

I. Amending the Zoning Regulations by adding Section 14.13 Innovative Development Plan, as follows:

14.13 Innovative Development Plan Permit Process (IDP)

1. Purpose. The purpose and intent of this section is to provide a conditional use permitting process to consider a subdivision development plan, which features an innovative design or a coordinated and distinctive plan that provides a sense of place not ordinarily provided through a conventionally designed subdivision.

2. Finding.

a. The Board of Commissioners hereby finds that innovative development plans (hereinafter "IDP"), should be encouraged where such land development plans satisfy the following objectives:

1. A novel or inventive layout that incorporates best features of a particular site;
2. Substantially preserves and protects existing environmental and ecological conditions with minimal land disturbance activities while providing for abundant open spaces;
3. Achieves economy and efficiency in the use of land, natural resources, energy, and the provision of public or private services and utilities; and
4. Planned for and located in a manner that ensures harmony with the surrounding community.

b. The Board of Commissioners hereby finds that innovative development plans proposing infrastructure and required improvements (hereinafter "improvements"), which do not satisfy the general design standards for subdivisions and required improvements as set forth in the Subdivision Ordinance, may be considered where the following conditions are satisfied:

1. Durability. Where the improvements are durable and adequately provide for safe and convenient traffic access and circulation, both vehicular and pedestrian;
2. Funding Mechanism. If the improvement is proposed to be privately owned, the on-going maintenance of the improvement shall be adequately funded for long term maintenance.

c. The Board of Commissioners hereby finds that the public health, safety, and welfare will be enhanced by allowing innovative development plans satisfying the standards and criteria set forth in this section.

3. Application. Applications for Innovative Development Plan shall be submitted for a conditional use permit with all required documentation in accordance with Section 13.0 of the Zoning Ordinance. The application shall set forth a detailed description, include design innovations, and the proposed rationale for innovation. Notwithstanding the requirements set forth under Section 13.0(1)(d), the application shall set forth the following site plan:

a. All site plans shall be prepared by a registered architect, landscape architect, or professional engineer. All site plans shall be on standard 24" X 36" sheets and shall be prepared at a sufficient scale to show:

1. General Information, Existing Conditions, and Proposed Conditions as set forth in Appendix "1", which is attached hereto.
2. Please identify the nature and quality of the development that is proposed

including but not limited, floor plans, square footage, proposed lot layout, utility plan, parking plan and any amenity package, which may include but not be limited to a common storm shelter, a swimming pool, tot lot, playground, clubhouse, tennis, handball, volleyball, basketball, sidewalks, preservation of natural features, such as lakes and woods, as common open spaces, bike and pedestrian paths and benches, permanent buffer areas around any stream, preservation of any archaeological or historic site, preservation of any habitat for any endangered, rare, or threatened species of plant or wildlife, or dedication of land, acceptable to the County, for use as a school site, fire station, park site, or other public facility.

b. The Application shall demonstrate compliance with underlying zoning district requirements and any conditions of zoning that may exist and relate to the subject property.

c. Staff Review. No application for an IDP approval shall be processed until the Zoning Official has determined whether the application is complete with respect to all of the information required by this Ordinance. If the application is not complete, the Zoning Official shall so notify the applicant. When the Zoning Official determines that the application is complete, the Zoning Official shall review such application in accordance with the provisions of this Ordinance and Section 13.0 of the Zoning Ordinance, and shall forward his or her staff report to the Planning Commission within 30 working days of certification of completeness.

4. Conditional Use Permit Requirements and Standards. In its discretion, the Board may issue a conditional use permit for such IDP based upon a finding that each of the following has found that:

a. The proposed IDP furthers the objectives, conditions, and standards set forth in this Ordinance are satisfied.

b. The minimum tract size for a IDP shall be 60 acres.

c. The Improvements are Durable. The durability of the improvement shall properly function to serve capacity and its intended purpose for a period of twenty (20) years. The capacity of the improvement shall be defined as the maximum demand that can be accommodated by the proposed improvement.

1. No application for development approval subject to this section shall be considered complete until it provides sufficient information to determine whether the capacity of the proposed improvement is adequate to support the proposed IDP.

