

Town of Bridgeville Development Toolkit

Residential Planned Community

Review Procedures

Process Flowchart

Review Checklist

May 7, 2018

 **KCI TECHNOLOGIES**
ENGINEERS | PLANNERS | SCIENTISTS | CONSTRUCTION MANAGERS





Purpose

The purpose of the Residential Planned Community Zoning District is to:

- Provide for large-scale, unified, mixed-use developments;
 - Encourage design innovation as a means of ensuring compatibility with existing and future development; and
 - Achieve the goals of the Comprehensive Plan.
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Authorization

- The Town Commissioners may establish an RPC District permitting the development of land in accordance with the standards and procedures set forth in Article VIII of the Land Use and Development Code.
 - Approval of an RPC District constitutes a commitment by the applicant to develop the subject property in accordance with the arrangement of land uses and density ranges authorized in the RPC approval process.
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§234-38A Residential Planned Community Approval Process - Preapplication Conference

A development concept shall be presented informally to the Town Commissioners. The Town Commissioners may request representatives from any Town, county, or state agencies to attend the preapplication conference.

§234-38B Residential Planned Community Approval Process - RPC Concept Plan

- (1) Definition. An RPC concept plan consists of statements and drawings that provide general information about a proposed residential planned community. While the plan need not provide detailed site plans of buildings, utilities, streets, and parking, it shall clearly depict an overall land use pattern, general circulation system, and open space or park system, and the development's major features.
- (2) Required information.
 - a. Petition: [required information listed on the "Residential Planned Community Concept Plan Review Checklist," which is part of this toolkit].
 - b. Narrative: [required information listed on the "Residential Planned Community Concept Plan Review Checklist," which is part of this toolkit].
 - c. Concept plan: [required information listed on the "Residential Planned Community Concept Plan Review Checklist," which is part of this toolkit].
- (3) Town Commissioners' review.
 - a. Intergovernmental coordination.



- i. Compliance with PLUS. No RPC application, subject to review pursuant to the preliminary land use service (PLUS) authorized in Title 29, Chapter 92 of the Delaware Code and/or provisions of a Memorandum of Understanding between the Town and the Office of State Planning Coordination, shall receive [RPC concept plan approval] until the Office of State Planning Coordination has provided written comments to the Town.
 - ii. Referrals to other agencies. The Planning and Zoning Commission may request review and comment on [an RPC concept plan] from the Town Engineer, pertinent state departments (such as Natural Resources and Environmental Control, Education, Transportation), Sussex County departments and agencies (particularly infrastructure providers), and any other appropriate agency or person.
 - iii. Before taking action on an RPC application, the Town Commissioners shall allow sufficient time for the Office of State Planning Coordination, departments, and agencies to respond.
- b. Public hearing. The Town Commissioners shall hold a public hearing according to the standards and procedures set forth in Article XXI, §234-94A through D.
- c. Review and approval.
- i. The Town Commissioners' decision shall include findings of fact on which their decision is based. The findings shall describe how the proposed RPC concept plan meets the goals, objectives, and standards of the Comprehensive Plan and Chapter 234.
 - ii. Limitations.
 1. Pursuant to 22 Del C §702(c), land shall be placed only in a zoning classification that is in accordance with the uses of land provided for in the Comprehensive Plan.
 2. The Town Commissioners may not add land to what was included in the proposed amendment.
 - iii. Approval by ordinance. The Town Commissioners shall take action on a petition for an RPC Zone by ordinance. An ordinance approving a petition shall include provisions approving the application and amending the Zoning Map to indicate that the RPC District is superimposed (i.e. overlaid) on the subject property.
 - iv. Ordinance adoption procedures – see Article XXI, §234-94F.
 - v. The Town Commissioners may approve an RPC concept plan with modifications. Such modifications shall be included in the ordinance approving the plan.
 - vi. The applicant is responsible for demonstrating, to the satisfaction of the Administrator, compliance with conditions as a prerequisite to preliminary development plan approval.
- d. Designation on Zoning Map. Following the Town Commissioners' approval of a concept plan for an RPC District, the Zoning Map shall reflect those properties on which the RPC District is superimposed with a distinctive symbol.
- e. Duration; revocation; and extension.
- i. Duration: three years.
 - ii. Revocation.



1. The approval of an RPC application and concept plan shall be revoked if the applicant does not file an application for an RPC preliminary development plan for at least an initial phase of the approved plan within three years following approval of an RPC concept plan.
 2. If an RPC concept plan approval is revoked, the land shall revert to the base zoning districts in effect at the time the RPC application was granted.
- iii. Extension.
1. The Town Commissioners may authorize one extension of time to file an RPC preliminary development plan.
 2. The extension may not be longer than five years from the effective date of the ordinance that approved RPC zoning for the property.

