

ARTICLE 11. PLANNED DEVELOPMENT

PART 1. – PLANNED UNIT DEVELOPMENT

Sec. 11.1.1 Intent.

The intent of this Article is to:

- (a) Promote the most appropriate use of land through flexibility of design and development of land;
- (b) Facilitate the adequate and economical provision of streets and utilities;
- (c) Preserve the natural and scenic qualities of open space;
- (d) Provide for a variety of housing types;
- (e) Provide a method of development for existing parcels which because of physical, topographical, or geological conditions could not otherwise be developed; and
- (f) Achieve a high level of design quality and amenities.

Sec. 11.1.2 Authority.

These regulations are enacted under the provisions of **24 V.S.A. Section 4417.**

Sec. 11.1.3 Major and Minor Planned Unit Development

A minor Planned Unit Development shall include any development not otherwise seeking or requiring the flexibility enabled under this Article and consisting of:

- (a) ~~5 or more units in a single structure residential development; prompting triggering~~ the requirements of Part 1: Inclusionary Zoning of Article 9- Inclusionary and Replacement Housing.
- (b) redevelopment of ~~existing~~ carriage houses and other ~~accessory out-~~ buildings existing as of January 1, 2007 for a residential use meeting density of the underlying zoning district;
- (c) development of an accessory dwelling units in a detached structure subject to the requirements of Sec. 5.4.5.

Minor PUD's shall be exempt from the requirements and standards of this article, but shall be subject to the development standards as otherwise required by this ordinance.

All other development consisting of ~~one or more~~ multiple lots, tracts or parcels of land to be developed as a single entity or seeking to place multiple structures and/or uses on a single lot of record subject to the provisions of Sec. 11.1.4 below where not otherwise permitted shall be considered a major PUD subject to the provisions of Sec.

11.1.4 below and shall be subject to the review processes and requirements as defined under this Article.

Sec. 11.1.4 General Requirements and Applicability.

A planned unit development may be permitted subject to the provisions of this Article in the following districts:

Districts	Minimum Lot-Project Size
RH, RM, RM-W, Downtown and Neighborhood Mixed Use, Institutional ¹	No minimum lot-project size.
RL, RL-W ² , RCO-R/G ¹	2 acres or more

1. Subject to Conditional Use Review pursuant to **Art 3, Part 5.**
2. ~~The two acre minimum may be waived by the DRB for the conversion of an accessory structure existing as of January 1, 2007 to a residential use.~~

~~Planned unit developments are not authorized for non residential uses except as provided for under Sec. 11.1.7. A planned unit development must receive a certificate of appropriateness under the design review provisions of Article 3, Part 4, the development review standards of Article 6, and final subdivision plat approval in accordance with Article 10.~~

Comment [DEW1]: Confusing – Really a minimum "project" size as it refers to the minimum size of the property (or combination of properties) to be developed as a PUD

Comment [KL2]: This table was to limit PUD's in low density districts to a minimum lot size regardless of project size.

Comment [DEW3]: This is redundant to what's allowed as a minor PUD

Comment [DEW4]: Why not – they are encouraged and allowed to be mixed use.

Comment [DEW5]: Duplicative to the requirements contained in 11.1.6.

Sec.11.1.5 Modification of Regulations.

With the approval of the DRB ~~after a public hearing, and subject to the limitations of Sec. 11.1.6,~~ the following modifications of the requirements of the underlying zoning may be altered within a planned unit development:

- ~~density, frontage, lot coverage, and and setback regulations~~ requirements may be altered for a planned unit development may be met as calculated across the entire project rather than on an individual lot-by-lot basis;
- ~~required setbacks may~~ shall apply only to the periphery of the project rather than on an individual lot-by-lot basis;
- ~~More more~~ than one principal use and more than one principal structure may be permitted on a single lot; ~~At the discretion of the DRB the and,~~
- ~~dwelling buildings units~~ may be of varied types including single detached, attached, duplex or apartment construction.

-Any proposed modifications of regulations shall be listed in a statement accompanying the ~~plat~~ application submission and such modifications shall be subject to the provisions of **Sec. 11.1.6** and **Sec. 11.1.7.**

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Comment [KL6]: Need to have periphery setbacks to separate from any other individual lot that has setbacks and for consistency to other lots. May language much too vague.

Sec. 11.1.6 Approval Requirements.

The following requirements shall be met for the DRB to approve a planned unit development:

- ~~(a) Lot coverage requirements of the district shall be met;~~
- ~~(b) The minimum setbacks required for the district shall apply to the periphery of the project;~~
- ~~(c)(a) The minimum ~~parcel~~ project size requirements of Sec 11.1.4 shall be met if the project is located in a RL or RL-W districts;~~
- ~~(d)(b) The project shall be subject to design review and site plan review of Article 3, Part 4 and the standards of Art. 6;~~
- ~~(e)(c) The project shall meet the requirements of Article 10 for subdivision review where applicable;~~
- ~~(f)(d) The minimum setbacks required for the district shall apply to have been met at the periphery of the project;~~
- ~~(e) density, frontage, and lot coverage requirements of the underlying zoning district have been met as calculated across the entire project;~~
- ~~(f) All other dimensional, density, and use requirements of the underlying zoning district shall have been met as calculated across the entire project;~~
- ~~(g) Any proposed accessory uses and facilities shall meet the requirements of Sec. 11.1.7 below;~~
- (h) Open space or common land shall be assured and maintained in accordance with the conditions as prescribed by the DRB;
- (i) The development plan shall specify reasonable periods within which development of each phase of the planned unit development may be started and shall be completed. Deviation from the required amount of usable open space per dwelling unit may be allowed provided such deviation shall be provided for in other sections of the planned unit development;
- (j) The intent as defined in Sec. 11.1.1 is met in a way not detrimental to the city's interests; and,
- (k) The proposed development shall be consistent with the municipal development plan.

Comment [KL7]: Same as comment re lto size limit in low density.

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Comment [DEW8]: Is a reference to Sec. 11.1.4 above - the minimum "project" size, not the size of individual parcels being created.

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Sec. 11.1.7 Accessory Facilities.

- (a) A planned unit development may contain a building or buildings intended for non-residential uses such as but not limited to as a community center, recreation facility, child care center and/or business office if the DRB determines that such use or uses are compatible with the intended principle residential use and will not contribute to parking problems on site or in the surrounding area.

- (b) A planned unit development may contain a building or buildings intended for use as a community convenience store if approved by the DRB under the following standards:
1. A determination shall be made by the DRB that the community convenience store will not contribute to parking problems on site or in the surrounding area.
 2. The maximum size of the store is 1000 square feet.
 3. Only one sign is permitted limited to the following:
 - A. The maximum size is 4 square feet.
 - B. The sign shall be a parallel sign.
 - C. The sign shall not be illuminated.
 - D. No window signs, temporary or permanent shall be allowed.
 - E. No freestanding signs on the site or within the street ROW are allowed.
 4. No outside storage or displays or vending machines, except for a telephone and a screened dumpster, is allowed.
 5. There shall be no exterior service windows or exterior ATM's allowed.
 6. There shall be no gas pumps allowed.
 7. The building(s), sign and site for any such store shall be subject to the development review criteria under **Article 6**.
 8. Parking shall be in back or at the side of the community convenience store building with the building oriented for pedestrian access.