

ARTICLE 11.
PLANNED ZONING DISTRICTS
GENERAL REQUIREMENTS

Section 1. PURPOSE:

In order that the public health, safety, morals and general welfare be furthered in an era of growing demand for housing of all types and designs; and, to provide for necessary commercial facilities conveniently located to such housing; to provide for well located, clean, safe, pleasant, employment centers involving a minimum strain on transportation and other community facilities; to encourage innovation in residential, commercial and industrial development and renewal so that growing demands of the population may be met by greater variety in type, design, and layout of buildings; to encourage conservation and more efficient use of open space ancillary to said buildings, so that greater opportunities for better housing and recreation, retail business and employment center uses conveniently located to each other may be extended to all citizens and residents; and in order to encourage a more efficient use of land and public services or private services in lieu thereof, and to reflect changes in the technology of land development so that resulting economies may inure to the benefit of those who need shelter; to lessen the burden of traffic on streets and highways; to encourage the building of areas incorporating the best features of modern design; to conserve the value of land; to provide a procedure which can relate the type, design and layout of residential, retail business and employment center development to the particular site and the particular demand for housing and other facilities including the foregoing at the time of development in a manner consistent with the preservation of property values; and to insure that the increased flexibility of substantive regulations over land development is subject to administrative standards and procedures which encourage disposition of proposals without undue delay; to assure that proposals put forth at public hearing are indeed constructed as planned; and in aid of these purposes the Planned Zoning Districts are hereby created and established. Planned zoning is not intended to assure privileges for all or parts of a project and planned zoning is not to be granted as a refuge from standard requirements.

Section 2. STATEMENT OF OBJECTIVES:

In order to insure the effective management of land and its environmental resources within the County while recognizing the economic constraints and limitations inherent in all types of development, the following objectives are hereby established:

- A. Promote and encourage innovation in residential and limited retail business and employment center development which is carefully planned so that growing demands of the population may be met by greater variety in type, design and layout of buildings and development while maintaining overall density and intensity of uses and development patterns consistent with the adopted comprehensive plan.
- B. Conserve open space by requiring equivalent open space or improvement of same or other requirements as provided in these regulations and more efficiently use open space and recreation areas.
- C. Provide greater opportunities for better housing, recreation and convenient retail business and employment center facilities.
- D. Allow developers to incorporate and reflect changes in technology of land development so that resulting economies may inure to the benefit of those who need shelter.

- E. Produce a pattern of development which preserves trees, outstanding natural topographic and geological features, and prevents soil erosion.
- F. Promote an efficient use of land resulting in smaller networks of utilities and streets and, thereby, lower development costs.
- G. Provide an environment of stable character in harmony with surrounding development and in a manner consistent with property values within established developed areas.
- H. Encourage a more desirable environment than would be possible through the strict application of other sections of these regulations.
- I. Ensure that the increased flexibility afforded by this Article is subject to the administrative standards and procedures outlined.
- J. Encourage and promote the disposition of proposals for land development under this Article without undue delay.

This Article is designed to provide for small and large scale development incorporating a single type or a variety of related uses which are planned and developed as a unit. Such development may consist of individual lots or it may have common building sites and mixture of the two may be allowed.

The Article is not intended to permit a greater overall density than that allowed for like development as set forth elsewhere in these regulations, but is to provide a greater flexibility in the design of buildings, yards, courts, recreation areas, circulation and other like features than would otherwise be possible through the strict application of these regulations.

