

Article 15: Residential Cluster Development

Section 327: Purpose

The purpose of the residential cluster development is to:

- A. Encourage creative and flexible site design that is sensitive to the land's natural features and adapts to natural topography;
- B. Protect environmentally sensitive areas of a development site and permanently preserve open space, natural features, and agricultural lands;
- C. Decrease or minimize nonpoint source pollution impacts by reducing the amount of impervious surfaces in site development;
- D. Promote cost savings in infrastructure installation and maintenance by such techniques as reducing the distance over which utilities, such as water and sewer lines, need to be extended or by reducing the width and/or length of streets;
- E. Provide opportunities for social interaction and walking and hiking in open space areas.

Section 328: Requirements for a Cluster Development

- A. Residential Cluster Developments shall be a permitted use in the following zoning districts: Community Development (CD), Suburban Development (SD), and Residential Development (RD).
- B. Residential Cluster Developments in the Agricultural Non-Urban (ANU) zoning district shall be permitted if there are 6 or fewer units and shall require a Conditional Use Permit for 7 or more units.
- B. Minimum size of a cluster development shall be five (5) acres.
- C. The number of permitted lots shall be calculated by measuring the gross area of the land to be developed, subtracting the right of way area of any existing or proposed roads and streets in the development, and then dividing this by the minimum lot size in the zoning district in which the parcel is located.

Section 329: Standards for Review

- A. Buildings and structures shall be adequately grouped so at least 40% of the total area of the site is set aside as open space. Unless otherwise approved by the Planning and Zoning Commission, at least 50% of the open space shall be designated as a contiguous block and not divided into small, unconnected parcels.

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1. For the purposes of this article, the following items shall qualify as Open Space: Recreational areas, undeveloped land, agricultural land, ponds, wetland, lakes, and other bodies of water. Generally stormwater retention and detention areas shall also be considered open space.
- B. Open space shall be permanently set aside from the development area using one of the following methods:
 1. The land shall be owned by a homeowners association and a deed restriction shall be placed on the property to keep it from being developed.
 2. A permanent conservation easement is placed on the property.
 3. Open space may be owned by a private individual if that individual is farming the land. A conservation easement shall be placed on the property to prevent it from being developed at a later date.
 - C. Subdivision lot owners must be able to easily access all common open space.
 - D. The site plan shall establish, where applicable, a buffer at least 100 feet wide from the center of all streams and a buffer of at least 50 feet from all lakes, ponds, springs, and other surface waters. This shall be set aside as open space.
 - E. Lots, buildings, structures, streets, and parking areas shall be situated to minimize the alteration of natural features, natural vegetation, and topography.
 - F. The site plan shall accommodate and preserve any features of historic, cultural, or archaeological value.
 - G. Floodplains, wetlands, and areas with slopes in excess of 25% shall be protected from development.
 - H. The development shall advance the purposes as stated in Section 327.
 - I. Lot sizes shall meet the minimums as shown in the following table.

Zoning District	Minimum Lot Area for Standard Subdivision	Minimum Lot Area for Cluster Subdivision
Agricultural Non-Urban	1 acre	18,000 square feet
Suburban Development	30,000 square feet	16,000 square feet
Residential Development	30,000 square feet	12,000 square feet
Community Development	22,000 square feet	10,000 square feet

- J. If a working agricultural field is being used for open space, there shall be an open space buffer of at least 50 feet between residential lots and the working agricultural field.

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- K. Whenever possible, the residential lots in a cluster subdivision shall be located toward the interior of the development and the open space shall be located along the borders of the property. A buffer shall be required between all platted residential subdivisions and clustered residential lots. Yards for individual units shall not constitute part of this required buffer. Buffers shall be required according to Table 15-1. Some flexibility may be administered based on the unique characteristics of the property.

Table 15-1

Zoning District	Minimum buffer between cluster lots and adjacent developed lots
Agricultural Non-Urban	100 feet
Suburban Development	75 feet
Residential Development	50 feet
Community Development	25 feet

Section 330: Opportunity for Bonus Zoning

- A. If a developer creates a park with a walking, hiking, biking trail and/or a recreational area that is open to the public or is willing (in approved areas) to create a lake large enough for regional detention, they may claim a density bonus for the subdivision, if approved by the Administrator and Planning and Zoning Commission.
- B. Density bonus shall be awarded according to the following:
1. For at least one (1) acre, but less than five (5) acres of approved publicly accessible area, residential density may be increased by 5%.
 2. For at least five (5) acres, but less than ten (10) acres of approved publicly accessible area, residential density may be increased by 10%.
 3. For at least ten (10) acres of approved publicly accessible area, residential density may be increased by 15%.
- C. The following may qualify for a density bonus (as approved by the Administrator)
1. Marked and landscaped fields for softball, soccer, or other sport
 2. Paved courts for basketball, tennis or other sport
 3. Playground with approved play equipment and soft surface
 4. Pedestrian or bicycle paths or trails (must follow the County designated trail corridor, if applicable)
 5. Gazebos, picnic shelters, and other gathering areas (as approved)
 6. Other recreation or community gathering facility as approved by the Administrator
 7. Large ponds or lakes designed for regional detention and recreation

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- a. The facility should be designed with emphasis as a recreation area, not a storm water control structure. At least one (1) acre of the property shall be devoted to recreational use in the form of trails, gazebos, or other approved uses.
 - b. Control structures shall be blended into the recreational area as much as possible.
 - c. Ponds and lakes must be designed with public safety and aesthetics in mind to include a shallow water bench for safety and aquatic plants, signage to warn of potential hazards, and other adequate safety features (as approved).
- D. Facilities to be created for bonus zoning must be fully developed before Building Permits shall be issued for the bonus lots.
- E. The developer must describe how the park/trail/recreation area is to be maintained in a recorded document.

Section 331: Process for Review

The procedure for approval of the Residential Cluster Subdivision shall be the same as that of a Preliminary Plat with Planning and Zoning Commission approval as described in Sections 163-169 of Article 8 of the Subdivision Regulations. This review process shall start with a Sketch Plan as with any other subdivision.

Section 332: Modification of a Cluster Development

Once it has been platted, major changes shall not be made to a cluster development without approval of the Planning and Zoning Commission. A major change shall include, but not be limited to the following items: reducing the open space, changing the number of lots in the subdivision, or changing the lot size by more than 5%.