

Sec. H. PRD PLANNED RESIDENTIAL DEVELOPMENT

The Planned Residential Development District is a district that promotes the proper use of larger tracts of land in a flexible, innovative, and creative concept. This district encourages the preservation of the natural amenities of the land, and provides a stable residential environment as it plans for an efficient use of the land by comprehensive and detailed use for streets, utilities, and building sites. These plans shall also include specific areas dedicated for open space use with the appropriate covenants to insure permanent maintenance of said areas. In addition, plans for approval by the governing authority shall require the provision of a central sewage disposal system as approved by county and state authorities. Major deviation from these detailed plans have to be re-submitted to the governing authority for approval.

A Planned Development District must consist of a minimum of fifty (50) contiguous acres of land with at least ten percent (10%) of the total area designated for open space or public use. These areas shall be defined and delineated on specific site plans with appropriate deed covenants to insure that the plans are adhered to. Fifty percent (50%) of said open space must be located outside a flood plain and remain pervious and undisturbed as defined by the County.

The required open space shall be developed and landscaped by the developer in accordance with an approved landscaping plan.

Individual lot and dwelling sizes are to be approved when specific plans are submitted to the governing authority, with the provision that the maximum number of dwelling units per gross acre in a PRD shall not exceed 3.0 units. This allows for a more efficient lot layout in respect to the natural features of the property.

(1) Purpose. The Planned Residential Development District is a residential district that provides for the proper development of larger tracts of land in a coordinated, well planned manner. The features of this district include the following:

- (a) Efficient land utilization
- (b) Innovative design.
- (c) Provides a stable residential environment.
- (d) Preserves and protects natural and environmentally sensitive areas.
- (e) Encourages the use of open space and recreation areas.
- (f) Provides for a plan of development that is compatible with adjacent and nearby properties.
- (g) Insures compliance of objectives by the inclusion of protective deed covenants.

(2) Guidelines for review. The review of the Planned Residential District shall consider the following general intentions, objectives, and purpose prior to approval by the governing authority:

- (a) Whether the development will be compatible with the topography, hydrology, and other natural features of the land, and whether any unusual topographic or other natural features will be affected.
- (b) Whether the character, design, and layout of the proposed uses will be adequate and appropriate to encourage a desirable living environment.
- (c) Whether the development will adversely affect any adjacent properties.
- (d) Whether the development will be able to preserve the natural amenities of streams, wooded areas, wetlands, and other similar features.
- (e) Whether the existing and or proposed streets, utilities, and other public services are adequate to serve the development.
- (f) Whether protective deed covenants are established to provide for the perpetual maintenance, security, and the continuation of dedicated area.

(3) Types of permitted uses. The Planned Residential District is a planned district that permits uses that are primarily residential in character and shall consist of single-family detached dwelling units and single family detached senior living residential dwelling units with customary home occupations and appropriate accessory uses and structures, and limited recreational uses, as approved by the governing authority.

Churches, schools, and limited day-care facilities planned as part of the PRD, at its application inception, are also allowed; provided however, that such uses, if introduced as a part of the PRD development after the PRD development has been reviewed and approved by the governing authority, shall require review and approval by the governing authority through a subsequent amended application process.

(4) Minimum site area. The minimum site area shall be restricted to no less than fifty (50) contiguous acres developed under one coordinated plan.

(5) Gross density. The maximum number of dwelling units per gross acre in a PRD shall not exceed 3.0 units.

(6) Ownership. The PRD site shall be under single ownership and a unified control until developed in accordance with an approved plan. If the common open space is to be deeded to a Homeowner's Association, the developer shall file a declaration of covenants and restrictions that will govern the association and the association must be established prior to selling any of the homes. The Association must be mandatory for each homeowner and they must be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities.

(7) Application for approval of a Planned Residential Development. An application for a Planned Residential Development shall be submitted on forms provided by the Planning and Zoning Division as provided for in this Ordinance, and shall be advertised in the same manner as applications for rezoning. Public hearings will be held in the same manner as applications for rezoning are conducted. All applications shall be accompanied by an application fee as established by the Board of Commissioners.

