

ARTICLE 8. PLANNED UNIT DEVELOPMENT

As amended & Proposed for Planning Commission Public Meeting on September 24th, 2012 and approved by the Select Board on October 23rd, 2012 and Effective November 13th, 2012

Section 8.1 Purpose

(A) The purposes of planned unit development are to:

- (1) Increase density, reduce lot size and/or facilitate the adequate and economical provision of streets and utilities in a cost effective manner;
- (2) Cluster development to avoid the fragmentation of productive forest, farmland and wildlife habitat, conserve energy and enhance Warren's rural character as described in the Warren Town Plan;
- (3) Accommodate new development in a manner that maintains the Town's historic settlement patterns, and protects significant natural, cultural and scenic features, as described in the Warren Town Plan;
- (4) Provide opportunities for a diversity of housing types, and promote affordable housing in appropriate locations;
- (5) Allow for compact, village-scale mixed-use development within growth centers designated in the Warren Town Plan;
- (6) Encourage creative design and layout of development and an efficient use of land; and
- (7) Carry out the purposes of the Warren Town Plan, as set forth in the plan's goals and policies.

(B) To achieve the objectives set forth in this section, the Development Review Board may modify applicable area and dimensional requirements required elsewhere in these regulations simultaneously with the approval of a subdivision plan and associated plat. Such modifications shall be made in accordance with the following provisions.

Section 8.2 Coordination with Other Review Processes

(A) Applications for PUDs shall be reviewed simultaneously with applications for major subdivision review in accordance with the requirements and procedures set forth in Article 6.

(B) Approval granted by the Development Review Board under this section for a PUD that involves the development of one or more conditional uses shall not exempt the proposed development from conditional use review in accordance with Article 5 unless the Board specifically grants conditional use review at the time of PUD approval. For PUD applications that are also subject to conditional use review, conditional use review may occur concurrently with final subdivision review in accordance with 6.1(D).

(C) At the time of PUD approval, the Development Review Board shall include in its decision a finding that the PUD conforms with the Warren Town Plan, and clear indication of all approved modifications of development standards, which may include conditions related to the location, scale, density, intensity and/or overall design of future development within the PUD.

Section 8.3 Planned Unit Developments (PUDs)

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(A) **Applicability.** Planned Unit Development (PUD) provisions may be applied to any land development in the Town of Warren at the request of the applicant. Any change to an approved PUD shall require an amendment to the prior approval in accordance with this section.

(B) **Multiple Districts, Lots and/or Owners.**

(1) Where a district boundary line divides a parcel, the development of a single PUD shall be allowed with a total density based on the combined allowable density of each district. The provisions of Section 2.2(C) of these regulations shall not be used to increase the combined development potential of parcels located in more than one zoning district.

(2) The DRB may approve PUDs involving two or more contiguous or noncontiguous parcels, whether in common or separate ownership, with the total density based on the combined allowable density of all parcels. Development may be located in accordance with the standards set forth in Section 8.5.

(3) Development shall not be relocated from land in a district with a higher maximum density to land in a district with a lower maximum density unless the DRB agrees that such a transfer is in conformance with the purposes of these regulations and the Warren Town Plan.

Determining Density When a Single Parcel is Located in Two Zoning Districts

Where a district boundary line divides a parcel, the development of a single PUD is allowed with a total density based on the combined allowable density of each district. For example, a 27 acre parcel in which 25 acres is located in the Forest Reserve District and 2 acres is located in the Rural Residential District has a maximum allowable density of 3 dwelling units, based upon a formula of: 25 acres = 1 dwellings (FR density) + 2 acres = 2 dwellings (RR density).

(C) **Application Requirements.** Applications for PUDs shall be submitted simultaneously with applications for major subdivision review in accordance with the requirements set forth in Article 6. In addition to the application materials specified in Table 6.2, applications for PUDs shall include the following:

(1) A statement setting forth the nature of all proposed modifications or changes of existing land use and development regulations and the standards and criteria which the applicant proposes for the development, including standards for the design, bulk and spacing of buildings and sizes of lots and open spaces; and

(2) A brief summary of the project and how it meets the standards set forth in this section.

(3) Additional information required by the Development Review Board to determine whether the proposed mix of uses, density and scale and intensity of uses will meet the standards set forth in Article 5, Article 7 and below.

(4) For projects that include affordable housing, as defined under Section 10.2, associated management plans and legal agreements that ensure the long-term affordability of such units for a minimum of 25 years or longer.

(D) **Density.** The overall density of the project shall not exceed the number of units permitted, in the Development Review Board's judgment, if the land were subdivided into lots in

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accordance with the standards for the district(s) in which the land is situated, except where specifically permitted in these regulations and as permitted below. Bonuses may be combined, but no project shall be granted more than a 100% increase in overall density.

