

ARTICLE VIII. PLANNED DEVELOPMENT [PRDs, PUDs]

Section 8.1 Purpose

(A) For the purposes of these regulations, planned unit developments as enabled under the Act [§4417] shall include planned residential and planned unit developments (PRDs and PUDs) as defined in Section 10.2 and these regulations. The purposes of planned residential or planned unit development are to provide for and promote:

- (1) the efficient subdivision, development and use of land;
- (2) flexibility in the design and layout of lots, structures and infrastructure;
- (3) the clustering of development to retain neighborhood character; and to avoid adverse impacts to, or the fragmentation of, significant natural resources and functional open space in Rural and Forest Districts;
- (4) concentrated, compact, mixed use, pedestrian-scale development that maintains a traditional village character in the Village, Resort Village and Resort Residential Districts;
- (5) master planning for environmentally sensitive, integrated development, particularly within the Resort Village and Resort Residential Districts;
- (6) the economical provision of roads, utilities, and services;
- (7) incentives for the development of affordable housing in appropriate locations; and
- (8) lot layout and site design that encourage energy efficiency and the sustainable use of renewable energy resources.

(B) To achieve these objectives, the Development Review Board may modify the area, density and dimensional requirements of applicable zoning provisions under these regulations, concurrently with the approval of a subdivision plan and plat under Article VI.

Section 8.2 Applicability

(A) Planned residential developments (PRDs) are authorized in the Village, Resort Residential, Rural I, Rural II, and Forest Districts, and are required for all major residential subdivisions (4 or more lots) in the Resort Residential and Forest Districts. Planned unit developments (PUDs) are authorized in the Village, Resort Village, Resort Residential and Rural I Districts, and are required for all other major subdivisions (4 or more lots) in the Resort Village and Resort Residential Districts. Planned development is prohibited in the Conservation District.

(B) A subdivider may apply for PRD or PUD review by the Development Review Board in association with the submission of a sketch plan for subdivision review under Article VI, for any subdivision within the Village, Resort Village, Resort Residential, Rural I, Rural II and Forest Districts. All major subdivisions (four or more lots) within the Forest, Resort Village and Resort Residential Districts shall be subject to PRD or PUD review by the Development Review Board in accordance with Subsection (A).

(C) To encourage integrated master planning, a PRD or PUD may include adjoining parcels in separate ownership if a joint application is submitted under Sections 6.4 and 8.3.

Section 8.3 Application Requirements

(A) In addition to the application requirements for subdivision review (see Table 6.2), the application for PRD or PUD review also shall include:

- (1) a statement setting forth the nature of all requested modifications, changes or supplementations to the zoning provisions of these regulations including, but not limited to, proposed increases in the allowed density of development and variances from district dimensional standards;

- (2) a description of the number and types of structures and uses to be included in the PRD or PUD, including building elevations and exterior design specifications;
- (3) density calculations used to determine the overall density of development within the PRD or PUD, in accordance with the requirements of Section 7.5(C); and density calculations for that portion of the PRD or PUD to be developed;
- (4) management plans for any natural areas or open space to be conserved, and for all common areas, facilities and services within the PRD or PUD, to include a description of ownership, use, and long-term maintenance or management, and associated legal agreements, easements or covenants;
- (5) for projects which include affordable housing, as defined under Section 10.2, associated management plans and legal agreements that ensure the long-term affordability of such units which, at minimum, shall be for 15 years from the date of construction;
- (6) for projects that incorporate adjoining parcels in separate ownership, evidence of established and proposed ownership and interests in land, and for preliminary and final subdivision review, a preliminary and final master subdivision plan and plat, and phasing schedule, depicting the manner in which adjoining parcels will be developed over time in a unified, cohesive, integrated and environmentally sensitive manner.

Section 8.4 Review Process

- (A) Applications for PRD or PUD approval shall be reviewed by the Development Review Board concurrently with subdivision review, in accordance with the review process for major subdivision set forth in Article VI. In addition:
- (1) Any modifications of zoning requirements shall be approved simultaneously with the approval of a subdivision plan and plat. Approved modifications and other conditions of approval shall be specifically identified and noted on or appended to the final plat and recorded in the land records in as required under Section 6.6.
 - (2) If the application of PRD or PUD provisions results in land and/or facilities to be held in common, and/or to be reserved for the preservation of open space, it must meet associated management, legal and recording requirements for such lands and facilities under Sections 7.4 and 7.8.
 - (3) The Development Review Board, in allowing modifications from zoning density and dimensional requirements, may require lower densities of development on portions of the site to be developed, increased lot sizes and setback distances, and landscaped or managed buffer areas as it deems necessary to protect significant natural and cultural features, designated open space, community facilities and services, and/or neighboring properties from adverse impacts of the proposed development.
 - (4) The Development Review Board, in accordance with Section 6.5, may also require that the applicant demonstrate a fiscal ability to install and maintain approved improvements, through the provision of a bond or other surety acceptable to the Bolton Selectboard.
 - (5) PRD or PUD approval shall not exempt subsequent development from site plan or conditional use review under Article V, as applicable under these regulations. Such review processes may be held concurrently with final subdivision plan review under Section 6.5, in accordance the Act [§4462] and the review procedures and standards for each, but shall be separately warned and decided.