The application shall be supported by a written statement of intent and a site development plan. At the time of construction, a more detailed site development plan shall be provided consistent with plan review standards established by the County.

(8) Site Development Plan. At the time of application for PRD, the site development plan shall contain the following:

- (a) A general location map indicating existing zoning on the site, adjoining roads, and the adjacent areas.
- (b) Proposed land uses for the site and the acreage to be devoted to each land use category.
- (c) Surveyed boundaries, prepared by a registered surveyor, of the entire tract and its relationship to adjoining properties and public right-of-way.
- (d) Standard lot layout design.
- (e) General street layout configuration.
- (f) A fifteen foot (15') undisturbed buffer area on the perimeter of the property shall be indicated, and a landscape plan as applicable.
- (g) Existing topographic condition with contour intervals of ten feet (10') or less; areas that have slopes greater than fifteen percent (15%) shall be identified.
- (h) Location of any streams, lakes, swamps, wetlands, and the boundary and elevation of the 100-year flood plain if applicable, shall be identified.
- (i) Locations of parks or common open space, tree areas to be retained or added, and other open spaces. Designation of all land to be reserved or dedicated for public use or used as a planned recreational area.
- (j) A report setting forth the proposed development schedule, indicating sequence of development of these various sections thereof and the approximate time period required for completion of each phase. A soil erosion plan prepared by a registered engineer or soil scientist indicating all of the techniques that will be employed during construction must be provided prior to land disturbance.
- (k) The minimum lot size for building lots in the development shall be not less than twelve thousand (12,000) square feet and the minimum house size shall be not less than fourteen hundred (1,400) square feet of heated area. However, the minimum lot size may be reduced to eight thousand (8,000) square feet with a minimum house size of sixteen hundred (1,600) square feet of heated area.

(1) A note regarding the provision for sidewalks on one side of all streets.

(9) Landscaping requirement: All PRD developments shall include a minimum of two (2) trees planted in the yard of each unit. The trees shall be a minimum two (2) inch caliper at the root ball when planted.

(10) All PRD developments shall be constructed in accordance with the Development Regulations of Paulding County, but also must include the following amenities:

- (a) Underground Utilities;
- (b) Street Lights;
- (c) Sidewalks on at least one side of each residential street and entrance drive as set forth herein above;
- (d) Permanent Entrance Monuments made of all-weather material with associated landscaping;
- (e) A minimum of a two (2) Car Garage per dwelling unit.

(11) In the event that a PRD is submitted for review by the County and that PRD development contains a commercial component as part of the overall development concept and the commercial component is a minimum of 25% of the overall acreage of the project, then the development may be considered a PRD-commercial concept development and the following shall apply:

- (a) The total development must consist of a minimum of fifty (50) contiguous acres of land.
- (b) Gross density. The maximum number of dwelling units per gross acre in a PRD shall not exceed 3.0 units; provided however, that gross density in a PRD-commercial concept development may be calculated by using the entire acreage of the concept development including the commercial component. This provision ensures the overall residential density of the total development will not exceed the 3.0 units per acre at any time and the commercial portion shall not be the subject of a residential rezoning in violation of the 3.0 units per acre density allowed.
- (c) The greenspace requirement of a standard PRD zoning is not applicable to a PRD-Commercial concept development applied for under subsection 11 herein.
- (d) All other requirements with regard to a standard PRD, including, but not limited to minimum square footage for lots and heated area of homes, site plan requirements, and landscaping shall apply.

(12) Senior Living detached residential dwellings in PRD's. Purpose: Senior Living pods and/or phases are allowed to be developed in Planned Residential Development Districts and must meet the following standards. The senior living pods and/or phases must be developed as an incorporated part of the overall PRD. Individually designated single family dwelling units are not allowed within pods or phases approved for other types of PRD permitted uses.

The senior living pods/phases are designed to serve the housing needs of adults who are 55 years of age or older. It is recommended that these pods/phases be located in areas that facilitate pedestrian access to nearby commercial goods and services, and/or amenities/cultural facilities. These areas are intended to function as communities with parks and open spaces. At least 80% of the occupied units shall be occupied by at least one person who is 55 years of age or older. The other 20% is not intended as a set aside for younger residents and efforts should be made to minimize the number of units that do not meet this requirement.