(1) **Density Bonus for Protection of Open Space.** The DRB may approve an increase in density in accordance with the table below for PUDs in any district in exchange for the applicant setting land aside as open space.

% Set Aside	Density Bonus
60%	25%
65%	30%
70%	35%
75%	40%
80%	45%
85%	50%

(2) **Density Bonus for Affordable or Special Needs Housing.** The DRB may approve a density bonus of up to 50% for the development if the excess units are dedicated to providing housing for elderly residents, people with disabilities, and/or households with low to moderate incomes (as defined in Article 10). The units shall be dedicated to such a purpose through legally binding means for a period of not less than 25 years.

(3) **Density Bonus for Mixed-Use Village or Hamlet Development.** The DRB may approve a density bonus of up to 25% of the permitted overall density for projects that include a mix of uses and that comply with the standards set forth in subsection (E), (F) or (G).

(E) **General Standards.** In addition to the subdivision standards set forth in Article 7, PUDs shall meet the following:

(1) The PUD shall reflect an effective and unified treatment of the development possibilities of the project site, and the development plan shall make appropriate provision for preservation of primary and secondary conservation areas, as defined in Article 7.

(2) The PUD shall be consistent with the goals and policies of the Warren Town Plan and all applicable subdivision standards set forth in Article 7.

(3) The PUD shall be designed to maximize vehicular and pedestrian integration with adjacent uses and parcels. Driveway and road connections to adjacent parcels should, to the extent practical, be incorporated into the project design. Pedestrian facilities shall be laid out to serve as an interconnected network of sidewalks, pathways and trails, as appropriate to site conditions and location. Provision for safe and efficient transit access may also be required.

(4) Site design and landscaping shall be compatible with neighboring properties. In instance in which a PUD abuts a residential property, greater setback requirements for structures and parking areas and appropriate screening may be required.

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(5) A PUD may involve the creation of separate building lots, or may include a development in which multiple buildings and uses are constructed on a single parcel in common ownership.

(6) A greater concentration or intensity of development may be located within some portion(s) of the site provided there is an offset by a lesser concentration in another portion(s) or an appropriate reservation of open space on the remaining land in accordance with Sections 7.4 and 8.4.

(7) In instances in which an applicant proposes development of a portion of a larger parcel, or development of a parcel contiguous to another parcel(s) in common or affiliated ownership, a general indication of the intended use of the remaining (undeveloped) portion of the land shall be submitted in accordance with Section 7.2 (I). At a minimum, such indication shall include the information described in subsections 7.2 (H)(1) and (2).

(8) All proposals shall demonstrate the extent to which they protect and utilize renewable energy resources through such means as developing south facing slopes in lot layout and enabling solar access to all future buildings.

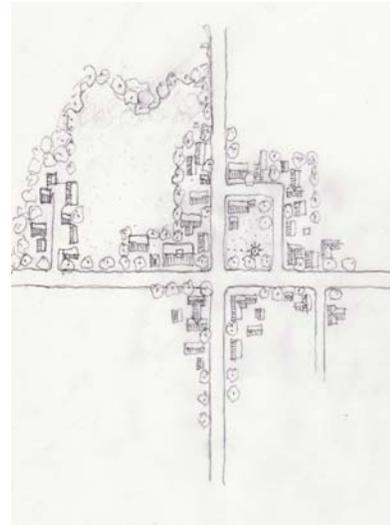
(F) **Rural Standards.** In addition to the general standards set forth under Subsection (C), PUDs in rural districts (Forest Reserve, Rural Residential and Meadowland Overlay) shall be designed to blend new development into the historic, agricultural and forest landscape and maintain important natural, scenic and cultural resources as described in the Warren Town Plan. All PUDs in rural districts shall protect not less than 50% of the total project area as open space. PUDs in rural districts shall be designed in accordance with the standards of subsection (1), (2) or (3) below:

(1) **Crossroad Hamlet.** Proposed PUDs may be designed in a manner that replicates a traditional crossroads hamlet, characterized by a concentration of residential buildings and one or two prominent cultural, community or civic structures, located at a road intersection, and bounded by farmland or forest. To replicate such a pattern, crossroad hamlets shall be designed to include:

(a) A contiguous grouping of dwellings, and associated accessory cultural or community buildings, and one or more common areas (e.g. village green or park), located within a compact area not to exceed 15 acres (excluding designated open space);

(b) Lots configured to front upon road(s) and/or a common green, and so that buildings are oriented toward the road, one another and/or the common green; and

(c) A well-defined edge between the hamlet and surrounding open space.



