



Planned Unit Developments (Code)

Greene County Economic Development & Planning Section

AMENDMENTS TO GREENE COUNTY ORDINANCE APPROVED BY BOARD OF COMMISSIONERS 8-15-2005

Planned Unit Developments

The standards and requirements of this ordinance may be modified by the Planning Board in the course of a plan and program for a planned unit development, which in the judgment of the Planning Board, provides adequate public spaces and improvements for circulation, recreation, light, air and service needs of the tract when fully developed and populated, and also provide such covenants, or other legal instruments, as will assure conformity to and achievement of the development plan. The maximum allowable density shall meet the following requirements:

§ 151.60 Density Requirements

Density increases greater than those permitted in the Subdivision Regulations will be permitted only when a community or public sanitary water and sewer disposal system is provided and they must meet the following requirements. Any other such increase will be allowed only with the approval of the Greene County Health Department and they must also meet the following requirements:

Planned unit development; residential uses dimensional standards.

- (a) *Lot area.* The lot area for each detached single-family dwelling shall be no less than five thousand (5,000) square feet.
- (b) *Lot width.* Lot width for each detached single-family dwelling shall be no less than fifty (50) feet. Lot width for each attached dwelling unit shall be no less than thirty (30) feet. For purposes of this section "lot width" shall include individual unit width.
- (c) *Lot frontage.* Fifty (50) feet, except for attached dwelling units and detached dwelling units on the radius of a cul-de-sac where such distance may be reduced to thirty (30) feet.
- (d) *Public or private street setback.* Except as further provided no principal or accessory structure shall be closer than twenty (20) feet to a public street right-of-way or private street easement. Detached single-family dwellings shall be setback not less than fifteen (15) feet from a public street right-of-way or private street easement or as further provided herein.
- (e) *Minimum side yard.* The side yard area required for detached single-family and two-family attached dwellings should be no less than ten (10) feet.
- (f) *Minimum rear yard.* The rear yard area required for detached or attached dwelling units shall be no less than ten (10) feet.
- (g) *Building separation.* Building separation within group developments containing two(2) or more principal structures on one (1) lot of record: No portion of a principal structure side building wall elevation shall be located less than twenty (20) feet from an adjacent principal structure as measured at ninety (90) degrees at the closest point. Architectural extensions including, but not limited to, bay windows, chimneys, open porches and decks, roof overhangs and balconies shall not be considered in calculating building separation provided such encroachments are not more than three (3) feet.
 - (i) *Periphery boundary setback.* No portion of a planned unit development including accessory structures, parking areas or required yard shall be located less than thirty (30) feet from the peripheral boundaries of the planned unit development.
 - (ii) *Additional attached dwelling transition setback.* The following scale shall be utilized in the calculation of the minimum building setback, in addition to the periphery boundary setback as specified above, between proposed attached dwelling units including their accessory structures and existing or proposed single-family development districts or other predominantly single-family development as defined herein that border the planned unit development. For purposes of this subsection, "other predominantly single-family development" shall be that area within one hundred (100) feet of the external boundary of the planned unit development district in which fifty (50%) percent or more of the conforming land uses are single-family residential.

Number of Units Per Building Additional Setback (Feet)

2	20
3 – 5	40
6 – 10	60
11 or over	80

(k) *Recreation area setback.* No portion of an active recreation area shall be located within twenty-five (25) feet of the external boundary of the planned unit development.

(l) *Transition area setback.* Where a planned unit development adjoins or borders an existing or proposed single-family development sharing common frontage on the same or opposite side of a public or private street the minimum right-of-way and/or easement setback requirement of said single-family development shall be utilized for the entire opposite frontage and two hundred (200) feet from such common border. For purposes of this subsection, “other predominantly single-family development” shall be that area within one hundred (100) feet of the external boundary of the planned unit development district in which fifty (50%) percent or more of the conforming land uses are single-family residential.

(m) *Building length.* No continuous unit or series of attached units shall exceed a combined length of two hundred (200) feet.