Section 3. PLANNED ZONING DISTRICTS ESTABLISHED:

Planned zoning districts are hereby established as set forth in Articles 7, 9, 12, 13, 14, and 32 of these regulations under the purposes, provisions and procedures of this Article in the same manner as though fully set forth herein. The titles of the planned zoning districts shall be as enumerated in Article 7 of these regulations. The requirements and provisions for each planned district are hereby established and shall be as provided in:

- Article 9, Planned Rural District (PRUR);
- Article 12, Planned Residential Low Density District (PRLD);
 Planned Residential Neighborhood Two District (PRN-2);
 Planned Residential Neighborhood One District (PRN-1);
 Planned Residential Urban Single-Family District (PRU-1A);
 Planned Residential Urban Single-Family District (PRU-1B);
 Planned Residential Urban Two-Family District (PRU-2);
 Planned Residential Urban Townhouse District (PRU-3);
 Planned Residential Urban Apartment District (PRU-4);
 Planned Residential Manufactured Home Park District (PRMHP); and
 Planned Residential Manufactured Home Subdivision District (PRMHS).
- Article 13, Planned Limited Retail Business District (PRB-1A);
 Planned Rural Retail Business District (PRB-1);
 Planned Residential Neighborhood Retail Business District (PRB-2); and
 Planned Urban Neighborhood Retail Business District (PRB-3).

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| Article 14, Planned Research and Development Park District | (PEC-1); |
| Planned Research, Development and Office Park District | (PEC-2); |
| Planned Research, Development and Light Industrial Park District | (PEC-3); |
| Planned Industrial Park District | (PEC-4); and |
| Planned Logistics Park District | (PEC-LP) |
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| Article 32, Planned Adult Entertainment District | (PAE). |

Section 4. PLANNED ZONING DISTRICT PROCEDURES:

- A. Applications for rezoning to a planned zoning district shall be submitted and processed in accordance with the requirements of these regulations in Article 4.
- B. A Preliminary Development Plan application shall be submitted and approved concurrently with the rezoning application as provided in Section 5 below.
- C. Prior to the issuance of building permits for construction on land with planned district zoning, a Final Development Plan shall be submitted and approved as provided in Article 15 herein and Section 5 below.

Section 5. GENERAL DEVELOPMENT PLAN APPROVAL REQUIREMENTS:

- A. Preliminary Development Plans shall describe the applicant's intentions and concepts for the use and development of the property. Final Development Plans shall describe in detail the applicant's specific plans for the use and development of the property. Preliminary Development Plan and Final Development Plan application requirements and approval procedures shall comply with the following:
- B. Applications for Preliminary Development Plan approval for land zoned or proposed to be zoned Planned Retail Business Districts (PRB-1A, PRB-1, PRB-2, or PRB-3), Planned Employment Center Districts (PEC-1, PEC-2, PEC-3 or PEC-4) or Planned Adult Entertainment District (PAE) and applications for Final Development Plan approval for land so zoned shall be submitted and processed as provided in Article 15, Development Plan Procedures, of these regulations.
- C. Applications for Preliminary Development Plan approval for land zoned or proposed to be zoned to any of the following planned districts;

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| Planned Rural District | (PRUR) |
| Planned Residential Low Density District | (PRLD); |
| Planned Residential Neighborhood Two District | (PRN-2); |
| Planned Residential Neighborhood One District | (PRN-1); |
| Planned Residential Urban Single-Family District | (PRU-1A); |
| Planned Residential Urban Single-Family District | (PRU-1B); |
| Planned Residential Urban Two-family District | (PRU-2); |
| Planned Residential Urban Townhouse District | (PRU-3); |
| Planned Residential Urban Apartment District | (PRU-4); |
| Planned Residential Manufactured Home Park District | (PRMHP); and |
| Planned Residential Manufactured Home Subdivision District | (PRMHS). |

and applications for Final Development Plan approval for land so zoned shall be as follows:

- 1. The submitted and approved Preliminary Development Plan shall be a Preliminary Plat for the property and the submitted and approved Final Development Plan shall be a Final Plat for the property as provided in subdivision regulation Articles 25 through 31, inclusive, of these regulations, and

2. A Preliminary Development Plan and a Final Development Plan shall be also submitted for approval as provided in Article 15, Development Plan Procedures, of these regulations, for all common areas, open space, or facilities for public or quasi-public use, including clubhouses, meeting rooms, identification signs, landmarks, gates, fountains, lakes, and similar such development features.
- D. Any architectural controls proposed to be made applicable to the development of lots in such planned districts shall be indicated on the development plan(s) submitted for approval and copies of the proposed architectural controls shall be submitted before Final Development Plan approval.

