

4.7.3 RM: Residential Mixed

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The Residential Mixed (RM) District is designed to allow for a variety of conventional built and multifamily housing dwelling types which can be accommodated dependent on necessary infrastructure including but not limited to community or regional utilities and infrastructure. A variety of dwelling housing types as referenced within the Table of Permitted Uses shall be allowable, however only one housing type is required for development. The type of development should be compatible with surrounding land uses and consistent with the goals and policies of the Comprehensive Land Use Plan. The density development standards shall follow be calculated similar to the Planned Development (PD) District the guidelines set forth in Sections 4.8.1.C and Section 4.8.1.D and Section 4.8.1.E.

4.8.1 PD: Planned Development District

The Planned Development District encourages progressive land planning and design concepts and is intended to provide an alternative to a conventional development. The PD Districts allows projects of innovative design and layout that may not otherwise be permitted under this Ordinance due to the strict application of zoning district or general development standards. The PD District shall not be used as a means of circumventing the County's adopted land development regulations.

A. Purpose of the PD District

- 1) To allow for greater freedom in providing a mix of uses within one development, including a mix of housing types, housing prices, lot sizes, densities, incomes, and non-residential uses
- 2) To promote quality urban design and environmentally sensitive development by incorporating walkable, compact, pedestrian and transit friendly development and by allowing development to take advantage of special site characteristics, locations, and land uses;
- 3) To promote quality urban design and environmentally sensitive development by preserving critical environmental resources, providing above-average open space amenities, incorporating creativity in the layout of buildings, open space and circulation systems, assuring compatibility with surrounding land uses and neighborhood character, and providing efficiency in the layout and provision of roads, utilities, and other infrastructure;
- 4) To create contiguous green space within and across the boundaries of development site(s) and promote interconnected greenways and corridors throughout the County;
- 5) To reduce the amount of infrastructure necessary for development, including paved surfaces and utility easements, by permitting clustering of houses and structures;
- 6) To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation;
- 7) To preserve unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat;
- 8) To protect prime agricultural land and preserve farming as an economic activity;
- 9) To preserve important historic and archaeological sites;
- 10) To protect scenic views;
- 11) To achieve any other goals as stated within adopted County land use and transportation plans, and/or any other adopted County plans.

B. Use Types

- 1) Uses allowed in the PD District shall be consistent with the Table of Permitted Uses in Section 5.2.3, the Comprehensive Land Use Plan, and shall also be in accordance with a Master Development Plan as prescribed in Section 3.5 and Section 4.8.1.B.2 below.

- 2) Properties that are currently zoned PD shall submit for review based upon the following:
- a) PD tracts that were recorded under previously adopted development regulations and are part of a platted subdivision or an approved Master Development Plan as of April 20, 2015 shall follow the prescribed standards of the time of approval.
 - b) PD tracts that were recorded under previously adopted development regulations and are part of a platted subdivision or master planned development but lack specific standards, shall be subject to the following dimensional requirements: minimum lot width of fifty (50) feet, minimum front yard setback of twenty-five (25) feet, side yard setback of ten (10) feet, rear yard setback of fifteen (15) feet, maximum structure height of thirty-five (35) feet, and minimum required principle structure separation of twenty (20) feet. Requested changes to the dimensional standards outlined above will require submission of a Master Development Plan in accordance with Section 4.8.1.B.2.e.
 - c) Vacant PD tracts that are less than one hundred (100) acres in area and are not part of an approved Master Development Plan as of April 20, 2015 shall submit a Master Development Plan in accordance with Section 6.1. A mix of uses shall be required. However, a mix of residential and non-residential uses shall not be required. The Planning Board shall review the proposed use(s) and overall design to determine if the Master Development Plan is in accordance with the standards of this Ordinance and any other adopted plans.
 - d) Vacant PD tracts that are one hundred (100) acres in area or larger and are not part of an approved Master Development Plan as of April 20, 2015 shall submit a Master Development Plan in accordance with Section 6.1. A mix of residential and non-residential uses shall be required. The Planning Board shall review the proposed use(s) and overall design to determine if the Master Development Plan is in accordance with the standards of this Ordinance and any other adopted plans.
 - e) PD tracts that are requesting a change of use from one NAICS sector classification to another, expansion of existing use(s), or revision of existing standards shall submit a Master Development Plan in accordance with Section 6.1. A mix of uses shall not be required. The Planning Board shall review the proposed use(s) and overall design to determine if the Master Development Plan is in accordance with the standards of this Ordinance and any other adopted plans.
 - i) Exception –PD tracts that are requesting an expansion of existing use(s) where a building addition of less than ten percent (10%) increase to the floor area of the existing structure or where a new structure will be 2,500 square feet in area or less shall not be required to submit a Master Development Plan.

C. Number of Dwelling Units (Density)

- 1) Determination - The number of dwelling units in a project in the PD or RM zoning districts utilizing the PD development standards shall be a maximum of 5 (five) units per net density. The density is calculated as total tract acreage subtracting the following:
 - ~~a) Areas reserved as non-residential development~~
 - ~~b) Total wetland calculations~~
 - ~~c) Rights of way and parking areas~~
 - ~~d) Active and passive open space~~
 - ~~i) Passive open space may be subtracted from the total wetland delineation in the Master Development Plan if it is calculated to be less than the total wetland area.~~
 - a) Total wetland area
 - i) Collector Road Density Bonus: If major and/or minor collector roads compliant with all Pender County planning documents and ordinances are proposed in the PD and RM district, the total area of those collector roads within the project's boundary shall be added to the total site acreage before wetlands area are subtracted.

