾

Village Lot:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
38'	42'	85'	3500	5000	10'	15'	5'	9'	15'	60%	75%	60%

Village Lots are allowed in the *Transitional, and Residential* UDA-O Sub-Districts ⁽⁷⁾

Medium Detached Housing Lots:

Neighborhood Lot 1:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
42'	48'	90'	4000	5000	10'	15'	5'	10'	15'	60%	80%	60%

Neighborhood Lot 1 lots are allowed in the *Transitional, and Residential* UDA-O Sub-Districts ⁽⁷⁾

Neighborhood Lot 2:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
48'	60'	90'	5000	7000	12'	25'	8'	12'	15'	60%	70%	60%

Neighborhood Lot 2 lots are allowed in the *Transitional, and Residential* UDA-O Sub-Districts ⁽⁷⁾

Suburban Lot:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
60'	100'	100'	6000	12000	15'	30'	10'	15'	15'	50%	70%	50%

Suburban Lots are allowed in the *Residential* UDA-O Sub-District ⁽⁷⁾

Other Detached Lot: tbd/COD ^{*(9)}

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
regulated per COD with conditions ^{*(8)}					regulated per COD with conditions ^{*(8)}					regulated per COD		per COD

Other Detached Lots are allowed in the *Core, Transitional and Residential* UDA-O Sub-Districts ⁽⁷⁾

Attached and Multifamily Housing Lots:

Townhouse Lot 1:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
16'	24'	85'	1400	2500	10'	15'	5'	12'	15'	100%	100%	80%

Townhouse Lot 1 lots are allowed in the *Core, Transitional, and Residential* UDA-O Sub-Districts ⁽⁷⁾

Townhouse Lot 2:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
20'	30'	90'	1800	3000	12'	20'	5'	12'	15'	100%	100%	80%

Townhouse Lot 2 lots are allowed in the *Core, Transitional, and Residential* UDA-O Sub-Districts ⁽⁷⁾

Multifamily Lot:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
regulated per COD with conditions ^{*(8)}					12'	25'	10'	15'	15'	per COD	100%	80%

Multifamily Lots are allowed in the *Core and Transitional* UDA-O Sub-Districts ⁽⁷⁾

Other Attached Lot: tbd/COD ^{*(9)}

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
regulated per COD with conditions ^{*(8)}					regulated per COD with conditions ^{*(8)}					regulated per COD		per COD

Other Attached Lots are allowed in the *Core and Transitional* UDA-O Sub-Districts ⁽⁷⁾

Commercial Lots:

Live-Work Lot:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
18'	32'	85'	1530	3000	5'	15'	5'	12'	15'	60%	60%	80%

Townhouse Lot 2 lots are allowed in the *Core and Transitional* UDA-O Sub-Districts ⁽⁷⁾

Commercial & Mixed Use Lot:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
regulated per COD with conditions ^{*(8)}					regulated per COD with conditions ^{*(8)}					60%	60%	100%

Other Attached Lots are allowed in the *Core and Transitional* UDA-O Sub-Districts ⁽⁷⁾

Economic Development and Special Uses:

All Lots within the Economic Development Sub-District or any Special Use Lots ^{*(9)}:

Lot Dimensions			Lot Area ^{*(1)}		Yard and Setback Regulations					Lot Frontage		Lot Coverage
Width		Depth	in square feet		Front		Side		Rear	Percentage ⁽⁵⁾		Ratio ^{*(1) (5)}
min	max	min	min	max	min	max	min	max	min	min	max	max
regulated per COD with conditions ^{*(8)}					regulated per COD with conditions ^{*(8)}					regulated per COD		per COD

All Lots within the Economic Development Sub-District or any Special Use Lots will be permitted per the approved COD ⁽⁷⁾

Footnote reference – See Section 7-10.50 (1)-(9) of this ordinance for definition of footnotes

**Table 4
Residential Lot Mix Work Sheet by Sub-Districts**

UDA Sub Districts		Core			Transitional			Residential			UDA Totals		
		Residential Lot Types:	lot mix	residential yield (# of units)		lot mix	residential yield (# of units)		lot mix	residential yield (# of units)		Residential Yield (# of units)	
			% of total	min	max	% of total	min	max	% of total	min	max	min	max
Lot Group 1	Cottage												
	Village												
	Other per COD												
Lot Group 2	Neighborhood Lot 1												
	Neighborhood Lot 2												
	Suburban Lot												
	Other per COD												
Lot Group 3	Townhouse Lot 1												
	Townhouse Lot 2												
	Multifamily Lot												
	Other per COD												
Lot Group 3	Live-Work												
	Residential Mixed Use												
Totals: Residential Units by Sub-districts		100%			100%			100%					

NOTES:

1. Minimum and maximum residential lot and unit yield for each Sub-district shall be regulatory.
2. Minimum and maximum residential lot and unit mix for each Sub-district shall be a guideline
3. TND District minimum and maximum lot mix and unit yield shall be regulatory.