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(2) **Farmstead Cluster.** Proposed PUDs may be designed in a manner that replicates a traditional Vermont farmstead, characterized by a variety of building scales reminiscent of traditional Vermont farmsteads, which visual character is typified by the appearance of a principal dwelling a



and a mix of agricultural buildings (e.g. barns, outbuildings) located within a compact area surrounded by open farmland. To replicate such a pattern, farmstead clusters shall be designed to include:

(a) A contiguous grouping of dwellings located within a compact area not to exceed five (5) acres (excluding open space) -the inclusion of multi-family and affordable

housing is encouraged;

(b) Buildings set near the road that relate to one another and/or a small common area;

(c) A defined edge between the cluster and surrounding open space;

(d) No fewer than three (3) nor more than nine (9) dwelling units shall be located within a single farmstead cluster; multiple farmstead clusters may be placed on a single parcel provided they are separated by adequate open space and a minimum distance of 1,200 linear feet.

A crossroads PUD, such as the one depicted in this example, allows for the concentration of development to maintain traditional development patterns while avoiding impacts on important resource lands.

(3) **Uplands Enclave.** Proposed PUDs may be designed in a manner that is characterized by concentrated, clustered lots and buildings to allow the remaining land to be used for common open space, recreation, productive farm or forest land, and/or preservation of environmentally sensitive features. Such a PUD shall consist of one or more clusters of compact development surrounded by undeveloped open space that comprises at least 50 percent of the gross parcel area. No fewer than three (3) or more than nine (9) principal buildings shall be located within a single conservation cluster. Multiple clusters may be placed on a single parcel provided they are separated by a minimum distance of twelve hundred (1,200) linear feet. At a minimum, conservation clusters shall be designed in accordance with the following:

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(a) All lots and/or development envelopes and buildings shall be grouped into one or more contiguous groups of clustered buildings, each located within a compact area not to exceed 10 acres (excluding open space, and reserved common area).

(b) There shall be a defined edge between each cluster and the surrounding open space.

(c) Buildings in each cluster shall relate to one another and/or a small common area or common structure(s). Building envelopes should be established so that buildings front upon and are oriented towards interior roads, common areas, or common buildings.

(d) Roads and driveways shall be laid out in a manner that reflects the rural character and settlement pattern of the district, which is characterized by narrow travel lanes, uncurbed streets, and trees within road rights-of-way.

(e) Adequate provision for walking paths and trails interconnecting the development's residences and other private buildings, common areas/building and open space shall be included in the design of the PUD which:

(i) Minimize site disturbance and visual impact.

(ii) Maximize protection of natural resources.

(iii) Provide for enjoyment of the surrounding natural environment.

(iv) Facilitate pedestrian access to destinations such as interconnecting public trails, school bus/transit stops, and common areas/buildings. Paths and trails should not necessarily follow roadways within the PUD.

(f) The following areas or structures may be located within designated open space areas and shall be counted toward the overall open space percentage required:

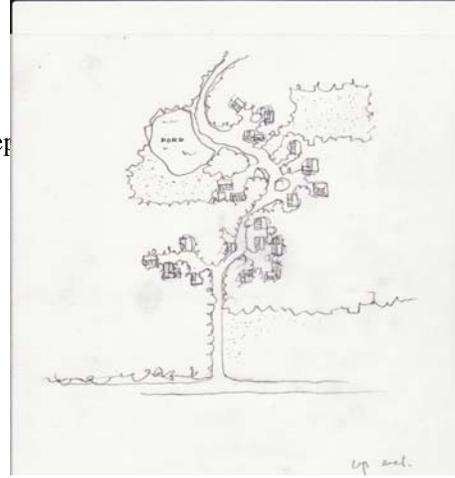
(i) Parking areas for access to and use of the open space developed at a scale limited to the potential users of the open space.

(ii) Buildings or structures that are accessory to the use of the open space.

(iii) Shared septic systems and shared potable water systems.

(g) PUDs to be located on open agricultural land should be designed to preserve working land by locating house sites along the edges of fields, pastures and woodlots. Roads, drives and property lines are encouraged to follow existing site features such as walls, fence lines and hedgerows. Homes should be located to provide an adequate buffer between agricultural and non-agricultural uses.