§234-38C Residential Planned Community Approval Process - RPC Preliminary Development Plan

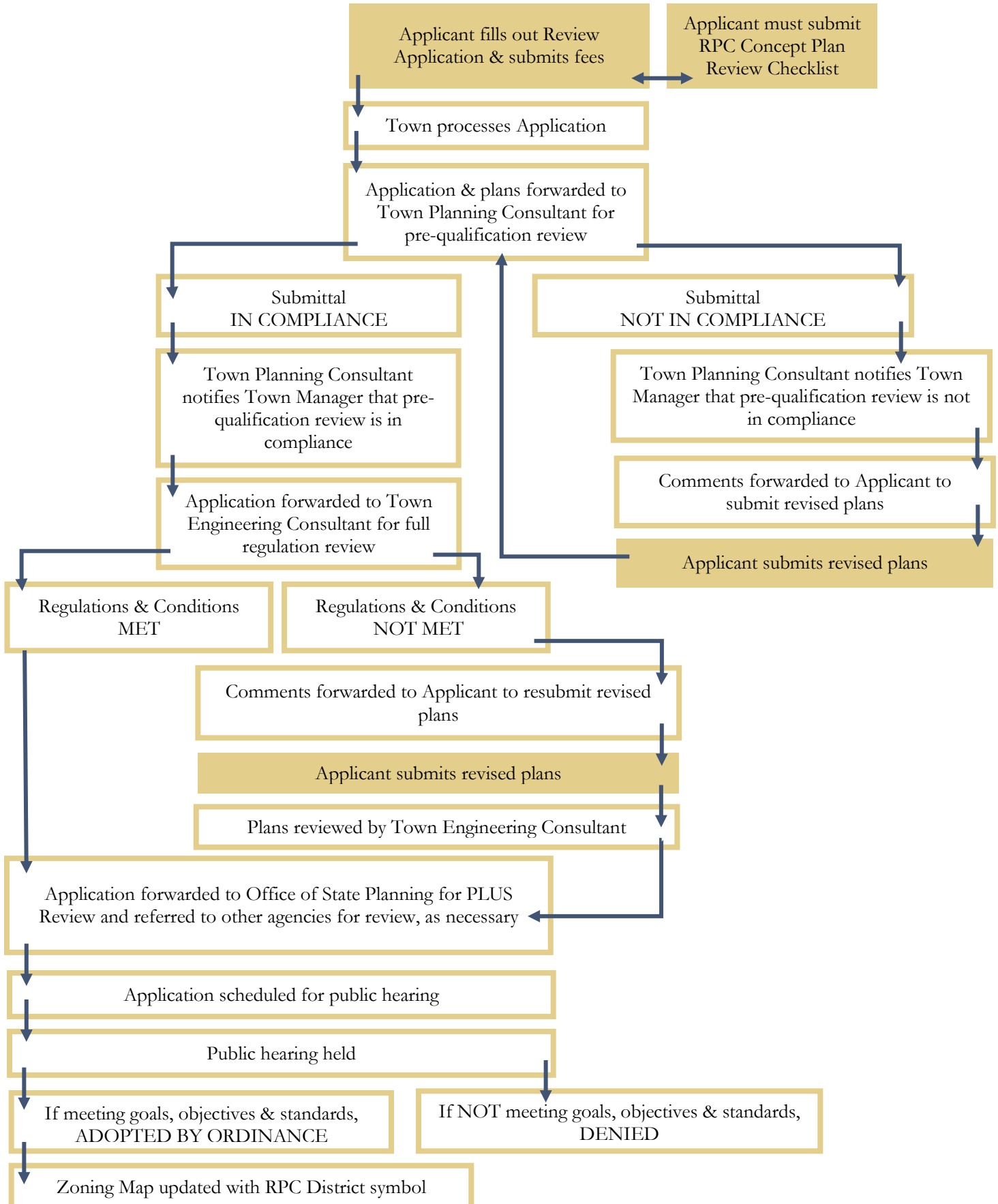
- (1) Definition: a detailed map showing the proposed layout for at least a portion, section, or development stage of an area that:
 - (a) Has been rezoned to the RPC District; and
 - (b) Concurrent with the rezoning, has received approval of an RPC concept plan; and
 - (c) Incorporates the conditions on which approval of the RPC concept plan was based.
- (2) Review and approval.
 - (a) Each RPC preliminary development plan shall be reviewed for compliance with Chapter 234 and as to whether it meets the conditions of concept plan approval.
 - (b) An RPC preliminary development plan may be approved with conditions.
 - (c) The applicant is responsible for demonstrating, to the satisfaction of the Administrator, compliance with conditions.
- (3) Duration; revocation; and extension.
 - (a) Duration: one year.
 - (b) Revocation.
 - [1] The approval of an RPC preliminary plan shall be revoked if the applicant does not file an application for an RPC final development plan within one year following approval of an RPC preliminary plan.
 - [2] If an RPC preliminary plan approval is revoked, the land shall revert to the base zoning district in effect at the time the RPC Zoning District was granted.