The maximum area within a PRD allowed for a Senior Living component is 25% of the total site acreage. Other PRD standards, not specified in this Section shall apply.

The following design standards shall apply to all Senior Living components of PRD's:

Site and Architectural Design Standards

- (a) All grassed areas shall be sodded; excluding natural and landscaped areas;
- (b) All dwellings shall contain single car garages, at a minimum, which may be attached or detached. All units with front loaded garages shall have garage faces with decorative design treatments to enhance their appearances, i.e. carriage style doors, windows inserts, etc;

- (c) Provide four foot (4') wide sidewalks and street trees adjacent to both sides of interior streets or private driveways;
- (d) A four foot (4') wide walkway, constructed of concrete or decorative pavers, shall extend from the sidewalk to the steps, stoop, or porch of all homes;
- (e) There shall be no open space requirement for developments of senior living pods/phases that is in addition to the overall PRD; and
- (f) Street lights within the subdivision shall be located a minimum of two hundred feet (200') apart on average.

Building Design Standards

- (a) Homes shall be constructed of traditional design with brick, stone, masonry horizontal siding, and masonry shakes/shingles. Brick and/or stone shall constitute no less than seventy percent (70) (house front and sides) of the materials used. With accents of masonry siding or shakes/shingles for each building elevation; building standards must incorporate at least five (5) of the following building standards:
 - 1. Dormers.
 - 2. Bay or bow windows.
 - 3. Garage setback at least 2 ft. behind the façade of the principal structure.
 - 4. Covered porch entry (covered front porch).
 - 5. Transoms or sidelights.
 - 6. Off-sets on building face or roof (minimum 2 ft.).
 - 7. A roof with a pitch greater than 8:12 and a minimum overhang of 12 inches on all sides.
 - 8. Columns, pillars, or posts on façade.
 - 9. Arched or Palladian windows.
 - 10. Hip or gable roof lines.
 - 11. Front stoops and/or steps made of rock, brick, marble or other material as approved by the Community Development Department.
- (b) All dwellings shall incorporate accessibility standards which shall include the following:
 - 1. A step-free feature to at least one entrance of the unit;
 - 2. 36-inch wide, clear passage doorways throughout the unit;
 - 3. Wheelchair, step-free access to the following areas, at a minimum: kitchen; dining area; entertainment area (e.g., living room/den, great room, etc.); at least one bedroom; at least one full bathroom; and laundry room with washer/dryer connection; and
 - 4. The installation of full sheets of ¾" plywood, blocking and/or its equivalent in all bathrooms to allow for future installation, if necessary, of grab bars.

Mandatory Homeowner's Association Required

The mandatory homeowner's association requirement for PRD's shall also apply to the Senior Living components of a PRD. The homeowner's association shall provide for building and grounds maintenance and repair, insurance and working capital. Said association shall publish and adhere to policies and procedures that demonstrate that the planned residential community has senior living pods/phases that are intended to provide housing for persons 55 years of age and older including maintaining surveys or affidavits verifying compliance with 55 years of age and older occupancy requirements as permitted by 42 U.S.C. Section 3607, (b)(2)(c) of the federal Fair Housing Act and implementing regulations. Said association shall provide an affirmative declaration to be governed by the "Georgia Property Owners' Association Act" (POA) and the applicable provisions of O.C.G.A. §44-3-220 Et. Seq. Said association shall also include declarations and bylaws including rules and regulations, which shall at a minimum, regulate and control the following within the Senior Living pod/phases of the PRD:

- (a) Restriction on homes being occupied, at least 80% of the occupied units must be occupied by at least one resident who is age 55 years of age or older. The other 20% is not intended as a set aside for younger residents and efforts should be made to minimize the number of units that do not meet this requirements.
- (b) Restrictions on persons under 18 years of age permanently residing in the senior living component. Permanently residing in the senior living component shall mean longer the 90 consecutive days in any 180 day period or establishing residency as defined by state or local law.

