

Master Planned Village District

A. Description. A Master Planned Village District (MPVD) is established to enable best practices in design and well-designed, site-specific development for large tracts of land totaling at least 750 acres. The regulating zoning documents approved for properties in this district will include plans and documents that demonstrate how the development will reasonably maintain the natural integrity of the land and generally comply with the objectives and policies of the Town's adopted Comprehensive Plan. An MPVD is also established to regulate the orderly mixed-use development of large areas with a comprehensive and cohesive design and to avoid a saturation of large tracts used for disconnected, large-lot, cul-de-sac subdivisions.

B. Higher Standards. Notwithstanding other site restrictions and requirements in this Unified Development Ordinance, including, but not limited to, restrictions and requirements related to use, lot size, dimensional standards, open space, utilities, densities, parking, and any other standards, restrictions or requirements, an MPVD grants an applicant flexibility to create its own regulating documents, subject to Town approval, that establish, among other things, the district's own restrictions, requirements and development standards for buildings, streets, signage, parking, lighting, density/intensity, connectivity, lot size, mixture of uses, and open space, provided that the applicant can demonstrate (1) general conformity with the Town's Comprehensive Plan and (2) standards of development can be incorporated that otherwise might not be possible in a conventional zoning district. Development within an MPVD is subject to State regulation for building code, public health, erosion and sedimentation control, and watershed protection.

C. Characteristics. An MPVD will establish a neighborhood or group of neighborhoods and villages that exhibit the following characteristics:

1. A design for the land that protects certain identified features.
2. A design for the land that preserves a variety of natural areas that may include fields, pastures, steeply forested slopes, and natural waterways.
3. A system of private and publicly accessible trails that interconnect the parts within the development, and connect to outside streets and existing or planned municipal and regional public trails.
4. An interconnected network of streets providing multiple connection points that define a framework of lots within blocks, and public and semipublic open spaces.
5. Increments of non-residential uses that compliment neighboring residences providing neighborhood convenience, services, or civic needs.
6. A variety of size and character of housing types within the same neighborhood.

D. Contiguity.

Tracts along both sides of roadways may be included in an MPVD and shall be considered contiguous. Noncontiguous tracts may be included in an MPVD.

E. Permitted Uses.

1. Uses to be established. MPVDs shall allow applicants to establish their own list of permitted uses and standards related to those uses that enable the district to function as a traditional settlement, provided that the uses arise out of creative planning that further the goals of the comprehensive plan. Uses not otherwise listed in the town's table of permitted uses may be considered as part of an MPVD but shall be approved as part of the map amendment process as described in Section H.

2. Restrictions and limitations. Restrictions on location, dimensions, or other development standards for individual uses shall be specified in the MPVD Development Standards.

F. Application.

1. Conceptual Review. The applicant shall meet with Town Planning Staff to identify the tract or tracts, the broad concepts of the proposed MPVD, the process for approval, and other issues deemed relevant by Staff. A key component of the conceptual review process shall be reviewing the proposed Development Standards and Sketch Plan that show the various regulations and elements and components of the MPVD.

2. Submittal. The applicant shall present the following materials as part of the MPVD application:

(a) Application form that identifies each tract and is signed by the property owner or owners;

(b) A Project Narrative that (i) explains the concepts and goals of the MPVD; (ii) identifies the project's planning and engineering consultants; (iii) addresses how the project uses the developmental flexibility of an MPVD to create a development of sustainable high quality; and (iv) references similar developments in other locations, if applicable, that illustrate how the proposed MPVD will function and maintain its long-term economic value.

(c) A Statement of General Conformity that lists all provisions in the Comprehensive Plan that are furthered by the proposed development;

(d) A draft of the proposed Development Standards applicable to the MPVD, meeting the requirements of sections G(1) and G(2);

(e) A conceptual Sketch Plan and any illustrative renderings that adequately illustrate the MPVD concepts, uses, general layout, open space protections, rural vistas, intended phasing, utilities, environmental protections, and thoroughfare and street interconnectivity;

- (f) A traffic impact study performed in consultation with NCDOT that identifies transportation mitigation measures;
- (g) A description of the meetings and other communications with neighbors;
- (h) Normal and customary application fees; and
- (i) Any other documents or agreements to be reviewed and approved by the Town as part of the MPVD approval, including, but not limited to, easements, development agreements, utility agreements, special tax district proposals, and joint use agreements for open space, parks or other public facilities.

