

- (3) **Traffic on roads & highways in the vicinity.** The Board shall consider the potential impact of traffic generated by the proposed development on the capacity, safety, efficiency, and maintenance of roads, highways, intersections, bridges and culverts in the vicinity. A traffic impact assessment may be required.
 - (4) **Bylaws in effect.** The Board shall determine whether the proposed development conforms with other municipal bylaws and ordinances currently in effect, including but not limited to any road and on-site wastewater ordinances.
 - (5) **The utilization or renewable energy resources.** The Board will consider whether the proposed development will interfere with the utilization of renewable energy resources by either diminishing their current or future availability, or by interfering with neighboring property owners' access to such resources (e.g., for solar or wind power).
- (D) **Site Plan Review Standards.** In addition to the general standards set forth in Subsection (C) above, the Development Review Board shall also apply all applicable site plan review standards set forth in Section 5.3(C).
- (E) **Supplemental Standards.** In addition to the standards set forth in Subsection (C), the Development Review Board may also impose conditions in accordance with the following requirements:
- (1) The installation, operation, and maintenance of devices and/or methods of operation as necessary to prevent or reduce fumes, gas, dust, smoke, odor, noise, vibration, or similar nuisance. Performance standards shall be as specified by the appropriate State regulatory agencies.
 - (2) The extent of open spaces between the proposed use and surrounding properties.
 - (3) Up to triple minimum lot size, triple distance from adjacent or nearby uses and triple setback from adjacent roads if necessary to prevent a potential adverse impact on nearby properties.
 - (4) Landscaping and fencing if necessary to maintain the district character.
 - (5) Design and location of signs, structures, and service areas such that district character is maintained.
 - (6) Water supply and sewage disposal systems designed and installed in compliance with all applicable municipal and state requirements.
 - (7) Periodic review to ensure continued compliance.

Section 5.6 Planned Residential Developments & Planned Unit Developments

- (A) **Purpose.** In accordance with the Act [§4417], the following two categories of Planned Developments are established under these regulations: Planned Residential Developments (PRD) and Planned Unit Developments (PUD). PRDs are allowed in all zoning districts excluding the Industrial District (Zone B). PUDs are permitted in the Commercial, Industrial, and Residential-Commercial Districts (Zones A, B and C, respectively). Both PRDs and PUDs are intended to encourage more efficient use of land, innovation in the design and layout of structures, to ensure adequate provision of streets and utilities, and to preserve the natural and scenic qualities of open land. In addition:
- (1) PRDs are intended to allow for the clustering of residential development to preserve and maintain open space, including but not limited to important resource or conservation lands, and to authorize the granting of a density bonus to facilitate the provision of affordable housing; and
 - (2) PUDs are intended to allow for the establishment of planned commercial and industrial parks and to encourage an integrated mix of uses within village centers.
- (B) **Review Procedure.** A PRD and PUD shall be reviewed concurrently with a subdivision review as set forth in Article 6 of these regulations. In addition to the application requirements of subdivisions set forth in Table 6.1, an application for PRD or PUD approval shall include a statement describing all proposed modifications, changes or supplements to existing requirements of these regulations. Modifications of one or more provisions of these regulations approved by the Development Review

Board shall be noted in writing and appended to a plat depicting the project to be filed in the East Montpelier Land Records. All other provisions of this bylaw not specifically modified shall remain in effect and be applicable to the project.

- (C) **Coordination with Conditional Use Review.** After receiving approval of site plan and subdivision from the Development Review Board, applications for PRD or PUD shall be subject to conditional use review by the Board. In conditional use review, the Board shall incorporate any applicable conditions during its approval process.
- (D) **General Standards.** The modification of zoning regulations by the Development Review Board may be permitted in accordance with the following standards:
- (1) The PRD or PUD shall meet all applicable standards set forth in Article 6 and shall be consistent with the East Montpelier Town Plan. The PRD shall also meet all local and state regulations for sewage disposal and the protection of water quality.
 - (2) The Board may allow for a greater concentration or intensity of development within some section(s) of the development than in others, on individual lots which are smaller than the minimum lot size for the district within which the PRD or PUD is located, provided that there is an offset by a lesser concentration in other sections.
 - (3) The PRD or PUD shall provide for the preservation of stream and streambanks, steep slopes, wetland, soils unsuitable for development, agricultural lands, unique natural and manmade features, watersheds, forest land, wildlife habitat, floodplains, and scenic features.
 - (4) The minimum front, side and rear yard setbacks at the periphery of the PRD or PUD shall be as dictated for the particular district unless otherwise specified by the Board. The Board may allow other setback standards within the PRD or PUD, such as zero lot lines, a part of approval.
 - (5) Where a district boundary line divides a parcel, the Board may allow the development of a single PRD or PUD with a total density based on the combined allowable density of each district.
 - (6) Two or more contiguous parcels under the ownership or control of the applicant may be combined for review as a PRD or PUD. The permitted density on one parcel may be increased as long as the overall density for the combined parcels does not exceed that which could be permitted, in the Board's judgment, if the land were subdivided into lots in conformance with district regulations.
 - (7) The land area within the development not allocated to buildings and streets shall be reserved as common open space and shall be conveyed under one of the following options:
 - (a) To the municipality, if it agrees to accept and maintain it; or
 - (b) To an association of homeowners or tenants, to a community or comparable land trust or to a similar non-profit which adopts and imposes a set of covenants.
 - (8) The Development Review Board shall encourage energy efficient site planning and layout. For example, east-west orientation of roads to encourage southern exposure of structures, solar access protection and the use of land forms or vegetative wind breaks to the north.
- (E) **Standards Specific to Planned Residential Developments.** In addition to the general standards under Subsection (D), PRDs shall also meet the following specific standards:
- (1) The Development Review Board may authorize a density increase of as much as twenty five percent (25%) above the number of dwelling units otherwise permitted in the zoning district. The Board may, however, grant a density increase of up to fifty percent (50%) of the allowable number of units in any district in instances in which not less than twenty percent (20%) of the total number of dwelling units created are affordable housing units, as defined in Article 8.
 - (2) A PRD shall include only residential uses and associated accessory structures and uses allowed within the district in which the PRD is located. The dwelling units permitted may, at the

discretion of the Development Review Board, be of varied types, including single-family, tow-family, or multi-family construction, and may be attached or detached.

(F) **Standards Specific to Planned Unit Developments.** In addition to the general standards under Subsection (D), PUDs shall also meet the following specific standards:

- (1) The total number of allowable residential units and/or commercial or industrial space within the PUD shall not exceed the number which could be permitted in the Development Review Board's judgment, if the land were subdivided into lots in conformance with the zoning regulation for the district in which the project is located.
- (2) A PUD may include any permitted or conditional uses allowed in the district in which it is located. Multiple principal structures and/or uses on a lot, or multiple ownership of a single structure may be permitted.
- (3) Principal buildings and mixed uses shall be arranged to be compatible, and buffered as appropriate to ensure visual and acoustical privacy for the residents of the development and for adjacent properties.