

Article 3.J2:

PMUD, Planned Mixed-Use Development District

Article 3.J2:**PMUD, Planned Mixed-Use Development District
(Planned Mixed-Use District)****A. Purpose and Intent:**

The Planned Mixed-Use Development (PMUD) District is established to provide locations within the Town for the development of a mixture of compatible residential, commercial and light industrial uses in a unified fashion to create vibrant communities and neighborhoods. Flexibility and innovative design is encouraged in the planning and implementation stages of such PMUD's. Because of the flexibility, such developments are encouraged to proffer a maximum degree of detail as to the location, type, size and compatibility of the various activities and uses. A commercial component is required for all PMUD Developments.

With the vision of creating highly attractive and well landscaped mixed use settings, at key gateway locations within the Town, this district is intended to promote development with an emphasis on coordinated infrastructure and architecture. Development of lots within the district shall be architecturally and environmentally compatible with adjoining existing land uses and buildings, including residential neighborhoods, and which afford protection to surrounding properties.

Public streets, signage, lighting, pedestrian improvements, site parking and access, landscaping, screened service areas, refuse collection, and other urban design features shall be coordinated by and between the individual uses within the PMUD District, and shall be controlled by design guidelines and standards to be developed with any application under this district. No use will be permitted which might be harmful to the adjoining land uses and the ambience of the adjacent neighborhoods and businesses.

(Ord. of 2022-07-05)

B. Permitted Uses:

1. Single family attached and detached dwellings.
2. Duplex residential dwellings.
3. A mix of residential dwelling types as set forth above.
4. Community buildings, swimming pools, and tennis and basketball courts.
5. Golf course and golf driving range.
6. Quasi-public park, playground, athletic field, and related facility.
7. Child Care Centers and Nursery schools.

8. Adult Care Centers and Assisted living facilities.
9. Libraries, museums, historic sites and shrines.
10. Pharmacies.
11. Bed and breakfast lodging and guest houses.
12. Entertainment centers, excluding adult entertainment centers.
13. Retail Sales.
14. Brewery, Distillery, and Winery establishments with tasting rooms.
15. Event facilities (primary & accessory use).
16. By-right uses permitted in the HRC and I1 Districts, except when a Special Use Permit is required by Section C of this Article.
17. Group Homes (excluding multi-family dwellings).

(Ord. of 2022-07-05; Ord. of 2025-08-05)

C. Uses Permitted by Special Use Permit:

1. Multi-family residential dwellings.
2. Irrigation wells and wells for ground source HVAC systems.
3. Churches and places of worship.
4. Private school and colleges.
5. Private training facilities and vocational schools.
6. Public schools and colleges.
7. Any use incorporating drive-thru facilities.
8. Civic, fraternal and/or social organization halls.
9. Outdoor and Commercial Kennels.
10. Boating, country, and/or hunt clubs.
11. Commercial swimming pools and tennis and basketball courts
12. Accessory apartments within a residential dwelling
13. Cupolas, spires and steeples for public and semi-public uses.
14. Storage lots for recreational vehicles.
15. Agriculture, forestry and horticultural uses (non-commercial).
16. Payday lending establishments, check-cashing establishments, pawn shops, and dealers.
17. Automobile and Light vehicle dealerships and retail sales establishments (with service and repair facilities as an ancillary use, with completely enclosed service facilities and screened outdoor storage of repair vehicles).
18. Waiver of Parking and Loading Requirements.
19. Waiver of floor area ratio regulation.
20. Waiver of yard requirements.
21. Waiver of landscape, open space, contiguous open space, and recreational space requirements.

- 22. Waiver of district size.
- 23. Waiver of maximum density.
- 24. Waiver of maximum building height.
- 25. Recreational Substance Establishments.

(Ord. of 2022-07-05; Ord. of 2023-12-05)

D. Maximum Density:

Business / Commercial: Regulated by floor area ratio, not to exceed 2.0

Residential: 12 dwelling units per net developable acre for mixed use structures & multifamily dwellings.

8 dwelling units per net developable acre for single family attached dwellings.

5 dwelling units per net developable acre for single family detached dwellings.

(Ord. of 2022-07-05)

E. Lot Size Requirements:

- 1. Minimum district size: 10 acres
- 2. Minimum lot area: Not regulated
- 3. Minimum lot width: Not regulated

(Ord. of 2022-07-05)

F. Bulk Regulations:

- 1. Maximum building height: 35 feet,
- 2. Minimum yard requirements:
 - A. Residential:
 - 1. Front yard: 35 feet
 - 2. Side yard: 15 feet
 - 3. Rear yard: 35 feet
 - B. Business / Commercial:
 - 1. Front yard: 40 feet
 - 2. Side yard: 20 feet
 - 3. Rear yard: 20 feet

(Ord. of 2022-07-05)

G. Open Space:

1. An open space plan and landscape design program shall be submitted with applications for any land use governed by this district.
2. Walkability and connectivity is highly encouraged throughout the plan.
3. Fifteen (15) percent of the gross acreage of the PMUD District shall be landscaped open space, provided that no more than fifty (50) percent of the dedicated open space shall consist of land classified as 100 year floodplain, stream valleys, wetlands, slopes greater than thirty (30) percent and/or drainage easements.

(Ord. of 2022-07-05)

H. Net Developable Area Calculation for PMUD District:

1. Notwithstanding governing lot size, yard regulations, and the density, PMUD uses on any lot shall be calculated based on its net developable area, with adjustment factors for physical land units as specified in the chart in the following section.
2. The final plat and/or site plan for a project shall graphically depict the location and area for the physical land units as outlined herein below. A calculation of the net developable area shall be required for all subdivision and site plan submissions.

(Refer to illustrative example of net developable area calculation in the appendix of the Zoning Ordinance.)