2. In addition, the application shall set forth the following information:

(a) The capacity of the improvement. Capacity is the maximum demand that can be accommodated by the improvement.

(b) Specifications for the proposed improvements (installed and constructed).

(c) A schedule for the commencement and completion of construction, showing phases of construction if applicable.

(d) Any other information as requested by the Zoning Official. The Zoning Official is the zoning administrator or his designee responsible for reviewing all applications for IDP.

d. Funding Mechanism. If the improvements are private, the Funding Mechanism shall meet the following standards:

1. The cost and responsibility of maintaining the improvement shall be borne by the property owners or homeowners' association.

2. The applicant shall establish necessary regular and periodic operational and maintenance responsibilities for the improvement, to include the following:

(a) Staffing needs, insurance requirements, and associated costs, and means for funding the maintenance of the improvement on an on-going basis; and

(b) Such funding shall include long-term maintenance improvements as well as regular yearly operating and maintenance costs;

(c) At the Board's discretion, the subdivider/applicant may be required to escrow sufficient funds for the maintenance and operation costs for up to five years;

e. The proposed development meets all requirements for a conditional use permit set forth in Section 13.0(7) of the Zoning Ordinance; and,

f. Applicant/subdivider shall comply with all provisions set forth under Section 9.3 of the Subdivision Ordinance.

5. Appeal. The Governing Authority shall make a decision with respect to the application and record the decision in the minutes for that meeting. The Governing Authority shall include any condition, requirement, or limitation which may be necessary to carry out the provisions of this Ordinance. Further appeal on certiorari may be made to the Carroll County Superior Court.

GENERAL INFORMATION

1. Show name of project and date of submittal.
2. Show the name, address and phone number of the developer. Show seal and signature of professional engineer or qualified plan preparer.
3. The minimum scale for preliminary plats shall be 1" = 100' unless otherwise approved by the Department.
4. Plats shall be drawn on no larger than a 24-inch by 36-inch sheet of paper.
5. Plats shall include north arrow and show land lot lines and district.
6. Provide a tie point to the nearest intersection.
7. Plats shall include a location/vicinity map with land lot lines; minimum scale 1" = 2000'.
8. Show plat certificates.

EXISTING CONDITIONS

- a. State the present zoning of the property.
- b. Note the zoning case number, date of approval and all variances and conditions of zoning (if applicable).
- c. Show the zoning of adjacent properties including property owners name, subdivision name, lot numbers, land uses, etc.
- d. Show any jurisdictional (city or county) boundary lines.
- e. Show topography by contours at vertical intervals of not more than five (5) feet.
- f. Show location of streams, lakes, swamps and land subject to flooding as determined from past history of flooding or hydraulic engineering calculations of existing conditions.
- g. Show all structures, both above and below ground, that might interfere with the proposed construction.
- h. Show name, location, right-of-way, dimension from centerline, pavement width and surface type of all streets and roads on or adjacent to the property to be subdivided.
- i. Show location of right-of-way and easements, railroads, and other utilities on or adjacent to the property.
- j. Show the size and location of existing water mains, drains, culverts and all other facilities and structures, both above and below ground, within the tract or within the right-of-way of streets or roads adjoining the tract.

- k. Identify the watershed basin(s) within which the proposed development is located.
- l. Identify the acreage of each drainage area affecting the proposed subdivision.
- m. Show water pressure and flow test results.

PROPOSED CONDITIONS

- 1. State the total number of acres and number of lots.
- 2. Show the layout of all lots, including front, side and rear building setback lines, scaled dimensions on lots and utility easements with width and use, and all proposed driveways.
- 3. Note the minimum lot size requirement and square footage area of each lot.
- 4. Show the proposed unit division or stage development, if any.
- 5. Identify all land to be reserved or dedicated for public use.
- 6. Show all required buffers (if applicable).
- 7. Show 10 foot "No Access Easement" along the rear of all double frontage lots.
- 8. Show and state names, right-of-way, dimension from centerline, pavement width and surface type of all proposed roads.