7-70 Open Space, Parks, Civic Space, and Recreation Areas

- a. UDA-O projects with a gross area of fifteen (15 acres) or greater shall provide usable and centrally located civic space, parks, common open space, or recreation areas that are accessible to residents, visitors, and workers within the UDA-O District. Civic space, public parks, common open space, or recreation areas shall be strategically located and designed to provide recreational opportunities for the neighborhood as well as relate to the physiographic character and accessibility to the entire UDA-O District.
- b. For UDA-O projects with a gross area of fifteen (15) acres or greater, these areas shall be sized, located, and improved to a level that satisfies the needs of the residents of the project, provided that a minimum of fifteen percent (15%) of the total Qualifying Area of the UDA-O shall be allocated to these areas. The Application Plan and Code of Development shall establish the type, mix, arrangement, and quality of the planned on-site improvements for civic space, parks, common open space, recreation areas, buffer areas, and protected natural areas.
- c. For UDA-O projects with a gross area of fifteen (15 acres) or greater, the areas of property designated for civic space, parks, common open space, recreation areas, buffer areas, and protected natural areas shall be (a) subject to approval of the Planning Commission, and (b) permanently set aside for the sole benefit, use, and enjoyment of occupants of the UDA-O through covenant, deed restriction, or similar legal instrument; or, if agreed to by the Town Council, the civic space, parks, common open space, recreation areas, buffer areas, or protected natural areas may be conveyed to a governmental agency for the use of the general public.
- d. Land within the UDA-O that is designated to remain private for any of these areas and improvements shall be owned and maintained by a property owners' association or homeowners association.
- e. Upon request of the Applicant, Town Council, at its sole discretion, (a) may decrease or eliminate certain requirements for open space and recreation land and improvements in a UDA-O project, provided that the revised regulations shall be established and conditioned by the Code of Development, or (b) elect for the Applicant to contribute to a pro-rata share fund, provided that the Town has established and adopted a parks and recreation master plan and pro-rata sharing funding policy. The amount of the pro-rata share contribution shall be updated and recalculated on an annual basis by the Town.
- f. For projects that are less than fifteen (15) acres in gross area, the Applicant shall allocate a minimum of ten percent (10%) of the total Qualifying Area of the UDA-O to open space, parks, civic space and recreation areas. Town Council, at its sole discretion, may waive this requirement at the request of the developer or applicant. The Application Plan and Code of Development shall establish the type, mix, arrangement, and quality of the planned on-site improvements for civic space, parks, common open space, recreation areas, buffer areas, and protected natural areas.
- g. All development within the Town shall adhere to the Town's adopted proffer policy and the recommended contributions it identifies.