- (c) Extension.
 - [1] The Town Commissioners may authorize one extension of time to file an RPC final development plan.
 - [2] The applicant must demonstrate, to the satisfaction of the Town Commissioners, that the delays in filing an RPC final plan were beyond his/her control.
 - [3] The extension may not be longer than two years from the date on which approval of the RPC preliminary plan expired.
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§234-38D Residential Planned Community Approval Process - RPC Final Development Plan

- (1) Definition: a detailed map showing the proposed layout for at least a portion, section, or development stage of an area that incorporates the conditions on which approval of an RPC preliminary development plan was based.
- (2) Review and approval.
 - (a) Each RPC final development plan shall be reviewed for compliance with this chapter and whether it meets the conditions of the RPC preliminary development plan approval.
 - (b) An RPC final development plan may be approved with conditions.
 - (c) The applicant is responsible for demonstrating, to the satisfaction of the Administrator, compliance with conditions as a prerequisite to obtaining a zoning certificate.
- (3) Duration; revocation; and extension.
 - (a) Duration: one year.
 - (b) Revocation.
 - [1] The approval of an RPC final plan shall be revoked if the applicant does not file an application for a zoning certificate within one year following approval of an RPC final plan.
 - [2] If an RPC final plan approval is revoked, the land shall revert to the base zoning districts in effect at the time the RPC Zoning District was granted.
 - (c) Extension.
 - [1] The Town Commissioners may authorize one extension of time to file an RPC final development plan.
 - [2] The applicant must demonstrate, to the satisfaction of the Town Commissioners, that the delays in filing an application for a zoning certificate were beyond his/her control.
 - [3] The extension may not be longer than two years from the date on which approval of the RPC final plan expired.





Applicant Name: _____

Contact Person: _____

Project Title/Name: _____

Item #	Required Information [per §234-38]	In Compliance	Not in Compliance
Petition			
1.	Written request for the establishment of an RPC District signed by owners and contract purchasers of the property for which the RPC District is being sought.		
Narrative			
<i>Written statements providing the following information:</i>			
2.	Current and proposed ownership of all land within the development.		
3.	Overall objectives of the proposed RPC and how it corresponds to and complies with the goals and objectives of the Comprehensive Plan and Chapter 234.		
<i>Site Development Information:</i>			
4.	Total acreage.		
5.	Description of proposed land uses, including residential, commercial, institutional, recreational, open space, and pedestrian and traffic circulation.		
6.	Approximate number of dwelling units, densities of residential areas, and anticipated population.		
7.	Acreage allocated to each proposed use.		
8.	Method of providing sewer service, water service, and other utility services, including but not limited to telephone, gas, and electric services.		
9.	Method of providing storm drainage.		
10.	Method of and responsibility for maintenance of open areas, private streets, recreational amenities, and parking areas.		
11.	School availability.		
12.	Method for evaluating and minimizing impacts to environmentally sensitive areas, as identified by current federal, state, and local inventories.		
13.	General description of the architectural and landscape elements on the perimeter of the planned development.		
<i>Development Phases</i>			
14.	Development phases with emphasis on the area, density, uses, and public facilities to be developed during each phase.		
15.	Approximate date for beginning construction and the duration of construction for each phase.		
16.	Mixes of land uses to be built in each phase.		
Concept Plan			
A graphical representation, prepared at a scale depicting the entire plan concept on a single sheet of paper that is no smaller than 24 by 36 inches and no larger than 36 by 48 inches.			
<i>Site Data</i>			
17.	Boundary lines and dimensions of the site.		
18.	General locations and purposes of existing and proposed easements.		
19.	Major external access points.		
20.	General pattern of pedestrian and vehicular circulation.		
21.	Proposed land use patterns illustrating approximate areas and distribution of uses.		



Item #	Required Information [per §234-38]	In Compliance	Not in Compliance
22.	Mapping data including the proposed name for the development, engineer, planner, surveyor name as applicable, north arrow, scale, preparation date.		
<i>Environmental Data</i>			
23.	Topography: Topographic map, if possible at minimum one-foot contour intervals.		
24.	Floodplain Map: Information, using the most current source acceptable to the Town Commissioners, indicating the location and extent of the regulatory floodplain.		
25.	Soils: Information from the most current U.S. Department of Agriculture indicating location and types of soils. If such information is not available, soil borings.		
26.	Wetlands: Approximate locations and extent of existing vegetation and wetlands as identified by current federal, state, and local inventories.		
<i>Staging</i>			
27.	Proposed development phases.		

In Compliance

Not in Compliance due to missing information as stated in the Not in Compliance column above and any additional information noted below:

Application Reviewed by: _____ Date: _____

QA/QC: _____ Date: _____