Section 6. MINIMUM INFRASTRUCTURE REQUIREMENTS:

Each planned district has Minimum Infrastructure Requirements which apply to the rezoning of land to those districts as well as development of land so zoned. The Minimum Infrastructure Requirements are specified in Article 31 of these regulations.

Section 7. SUPPLEMENTARY PERFORMANCE STANDARDS:

Each planned district has development standards and performance standards which apply to the development and use of land so zoned. The development standards for each planned zoning district are specified in the regulations for each planned zoning district. The performance standards are specified as follows:

- A. Exterior Storage: Except during permitted construction on any tract, all exterior storage of equipment, raw materials or finished products shall be fully screened from the view of adjacent parcels and streets by a solid screen fence at least 6 feet in height or equivalent.
- B. Refuse: Except during permitted construction on any tract, all waste material, debris, refuse, or garbage shall be kept in an enclosed building or properly contained in a closed container designed for such purposes which shall be screened from view from adjacent parcels and any streets by dense landscaping, landforms, by housing the container in a refuse enclosure at least as tall as the container or by keeping the container within a building. Refuse enclosures are to be constructed and provided in such a way that they would be at least seventy-five (75) percent visually solid as viewed on any line perpendicular to the line of the exterior surfaces of the enclosure, and the enclosures provided and used for trash dumpster containers shall have a paved floor. The owner of any land parcel shall be responsible for keeping that land free of refuse. All exterior storage not included as a permitted accessory use, a permitted use, or included as part of a Conditional Use Permit, or otherwise permitted by provisions of these regulations shall be considered as refuse.
- C. Screening: Where any Planned Retail Business or Planned Employment Center use (structure, parking or storage) is adjacent to property zoned or developed for residential use, the business or employment center uses shall provide screening along the boundary adjacent to the residential property to screen residences within 300 feet of the property. Screening also shall be provided where a parking lot or business or employment center service, storage or loading area is across the street from a residential zone, but not on that side of any business or employment center use which has the main entrance to the establishment or is considered to be the front of the establishment.

The screening required in this section shall be at least seventy-five (75) percent visually solid as viewed on any line perpendicular to the line of the screening, shall consist of dense landscaping, landforms which provide the required screening effect, or fence(s) or wall(s) with a height of at least six feet and which shall not extend within 15 feet of any street right-of-way line. The

required screening shall be provided along property lines, or, in case of screening along a street, on private property at least 15 feet from the street right-of-way, with landscaping of all unpaved land surfaces between the screening and the street pavement. Plantings, extensive setbacks and/or landforms such as berms or terraces of a type approved by the County may also be required in addition to or in lieu of screening and fencing required by this section. See also Article 16, Section 3.

- D. Glare: Any lighting used to illuminate an off-street parking area, outside storage area, outside activity area, sign or other structure shall be arranged as to deflect light away from any adjoining residential zone and from the public streets. Direct or reflected glare from floodlights or from high-temperature processes such as combustion or welding, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare floodlight or spotlight illumination sources shall not be permitted in view of adjacent property or public right-of-way. Any illumination fixtures or combination of illumination fixtures that illuminate a public street shall not cast illumination exceeding one (1) footcandle (meter reading) as measured from the centerline of said street. Any illumination fixtures or combination of illumination fixtures that illuminate residential property shall not cast illumination exceeding 0.4 footcandles (meter reading) as measured from said property.
- E. Explosives: No activities involving the storage, utilization or manufacture of materials or products (such as TNT or dynamite) that could decompose by detonation shall be permitted except such as are specifically approved by the Board.
- F. Radiation and Electrical Emissions: No activities shall be permitted that emit dangerous radioactivity or electro-magnetic emissions beyond enclosed areas. There shall be no electrical disturbance (except those from domestic household appliances) adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
- G. Environmental Protection: The emission of noise, odors, vibration, smoke, air pollution, liquid or solid wastes, heat, and dust, must meet applicable local, state and federal regulations.