7-80 UDA-O Zoning Map Amendment Submission Requirements

1. UDA-O District Application Plan: The master plan establishes the size, location, and configuration for the UDA-O, its internal Sub-Areas, and other internal planning areas (parks, open space, dedicated areas, etc.). It provides a graphic representation of the project's transportation network and key components of development of the property, including but not limited to the requirements of Sections 7-10.30 through 7-10.60 hereinabove and the following:
 - a. Existing conditions plan depicting existing land uses, existing road and utilities, dedicated rights of ways and easements, transportation alignments or infrastructure locations designated by an Official Map, historic and cultural features, tree coverage, and sensitive environmental areas of the property, including 100-year floodplain, wetlands, slopes > 30%, unbuildable areas, and other features as may be required by the Planning Director.
 - b. Certified boundary plat, deed description, tax map reference and zoning district designation of the property (or properties) subject to the UDA-O zoning application, zoning district designations and ownership of adjoining properties, and topographic mapping (minimum 1"=100' horizontal scale and 2' contour intervals, or at a scale and interval as otherwise approved by the Planning Director).
 - c. Graphic plan exhibit depicting the internal layout and organization of the internal sub-areas within the proposed project (core, transitional, residential, and economic development sub-areas); to include the number, size, location, and boundary for each of the sub-areas (to be prepared at a minimum 1"=50' horizontal scale or at a scale as otherwise approved by the Planning Director).
 - d. Graphic plan depicting the proposed open spaces, buffer areas, public parks, environmental preservation areas, and recreation areas.
 - e. Overlay plan exhibit depicting the projected development phasing plan.
 - f. Illustrative master plan exhibit depicting the general location of planned mix of uses and lot types for uses to be allocated within each Sub-Area (to be prepared at a minimum 1"=50' horizontal scale or at a scale as otherwise approved by the Planning Director).
2. Code of Development: A narrative report and graphic exhibits that codifies the key components of the project proposed for the UDA-O and establishes the land use regulations, criteria, and guidelines for each sub-area within the proposed project, to address the following:
 - a. The Applicant shall prepare a statement of compatibility of the proposed project with the Town's UDA-O District and Comprehensive Plan land use policies;
 - b. Lot Types and Lot Development Standards matrix (*Table 3*), to incorporate supplemental standards as may be required by additional proposed land uses and lot types;
 - c. Table of proposed by-right land uses, special permit uses, and specific land use exclusions;
 - d. Graphic representation of proposed generalized building forms, types and densities;

- e. Residential Lot Mix Work Sheet (*Table 4*), to address proposed mix of residential lot types, to include documentation for proposed lot variations and special conditions;
 - f. Narrative and graphic exhibits to support justification, qualifications, and conditions related to special permit uses;
 - g. Statement of minimum and maximum density, to be documented by the Applicant's engineer in the Density Calculation Worksheet; (See the UDA-O Reference Guide for an example)
 - h. Parking analysis to assess parking area and loading requirements;
 - i. Documentation and plan demonstrating compliance with VDOT State Secondary Street Acceptance Requirements;
 - j. A signage plan is required for the entire UDA-O which establishes a uniform sign theme with graphic representation of the design character, style, number, size, height, and number of signs. Signs shall share a common style, as to size, shape, and material. With the exception of the Economic Development sub-area, all UDA-O signs shall be either wall signs or cantilever signs. No billboards shall be allowed within the UDA-Overlay. Cantilever signs shall be mounted perpendicular to the building face and shall not exceed ten (10) square feet. Where signs otherwise vary in requirements with the existing Town sign ordinance, the Applicant shall provide justification for the proposed variation. Signs that are to be specifically exempted shall be defined. Upon approval of the zoning amendment application, the signage plan will regulate all signs within the UDA-O in lieu of the Town's sign ordinance; and
 - k. A projection of planned project's infrastructure demands on public water and sewer and an assessment of the adequacy of existing public infrastructure and facilities for the proposed project.
3. Street Classification Plan: A regulating street classification plan shall graphically address and depict the street system, street types, and streetscape design criteria for the types of vehicular and pedestrian access improvements within the project:
- a. Regulating transportation plan for the alignment and classification of the project's street system, identifying interior and frontage streets, and including designation of street types, block lengths and geometry, alley locations, and pedestrian improvements. Although alleys are allowed, any alley proposed and built shall be maintained by either (1) the developer, (2) a property owner's association, or (3) a home owner's association.
 - b. Graphic standards to illustrate plan and street cross sectional views, including right of way or easements specifications, for individual streets types (including alleys and pedestrian improvements).
 - c. Illustrations and design guidelines for public hardscape, landscaping, street lighting, and placement of utility, storm drainage, and related infrastructure, including easement requirements and regulations.
 - d. Building Form and Landscape Design Guidelines: Documentation and graphics to describe the proposed characteristics of building design and landscape architectural improvements within the UDA-O project:
 - e. Graphic representation of proposed architectural themes.

- f. Building form and styles, to address building scale, architectural proportions, and heights for uses.
 - g. Landscape design guidelines to depict proposed landscape treatment of streets, neighborhoods, civic spaces, open areas, parking areas, and other activity centers within the project.
4. Schematic Infrastructure Plans: The schematic infrastructure plans shall provide sufficient documentation and graphic support to ensure the feasibility and functionality of the Application Plan to the satisfaction of the Town to address the following:
- a. Storm drainage, stormwater management facilities, and best management practices.
 - b. Sanitary sewer.
 - c. Domestic water.