- (1) No two (2) units or structures shall be considered attached unless such units or structures share a five-foot common party wall; and
- (2) Common party walls of attached units shall be constructed in accordance with the North Carolina State Building Code, G.S. Chapter 47C (North Carolina Condominium Act) and other applicable requirements.
- (3) The numbers of units per acre shall be based on the following formula:
 - 1,500 sq. ft. of land for each 1 BR unit
 - 2,000 sq. ft. of land for each 2 BR unit
 - 2,500 sq. ft. of land for each 3 BR unit
 - 3,000 sq. ft. of land for each 4 BR unit

(n) *Storage area required.* Every dwelling unit shall provide private storage in the amount of ten (10%) percent of the gross habitable floor area. The living area including closets and attics shall not count toward the required private storage area. Such storage area shall be provided in the form of attached utility rooms, detached accessory structures, private yard area(s) available for such future use or otherwise as approved by the planning and zoning commission.

(o) *Accessory structure requirements.*

- (1) Shall not be within any front yard setback;
- (2) Shall not be located within ten (10) feet of any other principal structure or within five (5) feet of any other accessory structure, except as further provided;
- (3) Shall not cover more than twenty (20%) percent of any side or rear yard; and
- (4) The side or rear yard requirement for attached and detached accessory structures shall be no less than five (5) feet.
- (5) For purposes of this section any accessory structure attached to a principal structure shall be subject to the setback requirements of the principal structure.

(p) *Trash/garbage container requirements.*

- (1) No container pad shall be located closer than twenty (20) feet to any dwelling structure;
- (2) Each container pad required to service the development shall be located within two hundred (200) feet of the dwelling units such container is intended to serve;
- (3) Container pads shall be enclosed on three (3) sides by a complete visual screen consisting of a fence, vegetation or combination thereof.

Planned unit development non-residential use dimensional standards.

- (a) *Lot area.* The lot area for each non-residential unit shall be no less than five thousand (5,000) square feet
- (b) *Lot width.* Lot width for each non-residential unit shall be no less than fifty (50) feet). For purposes of this section “lot width” shall include an individual non-residential unit width.
- (c) *Public or private street setback.* No principal or accessory structure shall be closer than twenty (20) feet to a public street right-of-way or private street easement.
- (d) *Minimum side yard.* Fifteen (15) feet
- (e) *Minimum rear yard.* Twenty (20) feet.

Parking Space Requirements

- (1) Number of spaces.
 - a. Residential parking. Planned unit developments shall provide a minimum of two (2) 10' x 20' paved parking spaces located within 500 feet of the use that it is intended to serve, so designed not to allow parked vehicles to encroach within any public right-of-way or private street easement, for each dwelling unit.
 - b. Non-residential parking. Planned unit developments shall provide a minimum of 1 parking space for every two hundred (200) square feet of non-residential unit area.
 - c. One (1) parking space shall be required per two hundred (200) square feet of floor area in each social or recreation building.
 - d. Accessory parking. One (1) accessory parking space shall be provided for every ten (10) residential units.
- (2) Surface Material Requirement
 - a. All parking areas shall be constructed with a hard surfaced all-weather material such as asphalt, concrete, brick, CABC or any other approved materials.

Open space requirements

- (1) Planned unit developments shall reserve not less than twenty-five (25%) percent of the gross acreage as common open space.
- (2) If developed in sections, the common open space requirements set forth herein shall be coordinated with the construction of dwelling units and other facilities to insure that each development section shall receive benefit of the total common open space.
- (3) Streets, private drives, off-street parking areas and structures or buildings shall not be utilized in calculating or counting towards the minimum common open space requirement; however, lands occupied by recreational buildings and/or structures, bike paths and similar common facilities may be counted as required open space provided such impervious surfaces constitute no more than five (5%) percent of the total required common open space.
- (4) In the designation of common open space, consideration shall be given to the suitability of location, shape, character and accessibility of such space.

Recreation space requirement.

- (1) A minimum of twenty-five (25%) percent of the required gross common open space in a planned unit development shall be developed for recreational purposes. For purposes of this section, "recreation" shall include, but not be limited to, tennis courts, swimming pools, ball fields, fitness courses, multipurpose trails and the like.