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~~a. the provision of additional amenities such as public and/or private open space. An increase in density may be allowed up to 8 units per acre when 5 of the following criteria are fulfilled as determined by the Planning Board: In effort to encourage quality urban design and environmentally sensitive development, an increase in density may be allowed by the Planning Board when such an increase can be justified by superior design or~~

1. The project is located within one (1) mile of existing retail or office uses
2. The project is located within five (5) miles of a retail commercial center
3. The project creates its own retail commercial center and this center is accessible to the dwelling units within the development.
4. The project has direct access to a major or minor collector street
5. The project has no wetlands on site
6. The project is within one (1) mile of an employer with over 100 onsite employees
7. The project is within five (5) miles of a regional employer
8. The project provides housing for military personnel or their families.
9. At least 5% of the total number of dwelling units are reserved for households with income less than the gross median income for Pender County
10. The project provides designated age-dependent dwelling units or facilities
11. The project promotes aging-in-place by creating a safe living environment and support services necessary for a senior citizen to remain in the home of their choice while they age.
12. Alternative energy systems supply at least 20 percent of the total energy consumption for the dwelling unit including but not limited to power and hot water heating.
13. The project provides public recreation facility for dedication to Pender County. Pender County Parks and Recreation acceptance or intended acceptance of the facility must be obtained and presented to the Zoning Administrator at time of density bonus request.
14. The project provides a privately maintained community recreation facility for use by the residents of the proposed project. This facility must be equal to at least 1 recreation unit as determined in Section 7.6.2.
15. Project features three Low Impact Design (LID) methods as approved by the Zoning Administrator. Acceptable LID methods shall comply with either Section 7.14 of this ordinance, the publication *Low Impact Development: A Guidebook for North Carolina*, or other LID document as recognized by applicable state regulatory agencies.
16. The project features double or more than required open space
17. The project provides historic preservation or revitalization of existing structures on the project site.
18. The project provides a specific identified facility need as identified in approved Pender County planning documents. These facilities may include, but are not limited to, civic uses such as a library, community center, fire station.

2. Development Standards - Development in ~~a PD District~~ the PD and RM zoning districts shall be subject to all applicable regulations unless otherwise waived or modified by the County in the terms of the approved master land use plan. In no case shall the decision-making body waive or modify the following standards for a proposed PD development:
 - a. Stream buffers required by the State of NC
 - b. Ownership requirements for any open space, buffers, or streetscapes unless otherwise permitted within this Ordinance;

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- c. Preservation of existing vegetation in streetscapes, floodplains, and/or buffers;
- d. Minimum distance between structures, minimum lot width, and minimum yard requirements are established in the Master Development Plan and may be modified by the Planning Board
- e. Street connectivity requirements;
- f. Sidewalk and greenway requirements;
- g. Stormwater control or LID requirements;

E. Transportation and Circulation System

The Master Development Plan shall demonstrate a safe and adequate on-site transportation system that addresses vehicular, bicycle, transit and pedestrian circulation. The on-site transportation system shall be integrated with the off-site transportation circulation system of the County. The road network within Planned Developments and multi-family developments in the RM zoning district shall be designed to ensure that adjacent residential areas, internal and external to the project, have direct access to any non-residential portions of the planned development in lieu of entering and exiting through thoroughfares and/or collector streets. Planned developments shall provide or contribute to a pedestrian and road network that connects non-residential and existing residential developments.

- 1) Creative design of circulation routes and traffic ways is encouraged. A base characteristic of a PD is that the internal circulation routes or streets do not follow fixed linear geometric lines. Instead, circulation routes are curvilinear and of meandering character, to preserve tree and landscape features. Slower-paced traffic movements are encouraged with the use of private restrictions for extremely low speed limits. Creative design of circulation is not required for multi-family projects in the RM zoning district.
- 2) Pedestrian-oriented communities are encouraged to maximize opportunity for pedestrian activity and improve the quality of the pedestrian experience. Planned subdivisions and multi-family projects must adhere to the design standards for drainage and paving in this Ordinance.
- 3) Where the development is bound by two (2) or more NCDOT on-system roads, access to each road shall be provided at minimum.
- 4) Adequately constructed and maintained bike and/or hiking trails shall be counted toward the open space requirement. Bicycle lanes and multi-use pathways that extend the minimum right-of-way width shall be designed in accordance with the North Carolina Bicycle Facilities Planning and Design Guidelines Manual.

Definitions:

Regional Employer: An employer drawing a workforce from Pender County's residents as well as from part of one or more of the adjacent counties

Retail Commercial Center: A retail or commercial business or group of businesses within the same development that serve as the focal point of regional commerce. These retail commercial centers cater to many neighborhoods and communities in Pender County. They may, but do not always, draw customers from surrounding counties.