Section 8.5 Review Standards

(A) **General Standards.** In addition to meeting all applicable subdivision review standards under Article VII, a proposed PRD or PUD shall:

- (1) be consistent with the goals and policies of the *Bolton Town Plan* currently in effect, the purpose of the zoning district(s) in which it is located, and all applicable regulations not modified under PRD or PUD review and approval;
- (2) present an environmentally sensitive, effective and unified treatment of the site(s), which to the extent feasible:
 - (a) locates or clusters development on the most developable portions of the site(s), and excludes from development environmentally sensitive areas, including: areas of very steep slope, surface waters, wetlands and associated buffer areas, source protection areas, and, outside the Village District, designated flood hazard areas;
 - (b) designates functional open space that is contiguous with such land on adjoining parcels, which incorporates significant natural and cultural features identified for protection, including environmentally sensitive areas, prominent ridgelines and hilltops, critical wildlife habitat and travel corridors, unfragmented forest and meadow land, and other open space designated in the *Bolton Town Plan*;
 - (c) establishes or reinforces desired patterns and densities of development within the Village, Resort Village or Resort Residential Districts, including lot size and layout, a pedestrian-scale and orientation; and connections to existing roads, utility corridors, sidewalks and pedestrian paths;
 - (d) integrates vehicular and pedestrian circulation with neighboring properties and public rights-of-way; and
 - (e) minimizes site disturbance and infrastructure development costs and, through lot layout, orientation and site design maximizes opportunities for energy efficient design and access to and the sustainable use of renewable energy resources;
- (3) be sufficiently set back, buffered, landscaped and/or screened as needed to maintain district character; and to minimize adverse physical or visual impacts to environmentally sensitive areas, significant natural, cultural and scenic features, and adjoining properties, uses, and public rights-of-way.

(B) **Allowed Uses.** PRDs and PUDs may involve the creation of separate building lots and/or development in which multiple buildings or uses are located on a single parcel in common ownership, however allowed uses shall be limited as follows:

- (1) **PRDs.** PRDs shall be designed for residential use only. Dwelling units may be of varied types, including single family and accessory dwellings, two-family dwellings, and multi-family dwellings and associated accessory structures and uses, as allowed within the zoning district(s) in which they are located. PRDs also may include, as accessory structures or uses, common areas or facilities for use by residents of the PRD.

- (2) **PUDs.** A PUD may include a mix of uses, including permitted or conditional uses, allowed within the zoning district(s) in which it is located. PUDs also may include, as accessory uses or structures, common areas and facilities for use by occupants of the PUD and/or the general public.
- (3) Within some zoning districts, specified uses may be allowed *only* within a PRD or PUD, as specified in Article II (Tables 2.1-2.8).

(C) **Density Calculations:**

- (1) The maximum number of building units or lots within a PRD or PUD shall not exceed the number which could be developed on a parcel under applicable zoning regulations, unless otherwise specifically approved by the Development Review Board.
- (2) Calculations of the allowed overall density of development shall be based on total parcel acreage, excluding existing and proposed road-rights-of-way, and lot size and density requirements for the zoning district(s) in which the PRD or PUD is located. This calculation of the site's overall "yield" shall be used to determine the number of building units or lots that may be clustered or grouped at higher densities on those portions of the parcel that are suitable for development.
- (3) For PRDs or PUDs within two or more zoning districts, the allowed overall density of development shall be sum of the allowed density calculated for each area of the PRD or PUD within a particular zoning district, using the dimensional standards for that district; however building lots or units may be transferred from that portion of the parcel within the lower density zoning district(s) to developable areas of the parcel within the higher density zoning district(s).
- (4) For PRDs or PUDs on two or more adjoining parcels, the allowed overall density shall be calculated as the sum of the allowed density for each lot, however building lots or units may be transferred from one parcel to developable areas on another parcel.
- (5) Where the developable portion of a parcel and associated facilities and services can accommodate higher densities of development, the Development Review Board may consider, at the request of the subdivider, a density bonus of up to 25%, for PRDs or PUDs that retain 60% or more of the total area as protected, unsubdivided open space, or which include the permanent dedication of land and/or facilities for public access and use.