

## **Article XXIII. Conservation Development District**

### A. Statement of Intent

This district is intended to encourage residential development in the rural areas of Greene County to conserve open space and by doing so promote the following:

1. Efficient use of the land while preserving agricultural land, significant stands of trees, open space, historical features, vistas, drainage systems, sinkhole watershed, and other significant environmental or cultural items on a case by case basis.
2. Housing located and grouped to promote efficiency and viable open space and reduce impervious surface area.
3. Housing with access to public parks, trails, greenways, and other open areas for recreation.
4. Economic viability of farms and farmland.
5. Open space for private or public use for recreation or agriculture production.
6. Preservation of historic areas or landscapes as well as the rural image of the County.
7. Diversity of housing sizes and styles in the County.
8. Preservation of the County's cultural history.

## **Section 1. Principle Permitted Uses**

- A. Single-family detached dwelling on parcels of a minimum size of two (2) acres, as determined by a soils profile conducted by a registered soil scientist, that will have room for planned improvements, an on-site wastewater disposal system and a replacement location for the soil absorption field, unless otherwise approved during platting.
- B. The open space portion of the development can be used for one or more of the following:
  - 1. Conservation of significant natural or cultural features and views;
  - 2. Agricultural uses that will support the conservation of open space;
  - 3. Common horse stables and associated trails;
  - 4. Recreational trails for non-motorized uses; or
  - 5. Recreational uses for the homeowners, as regulated by the homeowners association.
    - a. Trails
    - b. Picnicking
    - c. Gardens
    - d. Passive areas for use
    - e. Ball fields
    - f. Playgrounds
    - g. Tennis, basketball, and other courts
    - h. Swimming pools
    - i. Community buildings
    - j. Stables and equestrian trails and facilities
    - k. Rifle, skeet, trap, and pistol ranges and similar uses
  - 6. Roadside stands, offering for sale only agricultural products produced on the premises or in the vicinity.

## **Section 2. Accessory Uses**

- A. Accessory uses, buildings, and structures customarily incidental to any of the aforesaid permitted uses, including:
  - 1. Uses, buildings, and structures customarily incidental to any of the aforesaid permitted uses;
  - 2. Home Occupations as listed in Article IV, Section 22;
  - 3. Temporary real estate and small announcement signs;
  - 4. Temporary buildings for uses incidental to construction work, which building shall be removed upon completion or abandonment of the construction work;
  - 5. Swimming pools incidental to a single-family dwelling, provided the pool will not hamper the use or location of the on-site wastewater system;
  - 6. Day care homes, if not more than ten (10) children are kept, in addition to those residing on the premises, subject to State licensing laws; or
  - 7. Accessory apartments.

## **Section 3. Development Standards**

- A. Density Bonus
  - 1. A density bonus will be considered for each conservation development. A set aside of forty (40) percent for open space will yield a bonus based upon approval during public hearing by the Board not to exceed fifty (50) percent over the allowable density in the Agriculture-Residence District.
  - 2. With a significant cultural preservation area or public use area, the percent of required set aside may be reduced, but maximum density bonus will not exceed fifty (50) percent.
- B. Residential Requirements
  - 1. Single-family detached structures.
  - 2. The residential lot shall be a minimum of two (2) acres and shall be large enough to accommodate an on-site disposal system and a replacement system. The area requirements will be based on soils and size of the structure.
  - 3. Setbacks will follow the R-1, Suburban Residence District guidelines.
  - 4. Accessory buildings will follow location guidelines as shown in the R-1 residential regulations.
  - 5. Maximum lot coverage will be thirty-five (35) percent and maximum height of all structures will be thirty-five (35) feet.
  - 6. The homeowners association will provide for maintenance of the on-site wastewater system within the context of their covenants. Covenants will require review by the office of the Greene County Counselor.
- C. Minimum Required Acreage: Twenty (20) acres

D. Development Considerations

1. Community commons.
2. Residential/Open space siting.
  - a. Open space shall be arranged so that large contiguous areas of open space can be formed.
  - b. Impact on natural, environmental, and historical areas is to be minimized by the location of residential development.
3. Protection of scenic views.
4. Minimize the impact on mature stands of trees.
5. Protect historic buildings, views, or landscapes.
6. Avoid prime farm land with residential development.
7. Roads will not be extended through open space; however, open space accessory parking and structures can be located in the open space.
8. Variance to design standards will be considered and may be approved as the Conservation Development is approved.

E. In addition, no structure may be erected closer to the center line of an existing or planned street than as prescribed below.

<b>Street Classification</b>	<b>Required Setback from Right-of-way Center Line</b>
Freeway	150 feet plus the required yard setback
Expressway	65 feet plus the required yard setback
Primary Arterial	55 feet plus the required yard setback
Secondary Arterial	40 feet plus the required yard setback
Collector	35 feet plus the required yard setback
Commercial/ Industrial Local	30 feet plus the required yard setback
Residential Local	25 feet plus the required yard setback
Highway Access Road	20 feet plus the required yard setback

#### **Section 4. Submittal Requirements**

- A. A completed change of zoning application will be required for an open space development.
- B. In addition, a conservation development report and site plan shall be required and shall include the following items. (The development report and site plan must be prepared by a land development professional that is qualified by their education and experience to do site plan work.)
  - 1. Ten (10) foot contour lines;
  - 2. Rock outcrops;
  - 3. Slopes of more than fifteen (15) percent;
  - 4. Soils;
  - 5. Water features, flood plains;
  - 6. Sinkholes, caves, and springs;
  - 7. Land cover and use;
  - 8. Visual or historical resources;
  - 9. Special environmental considerations;
  - 10. Existing buildings or improvements;
  - 11. Identify the maximum number of five (5) acre tracts that could be developed;
  - 12. Site design to show the open space, lots, roads, and stormwater facilities;
  - 13. Phasing, if any;
  - 14. Location map; and
  - 15. Conservation easements.
- C. No open space development will be considered approved until all hearings are complete and the conservation easements are recorded, permanently preserving the open space. The requirement for a conservation easement may be waived by the Planning Board if the development's homeowners association retains ownership of the open space.