(h) PUDs to be located in forested areas shall be designed to maintain the



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appearance of an unbroken forested canopy and to blend new development into the landscape as viewed from off-site, to protect natural resources and wildlife habitat, and to provide for the sustainable, ongoing management of forest resources to the greatest extent feasible by:

- (i) Maintaining a forested buffer between buildings;
- (ii) Minimizing lot coverage and building footprints;
- (iii) Avoiding long driveways or large parking areas;
- (iv) Clearing only as much vegetation at the edge of the road as necessary to create a driveway entrance with adequate sight distance and proper drainage control;
- (v) Retaining existing or planting additional woody vegetation in undisturbed, naturalistic groupings, rather than singly as specimen trees, within cleared areas;
- (vi) Using native vegetation;
- (vii) Minimizing lawn area; and
- (viii) Selectively cutting small trees and the lower braches of large trees, rather than removing mature trees, to create narrow view corridors between trees and beneath tree canopies.

(G) Village Standards. In addition to the general standards set forth under Subsection (C), PUDs within or adjacent to existing or designated village areas shall be designed so that the layout and configuration of the lots and placement of buildings are consistent with the area's historic or planned pattern and scale of development. At a minimum, PUDs located within or adjacent to village areas shall be designed in the following manner:

- (1) PUDs shall reinforce a compact development pattern characterized by:
 - (a) Pedestrian scale and orientation;
 - (b) Functional and visual integration with neighboring properties;
 - (c) A mix of uses;
 - (d) Well defined streetscapes and an interconnected network of streets;
 - (e) The integration of private and public space; and
 - (f) Sidewalks and pathways to facilitate pedestrian circulation.

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(2) Building envelopes should be established so that buildings front towards and relate to streets, entrance drives and public spaces (e.g. greens, parks, plazas), both functionally and visually, rather than being oriented toward parking lots. Buildings shall reflect a diversity of building scale and massing. Excessively large, monolithic buildings shall be avoided, or the scale and massing reduced through varied roof lines and interruption to the building elevation (facades) to create attached, but separate, masses.

(3) Development shall be designed with an emphasis primarily on the street sidewalk and on pedestrian access to the site and building(s), rather than on auto access and parking areas. Buildings should generally be placed close to the street and their main entrances should be oriented to the street sidewalk. There should be windows or display cases along any building facades that face to street to provide interest to the streetscape. Development shall be designed so a person can comfortably walk from one location to another in a manner that encourages strolling, window shopping and other pedestrian activities. Development shall provide visually interesting and useful details such as benches, awnings and covered walkways, textured paving, shade trees and landscaping, trash bins, ornamental light fixtures, public clock or art, etc. Site and building design elements should be dimensionally smaller than those intended to accommodate automobile traffic. Examples include ornamental lighting no higher than 12 feet; bricks, pavers, or other paving modules with small dimensions; a variety of planting and landscaping materials; awnings or covered walkways that reduce the perception of the height of walls; signage and signpost details designed for viewing from a short distance.



The elements of a streetscape include (A) buildings, which should be oriented toward the street and located to maintain consistent spacing and setbacks; (B) sidewalks; (C) planting areas for street trees; (D) the travel way of the street, which should be designed to slow traffic and maintain pedestrian safety; and (E) adequate space for on-street parking.

(4) Buildings, roads, pedestrian facilities and open space shall be configured to reinforce the visual and functional integration of existing development. Service areas, maintenance facilities and associated features that are closed to the public shall not be oriented toward existing commercial or residential structures unless facing similar features.

(5) The PUD shall be designed to establish well defined streetscapes, characterized by an interconnected network of streets with narrow travel lanes and on-street parking bounded by a combination of sidewalks, street trees and consistent, shallow building setbacks, as opposed to large-scale buildings surrounded by expansive parking areas.

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(6) Provision shall be made for year-round pedestrian circulation within the site, and for pedestrian access to adjacent properties. Pedestrian circulation should include a network of pathways and sidewalks connecting existing (or planned) land uses in and adjacent to the area.

(7) Buildings shall be clustered and integrated within a compact village pattern, present a well-defined edge between the built environment and surrounding open space, and visually enhance village entrances. Landscaping and screening should include a mix of deciduous and coniferous vegetation, should emphasize native species to the extent possible. Adequate provision for open space and common areas shall be included in the design of the PUD which:

- (a) Should serve as a central organizing feature within the PUD, such as a green or park; and
- (b) Shall maintain an edge between the village and surrounding countryside by protecting existing meadows and forested hillsides adjacent to the district's boundaries.

Section 8.4 Open Space & Common Land Standards for PUDs

(A) PUDs shall make adequate provision for the protection of open space and common land in accordance with the standards set forth in Section 7.4, and the following provisions. The location, shape, size, and character of the designated open space and common land shall be suitable for the development, considering its size, density, topography, and the number and type of units proposed. In designating open space and/or common land, applicants and the Development Review Board shall consider the site features identified in Table 8.2 in determining the appropriate features to designate as either open space or common land for the relevant zoning district(s).