All wastes shall be disposed of in conformity with local, state and federal regulations.

Minimum standards for noise, odor, and vibration shall be as follows:

- 1. Noise: In no case shall the noise level exceed 60 dB(A) in the Residential or Planned Residential Districts nor 70 dB(A) in Planned Retail Business or Planned Employment Center Districts more than five times per minute or for more than a 15 second period measured at any point along the property line.
- 2. Odors:
 - a. No person may cause, permit or allow the emission of objectionable or offensive odorous matter in such concentrations and frequencies or for such durations that such odor can be perceived at the point of complaint in a residential area when one (1) volume of odorous air is diluted with two (2) volumes of odor-free air for two (2) separate trials not less than fifteen (15) minutes apart within the period of one (1) hour.
 - b. Method of Measurement: These measurements may be made with a Scentometer as manufactured by the Barnebey-Cheney Company or by a similar device, as recognized by the Zoning Administrator, that will give equivalent results.

3. Vibration: No person shall cause any vibration discernible beyond property line to the human sense of feeling for three minutes or more duration in any one hour or any vibration producing an acceleration of more than 0.1 g's or resulting in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, United States Bureau of Mines Bulletin No. 442, "Seismic effects of Quarry Blasting," on any structure

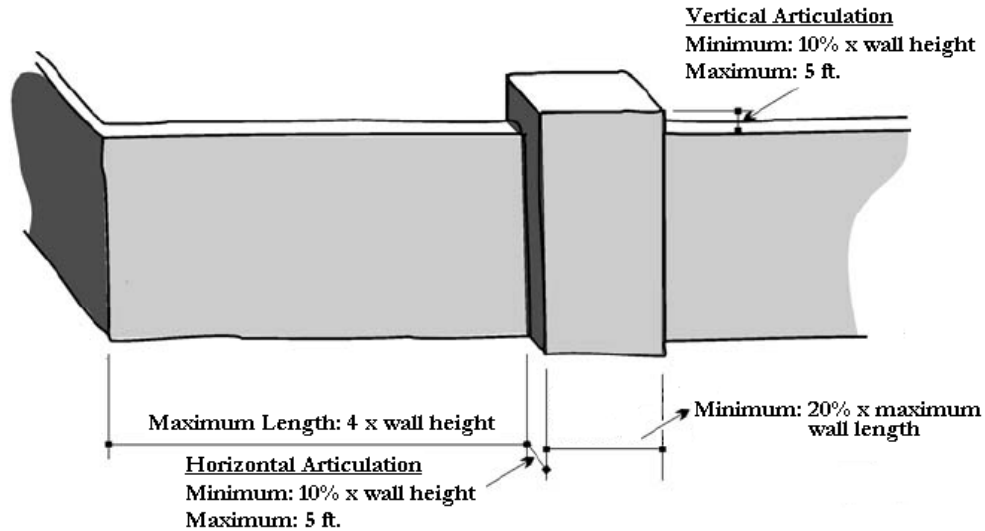
H. In all Planned Employment Center Districts:

1. Activities other than temporary (not more than 60 days), non-continuous operations, storage, and parking of motorized machinery and equipment, materials, products or equipment, shall be conducted within an enclosed building or within a designated storage area or yard.
2. Continuous parking or storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building, or in a designated storage area or yard. All storage materials shall be screened from public view. For the purposes of this section, the phrase "screened from public view" means limited visibility at eye level from adjoining properties or any street right-of-way shall be obscured, shielded, or mitigated from public view according to the definition for "Screening, Visual" in Article 2, Section 3 of these Regulations. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or have a dust free surface.
3. Design Guidelines: The purpose of these guidelines is to encourage development that will contribute to the overall aesthetics of Planned Employment Centers as unique places by enhancing the built environment. These guidelines are intended to ensure that new development and redevelopment will be compatible and will enhance the overall appearance of Planned Employment Center construction.
 - a. General:
 - i. When more than one (1) building is planned for a development, the development plan shall demonstrate integration and coordination of the architectural design for buildings, structures, landscaping and open space.
 - ii. Buildings should be oriented so that the front or side of the building faces the public street frontage of the property.
 - iii. Loading, parking, storage and service areas should be screened from public view with landscaping, berming, walls, fencing, or other similar screening materials.
 - iv. In order to screen parking, dock doors, trucks, trailers, or other outdoor equipment or storage from public view and existing residences, screening in accordance with this Article shall be required.
 - b. Pedestrian access within a development and adjacent public and private property shall be considered as a component in the design of the development.
4. Architectural Design Requirements:
 - a. Building Massing and Scale: A building's massing is defined as its exterior volume. The height, width and depth of a structure creates the overall massing of a building. A building's scale is the relationship of its overall size and its component parts with its adjoining spaces and buildings.
 - b. Blank Walls: Large expanses of blank walls of any material, including metal siding, are not allowed. Building facades over one hundred feet (100') long facing public right-of-

way or existing residential property shall break up massing of buildings by dividing building façade into smaller components with a minimum of three (3) of the following five (5) elements:

- i. Articulating details around doors, windows, balconies, plate lines, providing details such as “belly-bands,” recessed design elements, cornice treatment details, exposed expansion joints, reveals, change in texture, or other such methods of visual relief.
 - ii. Avoiding long, repetitive, monotonous facades – particularly those that repeat the same design element several times along the same elevation.
 - iii. Using darker building color and varied colors of wall treatments.
 - iv. Varying roof lines (see Vertical Articulation section).
 - v. Changing wall plane (see Horizontal Articulation section).
- c. Building Materials: One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential use or public open space shall consist of materials which may include but are not limited to stone, brick, glass block, tile, cast metal, cast or cultured stone, concrete (tilt-up walls), glass, architectural pre-cast or a combination of these materials. The use of other cementitious products (e.g. stucco, Hardy Plank, EIFS, or other similar materials) shall be limited to fifty percent (50%) of the buildings’ exterior finishes and where it will be applied under the highest standards for quality and durability. However, such cementitious products may not be located in the first eight feet (8’) above grade on a façade visible from a public street, existing residential use, open space, or public area.
- d. Facade Guidelines:
- i. Horizontal Articulation (see Figure 1, below): If Horizontal Articulation is used as an element to comply with the Architectural Design Standards above, then walls facing a public street, existing residential use, open space, or public area should not extend for a distance greater than four (4) times the wall's height without having an off-set of ten percent (10%) of the wall's height (maximum of five (5) feet); the new plane shall extend for a distance equal to a minimum of twenty percent (20%) of the length of the first plane. Walls not facing a public street, existing residential use, open space, or public area; walls containing loading dock doors, and fully screened walls are exempt from the horizontal articulation requirement.
 - ii. Vertical Articulation (see Figure 1, below): If Vertical Articulation is used as an element to comply with the Architectural Design Standards above, then walls facing a public street, existing residential use, open space, or public area should not extend horizontally for a distance greater than four (4) times the height of the wall without changing height by a minimum of ten percent (10%) of the wall's height (maximum of five (5) feet). Walls not facing a public street, existing residential use, open space, or public area and fully screened walls are exempt from the vertical articulation requirement.

