



PLANNED DEVELOPMENT GUIDELINES

1. What is the purpose of a Planned Development (PD) district rezoning?

Planned Development districts are designed to allow flexibility in the development of land in order to improve the design, character and quality of new mixed use developments and to preserve natural and scenic features of open spaces. Planned developments are a superior alternative to less coordinated single-lot developments that may be permitted elsewhere by the Zoning Ordinance.

2. Where can a PD district rezoning be applied?

The intent is that these districts will be applied in the undeveloped areas designated on the officially adopted land use and development plan map, included within the adopted Comprehensive Plan, for commercial mixed uses and in other undeveloped areas of the county within the urban growth boundary.

3. What types of uses are permitted within a PD district?

Any land use category may be considered for a planned development, provided that the project is consistent with the density and intensity established for that future land use category by the adopted Comprehensive Plan. By state law, PDs must contain a mix of uses. The York County Zoning Ordinance requires that this mix include a minimum of 5% civic space, 20% permanent open space and 5% non-residential uses. Permitted uses in the PD must be proposed by the applicant/developer for consideration by county staff and County Council. The uses permitted within the PD will be restricted to those listed and adopted with the approved PD rezoning. Any additional uses will constitute a major change and must be approved by the county as an amendment to the PD in the same manner that the original PD was approved.

4. Do I have to prepare a site plan for a PD rezoning?

Yes. Prior to submitting the rezoning application, the applicant must submit a Concept PD Plan for review.

5. Does my Concept PD Plan need approval for a PD rezoning?

Yes. No action can take place until the concept PD Plan is in compliance with all applicable codes and ordinances. Once the plan conforms to all applicable standards, the rezoning application may be submitted.

6. Do I have to prepare a Development Agreement (DA)?

A PD may require a DA if the project will be developed in multiple phases, or if the project requires off-site or over-sized public improvements.

7. If my project does not require a Development Agreement, may I still prepare one?

Yes. The applicant and County can choose to address issues related to the project in a development agreement.

8. Is there a minimum size requirement for a PD?

Yes. A Planned Development requires a minimum 40 acres of contiguous land.

9. What if my project is less than 40 acres?

The applicant must appeal to and receive permission from County Council to proceed with less than the minimum amount of land required.

10. Am I required to provide open space?

Yes. A minimum 20% of the project area must be designated as permanent open space, unless Council can determine that the open space requirements are satisfied in another manner.

11. What is considered open space?

Open space is land and/or bodies of water used for recreation, amenity or buffer; including natural and recreational areas, greenways and landscaped areas. Open space is not structures, residential yards, roads, parking, road rights-of-way, or utilities easements.

12. Am I required to provide a public use?

Yes. A minimum 5% of the total PD developable area must be reserved for public uses, unless Council finds that there is no need for the use.

13. What uses are considered public?

Public, or civic, uses can be fire and police stations, schools, libraries places of assembly, community centers, or convenience centers.

14. Who determines the public use for my project?

The public use is agreed upon by the developer and staff.

15. What if I do not want the public use on my project site?

You may locate the public use off site.

16. Can my project be a residential development only?

No. A PD can be primarily residential; however a minimum 5% of the total PD developable area must be reserved for non-residential use.

17. What constitutes a non-residential use?

A non residential use can be office, retail, service, live-work units, and other non-residential uses that serve the project residents.

18. Are there any other requirements with residential development in the PD?

Yes. On-site amenities must be provided. The number of dwelling units in the project will determine the quantity of amenities that must be provided.

19. Must I provide any special type of access for the project?

Yes. Pedestrian access must be provided between all uses within the PD. Also, all lots within the PD must be accessible via the internal street network. In other words, access between uses and lots should be made without leaving the project.

20. What are the development standards for a PD?

There are separate requirements for a single-parcel and multi-parcel PD. The checklists are included in the PD packet. A completed checklist is due at the time the application is submitted.

21. What if I cannot, or choose not to, meet the minimum development standards?

Deviations from the conventional standards must be considered by County Council.

22. If I am submitting a PD request, do I still need to fill out a rezoning application?

Yes. A PD request is a request to rezone property to a Planned Development (PD) and the rezoning application must be complete when submitted.

23. Do I still have to submit a deed and plat (survey) with the project, as requested in the rezoning application?

Yes. All requirements of the rezoning application are expected to be met.

24. Do I have to do a Traffic Study for the project?

You may need to submit a Traffic Impact Analysis (TIA) if your development meets the applicability requirements listed in the Interim Development Ordinance (IDO). These requirements generally apply to residential or commercial projects that are expected to generate enough traffic at full occupancy to have a negative impact on the capacity and safety of the existing road system.

25. Can I submit my PD request without having to contact staff?

No. It is our policy that the applicant/developer meets with county staff prior to submitting their application. This meeting will provide the applicant/developer and staff the opportunity to address any questions or concerns with the project. It also provides you the opportunity to ensure that you are proceeding in the right direction and meeting any requirements prior to submitting. This meeting should permit the PD request to flow smoothly and swiftly.

26. Is there a fee to submit a PD Request?

Yes. There is a \$2,000.00 non-refundable fee to submit a PD.

27. I submitted my application, my checklists, and have paid my fees, all by the deadline. Should I assume I will be on that month's Planning Commission Meeting?

Not necessarily. Staff will review your application and all submitted documents in order to verify that your entire request has met all of the requirements. If staff finds that there is something missing, you will be notified within 48 hours (5pm on the first Wednesday of the month) of the submittal deadline. This will provide you ample time to complete your request prior to the next submittal deadline.

28. Now that I have completed and submitted all the requirements, what happens?

Staff will review your application and provide a detailed report regarding your request. This report will be sent to and presented to the Planning Commission on the fourth Monday of the month.

29. What type of information is included in the report?

The report address the type of PD proposed and its physical characteristics as they relate to surrounding uses, roads, utilities, future development, and overall suitability of the project.

30. What role does Planning Commission play in the PD request?

The Planning Commission will make one of the following three (3) recommendations:

1. Grant the application;
2. Approve the application with specific conditions or modifications;
3. Deny the application.

31. Can I present my case to Planning Commission?

No. This is not a public hearing, and no public input will be considered at this time. You will have the opportunity to speak when your request is presented at County Council on the following month's first Monday.

32. What role does County Council play in the PD request?

Council will take one of the following three (3) actions:

1. Grant the application;
2. Approve the application with specific conditions or modifications;
3. Deny the application.

33. What if my request is granted conditional approval or denied?

If your request receives conditional approval, you must meet the conditions set forth by Council. If your request is denied, you must wait one calendar year before petitioning this request again. However, if there are significant changes made to your request within the year, you may begin the process again.

34. What if my request is granted?

Approval of the Concept PD constitutes a general acceptance of the project. The project will be vested at the approval of the Final PD and Concept PD Plan.

35. How does the PD approval relate to the Comprehensive Plan Future Land Use Map?

If the Land Use Map must be amended, Council will not proceed with the Final PD plan until it has acted on the amendment.

36. Now that I have received approval from Council, can I begin construction on my project?

No development permits will be issued until all the appropriate departments have reviewed the approved plans and found them to be in accordance with York County Code, or any conditions set forth by Council.

37. What if I want to make changes to my approved PD Plans?

Minor changes can be made through Planning and Development so long as they do not alter the overall characteristics of the plan or create adverse impacts. Major changes to the PD Plan must be approved by County Council after review of the revised PD Plan and/or Map. Please refer to section 155.215 of the Interim Development Ordinance for a complete listing of Minor and Major Changes.