Site grading (proposed finished grades at minimum 2' contour intervals); to depict the extent of land disturbing activities that (1) will impact slopes that are greater than thirty percent (30%) and (2) require clear cutting of existing tree cover.

- d. Easement specifications and requirements for each public utility and facility, to include coordination requirements and agreements that may be needed by and between utility providers, VDOT, and the Town.

5. Traffic Impact Analysis:

- a. The Town and Applicant shall determine whether or not the subject UDA-O project shall require a traffic impact statement to be prepared consistent with VDOT 527 regulations.
- b. If a 527 traffic impact analysis is required, the Applicant shall prepare and submit a Pre-Scope of Work Meeting Form to the Town on or before the date of formal submission of the zoning district amendment application. The Pre-Scope form shall be processed, reviewed by and between the Town, VDOT and the Applicant in accord with adopted regulations and procedures.
- c. If a 527 Traffic Impact Analysis is not required, the Applicant shall meet with the Planning Director to determine the required scope for a traffic analysis for the UDA-O project. The Planning Director shall approve the elements to be addressed in the study scope. The traffic analysis shall be submitted with the zoning amendment application. Minimum requirements shall, at a minimum, include the following:
 - I. Existing traffic counts (AM and PM peak hour) at intersections to be identified by the Town.
 - II. Trip generation estimates for the planned land uses within the proposed development, employing ITE methodologies.
 - III. Trip distribution and assignments to the existing road network of traffic projected for the development at full-build out.

- IV. Estimates of background traffic growth on impacted streets and highways.
- V. Analysis of future conditions, to include level of service calculations for impacted intersections.
- VI. Signal warrants analysis.
- VII. Statement of recommended transportation improvements to provide adequate levels of service for the traffic generated by the proposed project.

7-90 Additional Application Requirements and Agreements

- a. The Applicant shall submit a statement of zoning proffers and conditions.
- b. The Applicant shall identify and establish standards for UDA utility and infrastructure design and easement requirements. The Applicant shall also identify and establish procedures to pursue any required waivers and modification of existing Town zoning, subdivision, and design standards related thereto, as applicable to implement the proposed project.
- c. The Applicant shall establish criteria and agreements for internal street ownership (public or private) and for alley (private) maintenance responsibility.
- d. The Applicant shall establish agreements for public ownership, management, and maintenance of properties within the project to be dedicated to public use, where applicable, and establish rules for common property ownership and maintenance, if applicable.
- e. The Applicant shall provide an assessment of cash and in-kind improvements that may qualify for proffers associated with the specific project.
- f. If requested by the Planning Director, the Applicant shall submit a fiscal impact statement with the zoning map amendment application that assesses the impact of the proposed project on the Town's capital facilities and infrastructure. The fiscal impact assessment shall evaluate the relative cost-benefits of the project and shall provide projections for both the tax revenues and governmental expenditures for public services, infrastructure and facilities.
- g. The Applicant, in conjunction with the Town, shall establish design criteria and use conditions for each land use subject to special use permit approval.
- h. The Applicant shall provide a written request and supporting documentation for any amendment, waiver or modification to Town codes, ordinances, and development standards relevant to the UDA-O application.
- i. If all or any portion of the property is to have land or improvements that are to be dedicated to a property owner(s)' association, the Applicant shall identify the property or improvements subject to dedication and shall submit draft articles of incorporation, by laws, and related operating documents for Town review.

7-100 UDA-O Application and Review Process

- a. Pre-Application Meeting: The Applicant shall schedule a meeting with the Planning Director for an introductory work session to discuss the key elements and impacts of the proposed project. The Planning Director and other Town agency representatives shall provide guidance on (a) application requirements, (b) timeframe for processing of the zoning map amendment application, (c) Comprehensive Plan considerations, (d) identification issues related to public infrastructure and facilities, and (e) other matters as may be uniquely related to the Applicant's property.

At this meeting, the Applicant shall present a sketch plan that depicts the following: (a) general boundary and location of property subject to rezoning application, (b) land area to be contained within the UDA-O, (c) graphic representation of the arrangement of interior Sub-Areas, (d) planned mix of land uses and densities, and (e) general approach to addressing transportation, infrastructure and community facilities.