§151.61 Design criteria; general.

- (a) *Site planning; external relationship.* Site planning in the proposed development shall provide protection of the development from potentially adverse surrounding influences and protection of surrounding areas from potentially adverse influences within the development. Consideration will be given to the location of uses, type of uses, open space, recreation areas, street design and arrangement in the evaluation of the development and its relationship with the surrounding areas.
- (b) *Site planning; internal relationship.*
 - (1) *Service and emergency access.* Access and circulation shall be adequately provided for firefighting equipment, service deliveries and refuse collection.
 - (2) *Underground utilities.* Planned unit developments shall be required to have underground utilities. Such proposed utilities shall be adequate to serve the proposed development and such utilities or streets.
 - (3) *Pedestrian circulation.* A pedestrian circulation system is encouraged in such development. Walkways for pedestrian use shall form a logical, safe and convenient system of access to all dwelling units, project facilities and principal off-site pedestrian destinations and meet ADA requirements. Walkways to be used by substantial numbers of children as routes to schools, play areas or other destinations shall be so located and safeguarded as to minimize contact with normal automobile traffic. Street crossings shall be held to a minimum. Such walkways, where appropriately located, designed and constructed, may be combined with other easements and used by emergency or service vehicles, but not be used by other automobile

traffic. In addition, bike paths may be incorporated into the pedestrian circulation system and are to be encouraged in such development.

§ 151.62 Street design criteria.

- (a) For the purposes of the planned unit development district, three (3) types of streets shall be utilized to provide internal access to the development. The three (3) types of streets are defined as:
- (1) *Minor street.* Distributors within the planned unit development which provide linkage with major streets outside the planned unit development district;
 - (2) *Marginal access street.* Those streets which connect with minor streets to provide access to individual buildings within the planned unit development district; and
 - (3) *Private street.* Those streets that provide access to individual buildings within the planned unit development district
- (b) The street design of all planned unit developments shall be in conformance with NCDOT standards or Local Residential Roads as outlined in the minimum construction standards of the Division of Highways.
- (c) Upon approval of the Planning Board, interior roads may be allowed to be constructed as private streets, subject to the requirements above. Where such private streets are allowed, the homeowners' association shall perpetually maintain such private streets in suitable conditions and state of repair for Greene County to provide normal delivery of services, including but not limited to emergency services. If at any time such private streets are not maintained by the homeowners' association and travel upon them becomes or will be hazardous or inaccessible to Greene County service or emergency vehicles, the County may cause such repairs after a reasonable period of notification to the property owner and/or homeowners' association. In order to remove safety hazards and ensure the safety and protection for the development, the County may assess the cost of such repairs to the property owner and/or homeowners' association.

§ 151.63 Homeowners' association.

- (a) No final plat shall be approved until all required legal instruments have been reviewed and approved by the county attorney as to legal form and effect.
- (b) If common open space is deeded to a homeowners' association, the owner or developer shall file a declaration of covenants, conditions and restrictions that will govern such association. The provisions of such declaration of covenants, conditions, restrictions shall include, but not be limited to, the following:
- (1) The homeowners' association must be set up before any property is sold in the development;
 - (2) Membership must be mandatory and automatic when property is purchased in the development;
 - (3) The open space restrictions must be permanent, not just for a period of years;
 - (4) The association must be responsible for liability insurance, local taxes, and maintenance of recreational and other common facilities including private streets;
 - (5) Homeowners must pay their pro rata share of the cost; the assessment levied by the association can become a lien on the property;
 - (6) The association must be able to adjust the assessment to meet changed needs;
 - (7) Covenants for maintenance assessments shall run with the land;
 - (8) Provision insuring that control of such association will gradually be vested in the homeowners' association; and
 - (9) All lands so conveyed shall be subject to the right of the grantee or grantees to enforce maintenance and improvement of the common facilities.

§ 151.64 OTHER REQUIREMENTS

Where a planned unit development qualifies for the design standards set forth in this section, nonetheless all other requirements of this chapter must be complied with unless specifically waived.