G. Development Standards.

- 1) The Development Standards shall govern the MPVD as its own set of regulations and be subject to the approval and enforcement of the Town, similar to, but more extensive than, conditions approved as part of a conditional zoning district. The purpose of the Development Standards is to assist with the creation of a more predictable outcome and a “sense of place” within the MPVD. To do that, more control over the landscape, the scale of buildings, and the placement of specific building types is needed beyond the rules of the Town’s Unified Development Ordinance (UDO). The Development Standards shall include, at a minimum, the following components:
 - a) An introduction that explains the format and provides instructions for implementing the set of standards.
 - b) A Regulating Plan that includes a map that shows the relative connections between specific areas to the set of regulations. The Regulating Plan may outline individual Character Zones within the same parcel that will follow different rules from one another. Additionally, a Regulating plan should show site specific details responding to natural, historical, or cultural resources and for newly created site conditions as part of the intended design of the proposed properties.
 - c) Descriptions of Character Zones that include illustrated examples of each of the Character Zones designated on the Regulating Plan. The descriptions of the Character Zones should match those written in the Plan Narrative.
 - d) Separate bulk standards and building placement rules for each for each Character Zone.
 - e) Definitions for key terms that are not defined in the Town’s Unified Development Ordinance.
- 2) The Development Standards may include additional items deemed necessary by the applicant, integrated within the Development Standards or as separate documents. Additional items may include:

- a) Plan books describing Architectural Styles and details to be used.
- b) Street cross sections.
- c) More stringent requirements related to, but not limited by:
 - i) Building Placement and Buildable Areas within Lots
 - ii) Setbacks, or Built-to locations
 - iii) Parking
 - iv) Landscaping
 - v) Street Standards
 - vi) Environmental Protections
 - vii) Protection of Rural Vistas
 - viii) Open Space, Use and Preservation

H. Approval Process.

1. Governmental review. An MPVD shall be reviewed by the Planning Board for final decision by the Town Council.

2. Neighborhood Communications. Prior to review by the Planning Board, the applicant shall inform all adjoining property owners of the application and inform them where copies of the MPVD Project Narrative, Sketch Plan, Development Standards, Statement of General Conformity, traffic study, and any other relevant documents can be found for review and provide an opportunity or opportunities for meaningful discussion. It would be sufficient that the applicant placed the documents onto a website that can be found by interested citizens.

I. Site Plan Review

1. Purpose. Site plan review shall occur at the time the owner or developer is prepared to commence development of all or any separate part or phase of the MPVD. At the time of submittal, staff shall review plans for consistency with the Development Standards approved by the Town.

2. Content. Where relevant, site plans shall include the information required in the Unified Development Ordinance.

3. Submittal. The owner or developer shall submit the required number of full copies of the site plan as required in Appendix 1, Map Standards for review and comment by the Town.

4. Approval. Upon determination by the Technical Review Committee that site plan or plans comply with the Development Standards, the site plan or plans shall be handled administratively in the same manner as preliminary and final plats.

5. Vesting. All phases of an MPVD shall be vested under the laws and that existed at the time of the original approval, unless agreed to in writing by the project owner.

J. Amendment to Development Standards.

1. Minor Amendments. A minor amendment is an amendment that does not (a) change the concept or intent of the Sketch Plan, Project Narrative, Development Standards, or other regulating documents, or (b) substantially increase the density of the MPVD. Minor amendments shall be approved by the Planning Director.

2. Major Amendments. Amendments that are not classified as minor amendments shall be approved in the same manner as the original MPVD, including review by the Zoning Board and a determination by the Town Council.

K. Enforcement.

Violations of the Development Standards that are not enforced at site plan review shall be enforced as any other Development Ordinance violation.