Figure 1. Horizontal and Vertical Articulation



- iii. Screening of Rooftop Equipment: Screening of rooftop equipment should comply with the requirements of Article 16, Section 3(B) of these regulations.
 - iv. Exterior Color Palette: Earth tones, muted hues, and natural tones are permitted as structures' basic colors. Brighter hues are permitted only as an accent color on building elements such as awnings, doors, and trim. A mixed color palette on a single building should be carefully selected so all colors harmonize with each other.
5. Diesel Emission Requirements. The following diesel emission requirements shall apply to warehouse/distribution, manufacturing including heavy duty diesel trucking and courier services, warehousing and storage, and motor freight transportation terminals, truck stops, and truck maintenance facilities:
- a. Except for loading/unloading operations, heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds shall be restricted from idling on-site for more than 5 minutes in any 60 minute period. For loading/unloading operations, idling shall be restricted to no more than 30 minutes in any 60 minute period. The following exceptions shall apply to this section:
 - i. Emergency vehicles performing their emergency duties;
 - ii. Vehicles that must idle to operate auxiliary equipment to accomplish the intended use of the vehicles such as mixing, refrigerating, or operating a hydraulic lift. The exemption does not apply when the vehicle idling is solely for cabin comfort or to operate non-essential equipment such as air conditioning, heating, microwave ovens, or televisions except in the case of a safety or health emergency;
 - iii. Vehicles in extreme hot or cold weather.
 - a) One electrical hook-up shall be provided for "trucker plug-ins" equal to a minimum of one-third (1/3) of the total number of truck bays at the facility to eliminate excessive idling by heavy duty diesel vehicles with a gross vehicle

weight of over 14,001 pounds. Approval to use alternative technologies to eliminate excessive idling may be requested, but shall not be approved unless the applicant demonstrates that they are at least as effective as electrical hook-ups.

- b) Signs shall be posted by owner(s) of the facility at each vehicle entrance to the facility notifying drivers of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds to turn-off engines when not in use.
 - c) The operation and idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds, including circulation drives, shall be restricted within 300 feet of any property zoned for or committed to residential use, or the owner/developer shall provide alternative measures including the possible installation of a wall or other mitigating measures to assure buffering of residences from heavy-duty truck operations, unless the owners of property located adjacent to said heavy duty diesel truck operations consent and agree, in writing to:
 - iv. Allow the location of heavy-duty diesel truck operations within 300 feet of their property zoned for and committed to residential use, and
 - v. Restrict areas of their property located within 300 feet of adjacent trucking operations to only non-residential uses.
 - a) Warehouse managers and employees shall be trained by the employer(s) or operator(s) of the facility to use efficient scheduling and load management to eliminate unnecessary operation, queuing, or idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds.
 - b) Warehouse managers and employees shall be provided by the employer(s) or operator(s) of the facility with information about the possible effects of diesel emissions on their own health and the importance of being a good neighbor by minimizing idling and avoiding other potentially adverse impacts on adjacent or nearby residences.
 - c) Where feasible, on-site services should be made available to vehicle drivers to reduce idling. These services may include restroom facilities, seating for drivers waiting for their cargo to be loaded or unloaded, and/or food/beverage vending machines.
 - d) Where feasible, any motorized equipment used within the proposed development should utilize clean technology propulsion and/or alternative fuels such as electricity or propane.
 - e) Where feasible and, if fuel dispensing facilities are provided on-site, alternative clean fuels should be provided at these dispensing facilities.
- I. Deviations: In the event that an applicant desires to deviate from the “Supplementary Performance Standards”, the applicant shall submit written information to the BOCC indicating the circumstances which are believed to necessitate the need for a deviation(s), and the applicant shall provide a list of alternative materials, designs or methods that are equivalent to the Supplementary Performance Standards prescribed in the Regulations. The application may only be approved if findings are made by the Board of County Commissioners that a) due to the circumstances of the application, it would be unnecessary to impose the standard(s) and

equivalent alternatives should be allowed, b) that the spirit and intent of the Regulations are being met, c) that granting the deviation shall not adversely affect adjacent or nearby property or the public health, safety and welfare, and d) the application shall otherwise comply with all building code(s) and safety requirements.