

# TITLE 15 - Land Use Regulations

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## Huntsville Town Ordinance – Title 15.29 Specific Development Plan Overlay Zone

### 15.29 SPECIFIC DEVELOPMENT PLAN OVERLAY ZONE<sup>1</sup>

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#### 15.29.1 Purpose and Intent

1. The purpose of the Specific Development Plan ("SDP") Overlay zone is to create a regulatory tool to implement specific development plans adopted by the Town Council in the exercise of its legislative discretion as supplemental to Huntsville Town's General Plan, by creating a broad policy framework for enacting unique overlay zone regulations for a geographic area where a SDP is adopted.
2. A SDP shall describe a development planned for a specific area in more detail than the General Plan. The SDP shall be adopted through a process involving input from the Planning Commission, property owners, neighbors, and key stake-holders, with final authority to approve the SDP vested with the Town Council. An SDP Overlay zone for a given area is written specifically to bring about the goals and objectives of an adopted SDP. The regulations and development standards of a SDP Overlay zone may vary from the standards of the underlying zone with which it is combined.
3. As SDP Overlay zone districts are to be adopted in the C-1 zone only, following the process contained therein. They will be listed as sub-titles to Title 15.8, Commercial Zone C-1.
4. It is the Town's intent to use SDP Overlay zones to encourage imaginative and efficient utilization of land, to develop a sense of community, and to insure compatibility with the surrounding neighborhoods and environment. It is also the Town's intent to provide land use and design standards that are tailored to a specific geographic area so that development outcomes are more predictable; provide greater compatibility with surrounding land uses than what may occur with conventional zoning; protect significant natural resources and avoid development on lands subject to natural hazards; and coordinate the development and design of properties, including large-scale facilities.

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<sup>1</sup> Amended 11-7-2013: Specific Development Plan Overlay Zone added.

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### **15.29.2 Use in Combination**

The SDP Overlay zone may only be used in combination with the existing C-1 zone and shall become supplementary to the provisions of that zone. The SDP Overlay zone shall not be applied to a land area as an independent zone. Property to which an SDP Overlay zone has been applied shall be developed only in conformance with an approved SDP.

### **15.29.3 Variations to Underlying Zone Permitted**

Upon combining an SDP Overlay zone with the existing C-1 zone, variations from the development standards of the C-1 zone may be permitted provided the variations are specifically adopted as part of an approved SDP or approved supporting documents. Variations from the underlying zone shall only be considered for the purpose of achieving better design as determined by the Town Council.

### **15.29.4 Specific Development Plan Overlay Zone Maps**

A SDP Overlay zone shall include the following plan maps:

1. A boundary map shall be prepared by the Town for every SDP Overlay zone. The boundary map, based on parcel boundaries or other surveyed boundaries, shall be used to delineate areas of the zoning district that lie within the Town's boundaries on the official zoning map. The zoning map shall identify such areas as "SDP" and shall include the name of the SDP area.
2. Where a developer is interested in doing a development requiring an SDP, a conceptual development plan prepared by the developer, based on the proposed SDP, shall accompany each application for rezoning to a SDP Overlay zone.

### **15.29.5 Specific Development Plan Overlay Zone Maps**

Each SOP Overlay zone ordinance shall include the following provisions and standards.

1. The name and purpose of the zone. This section shall describe the zone in sufficient detail to clarify the purpose and intent of the SOP Overlay zone regulations. It shall include maps, text, and conceptual development plan for the site in question.
2. Permitted land uses. This section shall identify permitted, conditional, and accessory land uses.

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3. Land use standards. This section shall specify any required land use conditions (i.e., land use mix, density, buffering, etc.), and the review procedure required to review and approve each land use (design review, project plan review, conditional use, etc.).
4. Lot standards. This section shall specify requirements for new lots such as lot area, dimensions, and density, as applicable.
5. Building setbacks. This section shall provide setback standards for front, side, and rear yards, as applicable.
6. Design standards. Each SOP Overlay zone shall include design standards to address building heights, building orientation, common and private open space, natural resource protection, architectural design, and any other provisions unique to the district.

### **15.29.6 Exceptions to Development and Design Standards After Adoption of Plan and Zone**

When an SDP is adopted and the subject property has been placed in an SOP Overlay Zone, the SOP and development standards associated with the zone shall be strictly construed. No variations shall be made from the SOP and standards adopted in the zone unless expressly reviewed by the Town Planning Commission and approved by the Town Council for the purpose of achieving better design. In taking such action, the guiding principle shall be that the amendment will result in better design, as determined by the Town Council.