- b. UDA-O Application Package Submission Meeting: The Applicant shall schedule a meeting with the Planning Director to submit and initially review the contents of the UDA-O zoning map amendment package for completeness. Within twenty-one (21) working days of the completion of the meeting, the Planning Director shall notify the Applicant in writing if the application package meets the Town's expectations for completeness.

If the application package does not meet submission requirements, the Planning Director shall provide written notification to the Applicant of the additional requirements necessary to establish a complete application. Once an application has been formally deemed a "complete application" by the Planning Director, the application package shall be distributed for formal review in accord with Town policy. An incomplete application will not be reviewed.

- c. Staff Review Meeting #1: The Planning Director shall notify the Applicant upon completion by Town staff and relevant agencies of the first review of the UDA-O application package. Written comments shall be provided to the Applicant at the first staff review meeting. The Applicant shall revise and resubmit materials as necessary to satisfy Town comments.
- d. Staff Review Meeting #2: The Planning Director shall notify the Applicant upon completion of the second review by Town staff and relevant agencies of the UDA-O application package. Written comments shall be provided to the Applicant at the first staff review meeting. The Applicant shall revise and resubmit materials as necessary to satisfy Town comments.
- e. Planning Commission Work Session: A work session with the Planning Commission may be requested by either the Applicant or the Planning Director at any time subsequent to Staff Review Meeting #1.
- f. Planning Commission Public Hearing: One or more public hearings may be conducted by the Planning Commission to review and make recommendations on the Applicant's UDA-O zoning map amendment application.
- g. Town Council Work Session: A work session with the Town Council may be requested by either the Applicant or the Planning Director at any time subsequent to the Planning Commission public hearing.

- h. Town Council Public Hearing: One or more public hearings may be conducted by the Town Council to take action on the Applicant's UDA-O zoning map amendment application.
- i. Public notifications and work sessions: The Town may determine it is in the public interest to schedule a work session at any time during the zoning map amendment review process.
- j. Status of UDA-O approval: Given that each UDA-O project will have a range of unique characteristics (as defined by the Code of Development) and location within the Town, an approved UDA-O shall be established as a separate zoning district. An approval of a UDA-O project shall be considered an amendment to the zoning ordinance and shall replace the pre-existing underlying zoning district(s).