Physical Land Unit	Percent Credited Toward Net Acreage
<i>Slopes less than 10%:</i>	<i>100%</i>
<i>Slopes from 10% but less than 20%:</i>	<i>75%</i>
<i>Slopes from 20% but less than 30%:</i>	<i>50%</i>
<i>Slopes 30% or more:</i>	<i>10%</i>
<i>Soils with high shrink/swell characteristics, as defined:</i>	<i>75%</i>
<i>Wetlands, existing water features and streams:</i>	<i>0%</i>
<i>Stormwater management basins and structures:</i>	<i>0%</i>
<i>Above-ground 69 KV or greater transmission lines:</i>	<i>0%</i>
<i>Public right-of-way</i>	<i>0%</i>
<i>Private streets, travelways and combined travelways and parking bays</i>	<i>0%</i>

3. No credit towards net developable area shall be given for planned public rights-of-way, private streets, travelways and combined travelways and parking bays within a lot or property to be developed or subdivided. Twenty percent (20%) shall be subtracted from the calculated net developable acreage to allow for street rights of way, unless it can be

demonstrated by survey calculations to the satisfaction of the Planning Commission that proposed street rights of way, private streets, travelways and combined travelways and parking bays in a subdivision will be less than 20% percent of the calculated net acreage.

4. No PMUD District lot shall be configured such that more than 10% of the prescribed minimum lot area is comprised of one or more of the following physical land units: (a) slopes 30% or more, (b) wetlands, (c) 100-year floodplains and (d) water features.

(Ord. of 2022-07-05)

I. Additional Regulations:

1. All uses in the PMUD District shall be subject to site plan approval.
2. An environmental impact statement shall be required by the Planning Commission or Town Council for any permitted or special permit use.
3. Refer to Sign Regulations, Article 10 for signage provisions.
4. Refer to Landscaping and Screening, Article 9, for screening and buffer yard provisions.
5. Refer to the Floodplain Zoning Overlay District, where applicable.
6. Refer to the Chesapeake Bay Preservation Area Overlay District, where applicable.
7. Refer to Article 8, Parking and Loading Requirements, where applicable.
8. All refuse shall be contained in completely enclosed facilities, screened from public view by means of fences, wall, or landscaping.
9. Public streets must meet current VDOT standards.
10. Subject to special use permit approval, the outdoor areas of an PMUD use devoted to storage, loading, and display of goods shall be limited to a maximum 10% of the lot area and as otherwise designated on an approved site plan. Such outdoor areas shall not be counted in the calculation of required open space. The location and use of outdoor storage, loading and display areas shall be limited to the designated area(s) on the approved site plan.
11. Where a lot is contiguous to property located in a residential district, all buildings shall have a minimum setback of 50 feet from common property lines. A landscaped buffer

yard shall be provided, with landscape materials and placement subject to final plan approval. Fencing may be required in such cases with fence material and heights subject to final plan approval. The minimum setbacks from common property lines may be reduced on a case by case basis by a waiver of the Planning Commission during the site plan and / or subdivision approval process.

12. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a registered professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the Town. All recorded plats for lots containing shrink/swell soils shall bear the following note: *"This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure."*
13. Condominiums: Any proposed condominium development established under the Condominium Laws of Virginia shall be subject to the following provisions:
 - (1) All setbacks, density and other PMUD District provisions shall be met.
 - (2) Minimum lot and yard requirements shall be met as if lot lines existed.
14. Required Improvements and Maintenance of Improvements
 - A. For any development in the PMUD District, all common area improvements (including signage, lighting, parks and open space, recreational facilities, private travelways, walkways, landscaping, parking areas and other urban design elements and facilities) shall be maintained by the developer/owner of the PMUD District development until such time as the developer/owner conveys said common area to a non-profit property owners association.
 - B. On-site lighting, signage and mailboxes (as approved by U.S. Postal Service) shall be provided by the owner/developer of the PMUD District development. These improvements shall be of compatible scale, materials and colors with the proposed development and adjacent uses. The designs for these improvements shall be provided with the general development plan and final site plans.
15. Property Owners' Association and Covenants

- A. Prior to final approval of a subdivision plat or site plan within the PMUD District which includes common properties or common property improvements to be owned by a property owners association, the Town Attorney shall review and approve the applicant's property owners' association bylaws, articles of incorporation, restrictive covenants and a schedule of common property maintenance.
- B. Deed restrictions and covenants shall be included with the conveyance of common property and common property improvements to include, among other things, that assessments, charges and costs of maintenance of such common areas shall constitute a pro-rata share lien upon the individual dwelling lots, such lien being inferior only to taxes and recorded trusts.
- C. Restrictive covenants shall specify the detailed means by which the non-profit entity shall govern and manage itself and maintain building exteriors, landscaping, lighting, recreation areas, walkways, pedestrian trails, parking areas, snow removal travelways and other common elements of the development.

16. Additional PMUD District Land Development and Site Plan Requirements

- A. A Pre-Application Conference is required. An application for a PMUD District shall not be deemed "complete" unless and until the Pre-Application Conference has been conducted.
- B. All uses within the PMUD District shall require a General Development Plan for zoning and/or special permit approval. The General Development Plan shall serve as the master land use plan for the specific development proposal. The General Development Plan shall include standards and criteria for streetscape infrastructure, landscaping, signage, private facilities and site elements, and other urban design features to ensure compatibility of lot development activities.
- C. The development of any and all sections or phases within the PMUD District shall require site plan approval in conformance with the General Development Plan.
- D. A Traffic Impact Assessment may be required for any PMUD District application by the Planning and Zoning Administrator. See Appendix, Article 14.B.
- E. Refer to the Town's Design and Construction Standards Manual for additional design standards and criteria.

(Ord. of 2022-07-05)