However, the HOA shall provide for a hardship provision allowing for an owner/occupant to house and care for a child less than 18 years of age in situations where the owner/occupant assumes responsibility for caring for the child due to urgent circumstances stemming from actions not under the owner/occupant's control. The association may, but is not required to, allow for hardship exceptions to the requirement;

- (c) Restrictions on single family residential use only and leasing of units. No more than 5% of the total units may be leased by individual owners at any one time;
- (d) Except for a central amenity package designed for senior living, prohibit playground equipment, trampolines or like fixtures; Amenities designed for senior living shall be incorporated in the senior living component and may include the following: Indoor lap pool, outdoor pool, health and fitness center, aerobic studio, amphitheatre, and card and billiards rooms, tennis courts and walking trails, etc.
- (e) The HOA shall also provide that the covenants automatically renew at the end of the 20 year term, unless 100% of the owners at that time vote that the covenants should not renew; and
- (f) The HOA and/or community management association for the HOA shall give written notice to any grantee of the restrictions covered in this zoning at or before any sale or transfer of any property.

Covenants and Restrictions

Legally binding covenants and/or deed restriction that run with the land shall apply to all dedicated senior living pods/phases/areas/lots within a PRD that will bind the applicant, any assignee, mortgagee, or buyer, and all other parties that receive title to the property. The grantor must state in any deed or instrument conveying title to an approved senior living housing unit, that the property conveyed is intended to be housing for older persons and is subject to the restrictions contained in this Section. No covenant referencing any of the regulations or restrictions herein for housing for older persons housing unit shall be recorded until and unless said covenant contains restrictions approved by the Planning and Zoning Division that are consistent with the requirements of this Section. Such review and response shall be completed within thirty (30) calendar days following date of submission of such documents to the Planning and Zoning Division.

The Planning and Zoning Division shall publish and the County shall adhere to policies and procedures that demonstrate that communities in approved senior living components of a PRD are intended to provide housing for persons 55 years of age and older including maintaining surveys or affidavits verifying compliance with 55 years of age and older occupancy requirements as permitted by 42 U.S.C. Section 3607, (b)(2)(c) of the Federal Fair Housing Act and implementing regulations.

Area, Dimensional, and Design Standards

- (a) A landscape strip shall be provided on the property as follows:
 - 1. Minimum two-foot (2') wide landscape strip is required adjacent to the curb on both sides of all streets and shall be subject to the following:
 - a. Landscape strips along local streets shall be planted with sod and may include a variety of low, hardy shrubbery and flowering plants with mulched beds. Areas of exposed earth shall not be allowed.
 - b. All landscape materials required by this ordinance shall be maintained by the property owner or property owners' association. Such maintenance shall keep landscape materials healthy, neat, and orderly in appearance and free of litter and debris.
- (b) All dwellings shall have a minimum 1,800 square feet (1,400 heated space);
- (c) All dwellings shall be limited to single story, however, bonus rooms over garages and/or basements shall be allowed (excludes windowed basements due to topography); and
- (d) Within the senior living component of a PRD, the following requirements shall be met:
 - 1. Maximum density: Five (5) units per acre; however the maximum number of housing units and required greenspace approved for the overall PRD shall be maintained;
 - 2. Minimum lot area: Six thousand (6,000) square feet;
 - 3. Minimum lot width: Fifty feet (50');
 - 4. Maximum height of building: Thirty Five (35') feet;

5. Minimum front yard: Fifteen feet (15') from right-of-way line, including any porches; front entrance carports or garages must be twenty five feet (25') from right-of-way line.
6. Minimum side yard: Five feet (5'), with a minimum of at least fifteen feet (15') between buildings; and side yards adjacent to a street must be a minimum twenty five feet (25') from right-of-way line.
7. Minimum rear yard: Twenty feet (20');
8. Any senior living pod/phase/area of a PRD that abuts a low density residential land use zoning district (2.5 units per acre or less) shall be set back a minimum of twenty five feet (25') from said property line.
9. The minimum fifteen feet (15') perimeter buffer shall be also required for the senior living component of a PRD.