

10.20.23 FINAL mini-redline Residential uses as part of a PUD in the Industrial/Commercial Zoning District

Proposed amendments to the RZR

3.7 Industrial/Commercial District (I/C)

3.7.2 (h) Dwelling unit(s) as part of a PUD as provided in Section 5.12 *[current "h" becomes "l" and list continues]*

3.7.2 (o) Planned Unit Development as provided in Section 5.12, ~~if no subdivision of land is proposed (see section 5.12.4)~~ *[no change in listing]*

5.12 Planned Unit Development (PUD) and Residential PUD

5.12.1 Coordination of Review – Applications for PUD or Residential PUD approval shall be reviewed by the DRB as a conditional use, subject to conditional use review and approval under Section 5.6 and concurrently with the review of a subdivision plat, in accordance with the Town of Richmond Subdivision Regulations, ~~if a subdivision is proposed. A Zoning Permit shall not be issued for any building or development in a PUD or Residential PUD until a Master Development Plan has been approved by the DRB, if required by Section 5.12.4.viii.~~ Any subsequent Zoning Permit, site plan or conditional use approval of a proposed development within an approved PUD or Residential PUD shall incorporate all applicable conditions of ~~the PUD or Residential PUD and Master Development Plan approval, if required by Section 5.12.4(viii), unless the Master Development Plan is also amended.~~

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5.12.2 General Conditions – All PUD and Residential PUD applications shall meet the following conditions:

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- a) The PUD ~~or Residential PUD~~ provision may be used for any sized parcel, but ~~is shall be required~~ for developments of nine or more lots; or ones in which multiple ownership of ~~a building or buildings, or multiple principal structures or uses~~ on a single lot, are proposed, ~~except as provided in section 4.5.~~ For the purpose of determining the number of lots, all lots shall be counted if they have been approved for subdivision by the DRB or Administrative Officer within a continuous period of sixty months preceding the date of filing the PUD subdivision application.
- b) A PUD ~~shall may~~ be ~~allowed permitted~~ in the JC and VD Districts. A PUD or Residential PUD ~~shall may~~ be ~~allowed permitted~~ in the V R/C, G R/C, VC, C or I/C Districts. ~~However, in the I/C District, a Residential PUD shall be allowed only on parcels that are occupied and solely occupied by a residence or residences as of prior to _____ (date of adoption).~~ A Residential PUD ~~shall may~~ be ~~allowed permitted~~ in the A/R and the HDR Districts. ~~The PUD provision may be used for any sized parcel, but is required for developments of nine or more lots, or ones in which multiple ownership of buildings, or multiple principal structures on a single lot are proposed. For the purpose of determining the number of lots, all lots shall be counted if they have been approved for subdivision by the DRB or Administrative Officer within a continuous period of sixty months preceding the date of filing the PUD subdivision application.~~
- c) A Residential PUD shall include only ~~dwelling residential~~ units. The dwelling units may be ~~at the discretion of the DRB,~~ of varied types including single, two-family and multi-family dwellings. Home occupations, child care homes and group homes shall also be ~~allowed permitted.~~
- d) The total number of allowable dwelling units in the PUD or the Residential PUD shall not exceed the number that would be permitted if the land were subdivided into lots in conformance with

these Zoning Regulations for the Zoning District in which such land is located, and in accordance with Section 2.5 of these Zoning Regulations.

- e) The DRB may allow for a greater concentration of **dwelling** units than would otherwise be allowed in the underlying district within some section(s) of the development, provided there is an offsetting lesser concentration or an appropriate reservation of open space on the remaining land.
- e) ~~Multiple principal structures and/or uses on a lot, or multiple ownership of a single structure may be permitted.~~
- f) ~~The uses proposed for a PUD shall be only those uses listed as permitted or conditional in the district in which the PUD will be located. Any of these uses shall be allowed. A PUD may include any permitted or conditional uses 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~~
- f) ~~The total number of allowable dwelling units in the PUD or the Residential PUD shall not exceed the number that would be permitted if the land were subdivided into lots in conformance with these Zoning Regulations for the Zoning District in which such land is located, and in accordance with Section 2.5 of these Zoning Regulations.~~
- g) ~~A PUD may contain only commercial uses or may contain mixed commercial and residential uses. The DRB may authorize multiple uses within PUDs in the JC, VD, V/C, G R/C, and V R/C, C and I/C Districts. Multiple uses may be allowed on all lots (including pre-existing, non-conforming lots) within PUDs in the JC, VD, V/C, G R/C, and V R/C, districts (including pre-existing, nonconforming lots) provided that adding multiple uses shall comply with the PUD standards and other specific criteria of these Zoning Regulations and state law. In the V/C, C and I/C Districts, at least 50% of the gross **building** floor **area** must be in commercial use. In the JC and VD Districts, any or all floors may be in commercial use. However, in In the VD District, residential uses shall be restricted to the second floor and above; and in the JC District, residential uses shall be restricted to the second floor and above and to the walk-out basement floor as long as all applicable Vermont Fire and Building Safety Codes are met.~~
- h) The DRB may impose conditions to assure that a PUD or a residential PUD does not place an unreasonable burden on the ability of the Town of Richmond to provide municipal or governmental services.
- i) The PUD or Residential PUD is consistent with the Town Plan.
- j) The PUD or Residential PUD is an effective and unified treatment of the development possibilities of the project site. The development plan should make appropriate provision for preservation of the following features when feasible: streams, stream banks, and water bodies, aquifer recharge areas, slopes greater than 20%, wetlands, soils unsuitable for development, agricultural lands, meadow lands, productive forest lands, historic features, unique natural features as identified in the Town Plan, wildlife habitat, high elevations, ridge tops, and floodplains.
- k) The PUD or Residential PUD shall meet local and state regulations for sewage disposal and the protection of water quality.

5.12.4 Application Procedures

- a) *(same as current)*
- b) *(same as current)*
- c) *i – vii same as current)*
- c) viii. For each and any proposal for further land development in a PUD or a Residential PUD, beyond that which has been approved and permitted, an application for an amendment to the prior approval shall be submitted, followed by review and approval by the DRB, including public hearing(s) as required

by these regulations, before a zoning permit can be issued. If a new subdivision is proposed, the subdivision review shall occur concurrently with the amended PUD or Residential PUD review.

~~—A Master Development Plan for any portion of the parcel or lot not proposed for Land Development in the PUD or Residential PUD as of the application date. The Master Development Plan shall conceptually show, if known at the date of application, any future roads, future building areas, future open areas, and future uses on such remaining land. Any future development not identified on this plan shall require amendment(s) to the Master Development Plan and further approval(s) by the DRB before the further development can commence.~~

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5.12.7 PUD and Residential PUD Review Process

The PUD or Residential PUD ~~and Master Development Plan~~ decision will be issued concurrently with the conditional use or final subdivision decision. The DRB shall hold a public hearing on the application, warned in accordance with Section 8.2 and shall provide opportunity for any person wishing to achieve status as an Interested Person to demonstrate that they meet the definition of “Interested Person” under 24 VSA 4465 and these zoning regulations for purposes of appeal. The DRB shall act to approve, approve with conditions, or deny the application and issue a decision as provided in Section 8.2.