

ARTICLE 9. PLANNED RESIDENTIAL DEVELOPMENTS (PRDs) & PLANNED UNIT DEVELOPMENTS (PUDs)

Section 9.1 Purpose

(A) In accordance with the Act, Planned Residential Developments (PRDs) and Planned Unit Developments (PUDs) are encouraged in designated districts 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 and preserve Bennington's rural character as described in the Bennington 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 Bennington 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 Bennington Town Plan; and/or,
- (6) encourage creative design and layout of development and an efficient use of land.

(B) To achieve the objectives set forth in this section, the Development Review Board may modify applicable general area and general 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 9.2 Coordination with Other Review Processes

(A) Applications for PRDs and PUDs shall be reviewed simultaneously with application for major subdivision review in accordance with the requirements and procedures set forth in Article 7.

(B) Approval granted under this section for a PUD or PRD that involves the development of one or more uses requiring Development Review Board approval in accordance with Article 6 shall not exempt the proposed development from both review processes, although applications for PRDs or PUDs may be reviewed concurrently with the standards and procedures set forth in Article 6.

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

Section 9.3 Planned Residential Developments (PRDs)

(A) **Applicability.** Planned Residential Development (PRD) provisions may be applied, at the request of the applicant, to any sized parcel to be subdivided within any district, with the exception of the Forest, POS, Agricultural, Industrial and Planned Airport Districts. Any change to an approved PRD shall require an amendment to the prior approval in accordance with this section. PRDs apply only to residential developments.

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(B) Application Requirements. Applications for PRD shall be submitted simultaneously with applications for major subdivision review in accordance with the requirements set forth in Article 7. In addition to the information required for sketch plan review under Section 7.3, applications for PRDs must 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.

(C) General Standards. In addition to the subdivision standards set forth in Article 8, PRDs shall meet the following:

- (1) The overall density of the project shall not exceed the number of dwelling units permitted, in the Development Review Board's judgment, if the land were subdivided into lots in 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:
 - a. a density bonus of up to 25% of the permitted overall density may be permitted in any district in instances in which not less than 75% of the total acreage involved is set aside as open space in accordance with Section 8.11; or
 - b. a density bonus of 25% of the permitted overall density may, in accordance with the Act, be permitted in instances in which not less than 20% but not more than 30% of the total number of dwelling units created are affordable housing units, as defined in Article 3.
- (2) The PRD shall reflect an effective and unified treatment of the development possibilities of the project site. A greater concentration or intensity of residential 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 8.11.
- (3) The PRD shall be consistent with the goals and policies of the *Bennington Town Plan* and all applicable subdivision standards set forth in Article 8 and all supplemental standards for the district in which the proposed PRD is located, as established in Article 3..

(D) Rural Standards. In addition to the general standards set forth under subsection (C), PRDs within the Rural Residential (RR), Rural Conservation (RC) and Agricultural (A) Districts shall be designed to blend new development into the historic, agricultural landscape and maintain important natural, scenic and cultural resources as described in the *Bennington Town Plan*. To this end, PRDs shall be designed in accordance with the standards described below:

- (1) PRDs should replicate Vermont's traditional agrarian landscape, characterized by a variety of building scales reminiscent of farmsteads and small hamlets with a well-defined edge between the clustered dwellings and surrounding open space.
- (2) A minimum of 50% of the parcel shall be set aside as open space in accordance with section 8.11. Such open space should, to the extent practical, maximize the preservation of rural resources identified in Section 8.4.

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(3) Within the Rural Residential District, each dwelling unit shall have a separate and distinct exterior entrance.

(4) Two-family and multi-family dwellings are not permitted within the Rural Conservation District.

(E) **Urban Growth Center Standards.** In addition to the general standards set forth under subsection (C), PRDs within the urban growth center, as designated in the *Bennington Town Plan*, shall be designed so that the layout and configuration of the lots and placement of buildings are consistent with the pattern and scale of development characteristic of historic residential neighborhoods, particularly areas characterized by contiguous buildings listed on the *Vermont Historic Sites & Structures Survey*. At a minimum, PRDs located within the urban core shall be designed in the following manner:

(1) Building envelopes should be established so that buildings front upon and are oriented toward roads or common areas.

(2) Roads and driveways shall be laid out in a manner that reflects village-scale street design characterized by narrow travel lanes and a well defined streetscape comprised of street trees, sidewalks and/or a consistent building setback.

(3) Adequate provision for open space and common areas shall be included in the design of the PRD which should serve as a central organizing feature within the PRD, such as a green or park.

(4) Multi-family dwellings are not permitted within the Village Residential District.

Section 9.4 Planned Unit Developments (PUDs)

(A) **Applicability.** Planned Unit Development (PUD) provisions may be applied, at the request of the applicant to any land to be subdivided or developed in any zoning district excluding the Forest Reserve, Agricultural, Rural Conservation and Planned Airport Districts.

(B) **Application Procedure.** Applications for PUD shall be submitted simultaneously with applications for major subdivision review in accordance with the requirements set forth in Article 6. In addition to the information required for sketch plan review under Section 7.3, applications for PUDs must 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 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 6, Article 8 and below.

(C) **General Standards.** In addition to the subdivision standards set forth in Article 8, PUDs shall meet the following:

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- (1) The overall density shall not exceed the number of units, bedrooms or uses permitted in the Development Review Board's judgment if the land were subdivided in accordance with the standards for the district(s) in which such land is situated.
- (2) The PUD is an effective and unified treatment of the development possibilities of the project site, and the development plan shall make appropriate provision for preservation of fragile features, as defined in Section 8.3.
- (3) Uses shall be limited to those which are allowed in the zoning district in which the proposed PUD is located.
- (4) 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 Section 8.11.
- (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) The PUD shall be consistent with the goals and policies of the *Bennington Town Plan*, all applicable subdivision standards set forth in Article 8 and any specific supplemental requirement for the district within which the PUD is located as established in Article 3.
- (7) 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. Provision for safe and efficient transit access may also be required.
- (8) 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.
- (9) All proposals shall demonstrate the extent to which they protect and utilize renewable energy resources through such means as developing southfacing slopes in lot layout and enabling solar access to all future buildings.
- (10) Service areas, maintenance facilities and associated features that are closed to the public shall not be oriented toward existing or planned commercial or residential structures unless facing similar features.
- (11) 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 for Development Review Board review.
- (12) All PUDs, including office parks and industrial parks located within the Industrial District, shall comply with the standards set forth in subsection (D), below.

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(D) **Office Park & Industrial Park Standards.** In addition to the standards set forth in subsection (C), all PUDs located within the Industrial District shall comply with the following standards:

- (1) The PUD shall be designed to establish well defined streetscapes, characterized by an interconnected network of streets bounded by a combination of sidewalks, street trees and consistent building setbacks, as opposed to large-scale buildings surrounded by expansive parking areas.
- (2) The PUD shall be characterized by an integrated, campus-style site design and coordinated architectural design in which building facades and entrances relate to one another; buildings are designed to provide a sense of permanence through the use of quality construction and materials; buildings avoid monolithic design (e.g., through the articulation of exterior walls and variations in building height and roof lines).

Section 9.5 Open Space & Common Land Standards for PRDs & PUDs

(A) PRDs and PUDs shall make adequate provision for the protection of open space and common land in accordance with the standards set forth in Section 8.11, 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.