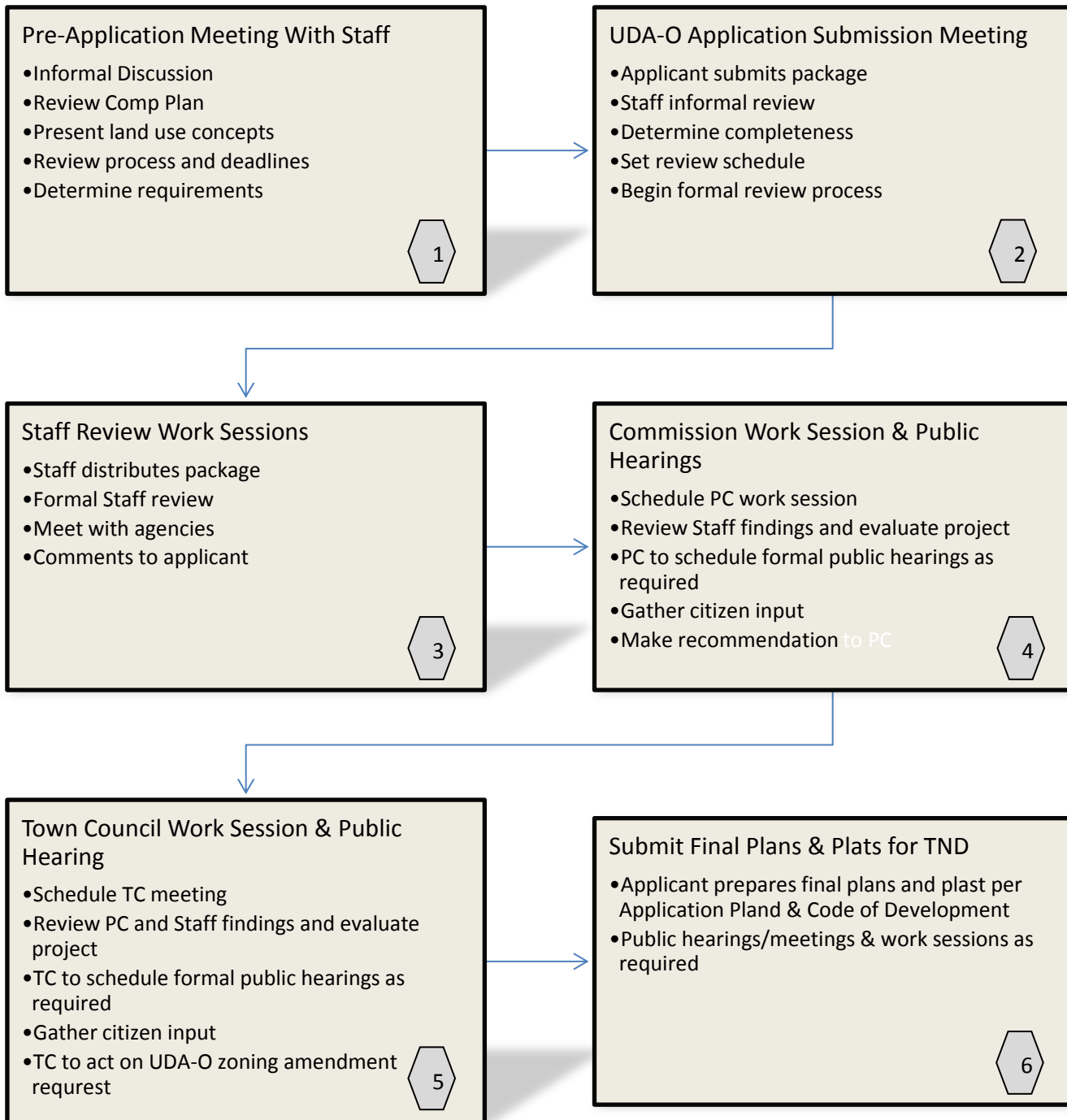
The UDA-O approval by the Town establishes the restrictions and regulations according to which the UDA-O shall occur. The UDA-O approval shall define and may depart from the normal procedures, standards, and other requirements of the other sections of the zoning ordinance and subdivision ordinance regulations to the extent approved by the Town Council (see Section J, herein below).

- k. Changes and modifications to an approved UDA-O: Any subsequent changes and modifications to the approved UDA-O, the Code of Development, or other elements related to the original conditions for approval of the zoning map amendment shall be submitted by the Applicant to the Planning Director.

The Planning Director shall determine whether the requested change is a major or minor change. Major changes shall require approval by the Town Council employing the zoning map amendment process. Minor changes shall require approval by the Planning Director, who, at his discretion, may obtain recommendations from the Planning Commission. The Town, at its discretion, may establish policies for major and minor changes.

- l. See Figure 2 for a summary diagram of the UDA-O application and review process.

Figure 2
UDA Overlay District Application Review Process



7-110 Waivers, Variances, Substitutions and Modifications for UDA-O Projects

- a. An applicant may apply for waivers, variances, substitutions, and modifications to one or more provisions of the UDA-O District. The Applicant shall clearly identify and document all waivers, variances, substitutions, and modifications to existing Town codes, ordinances, and development standards that may be required to implement the proposed UDA-O project.
- b. Documentation to be submitted with the UDA-O zoning map amendment application shall (a) address the justification for each requested waiver, modification, substitution, or development standard, and (b) recommend alternative substitute proposals, including design and construction standards, where applicable. Graphic exhibits shall clearly depict areas and locations where the waiver, variance, or modifications impacts the proposed project.
- c. The Town Council, upon its consideration of the recommendation of the Planning Director and the Planning Commission, may, at its sole discretion, act to approve, modify, or deny each requested waiver, variance, or modification.
- d. No approval or modification shall be granted by the Town Council for any waiver, variance, substitution, or modification in the absence of an adequate and sufficient substitute, including design and construction details and standards, where applicable. Where a waiver, variance, or modification is approved by the Town Council, the accepted substitute shall become a condition of the UDA-O zoning map amendment approval.
- e. The Town Council, at its option, may recognize an approved Code of Development as having fulfilled its requirements for a preliminary subdivision plan or preliminary site plan. Upon such recognition, the Applicant may proceed with the preparation of final plats and plans in accord with the provisions of the Code of Development and other conditions and proffers that were subject to the UDA-O District zoning map amendment approval.