

**15.C PLANNED UNIT DEVELOPMENT**

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**15.C.01 Authority and Purpose**

**A. Authority**

(1) The Development Review Board (DRB) has the authority under 24 VSA § 4417 to review, and to approve, to approve with modifications and conditions, or to disapprove an application for a Planned Unit Development (PUD).

(2) The DRB also has the authority to modify the Land Development Regulations in association with PUD review, subject to the standards and conditions for Planned Unit Development, as specified by PUD type under this Article, in support of more efficient, compact, walkable, and well-planned forms of residential neighborhood, mixed use, and infill development, and the permanent conservation of resource lands and other open space.

(a) In addition to modifications or waivers intended to accommodate site constraints under Section 15.A.01 of the subdivision regulations, this may include modifications of underlying zoning and subdivision regulations pertaining to blocks, building lots, building types, allowed densities of development, and the type and mix of allowed uses.

(b) This may also include DRB review and approval of alternative forms of compliance with applicable PUD standards under Section 15.C.04.

**B. Purpose.** The purpose of a Planned Unit Development (PUD) is to promote a more comprehensive, unified, and integrated form of planned development that may vary from the strict standards of underlying zoning and subdivision regulations, to achieve stated community goals and objectives in conformance with the Comprehensive Plan. Specifically, it is the intent under this Article to allow for types of planned development, in locations appropriate to each type, that:

- Promote the most efficient and cost-effective use of land, infrastructure, facilities and services;
- Offer flexibility, within defined parameters, to best achieve the intended purpose, design and function of a PUD within the context of a particular site and its surroundings;

- 1 • Exclude or conserve, as determined by PUD Type, environmental resources identified for
- 2 protection under Article 12;
- 3 • Complement, connect, and fully integrate new development with adjoining neighborhoods,
- 4 properties, and uses;
- 5 • Foster more traditional forms of compact, walkable, pedestrian-oriented residential
- 6 neighborhoods and mixed-use development;
- 7 • Incorporate a well-integrated variety and mix of housing types and styles that serve a range of
- 8 incomes, ages, and household sizes.
- 9 • Incorporate transit-supportive types and densities of development along existing and planned
- 10 transit routes;
- 11 • Encourage viable forms of compatible infill and redevelopment in previously developed areas of
- 12 the City served by municipal water, wastewater, and stormwater management systems; and
- 13 • Provide opportunities for energy-efficient development and redevelopment, including solar
- 14 energy facility installations appropriate to the development context.
- 15

**Note!** *In return for the flexibility and increases in density afforded Planned Unit Development projects under this Article, it is expected that applicants and developers will adhere to higher standards of subdivision, site plan, and building design.*

16

17 **15.C.02 Applicability**

18

19 **A. Floating Zone.** For purposes of these Regulations, a Planned Unit Development (PUD) is an

20 unmapped overlay zoning district or “Floating Zone,” as allowed or required within an underlying zoning

21 district, which is applied to a particular tract or parcel of land proposed for subdivision and development.

22 A PUD is intended to function as a more flexible, design-based zoning district in which conservation or

23 form-based design standards also apply to proposed development. Where PUD standards differ from

24 underlying zoning district, site plan, or subdivision standards, PUD standards shall apply.

25

26 **B. PUD Types.** The following types of Planned Unit Development are authorized under these

27 Regulations by Zoning District (Table 15.C.1), subject to the associated provisions and standards of review

28 for each PUD type:

29

30	(1) <u>Conservation Development (CON)</u>	<u>Section 15.C.05</u>
31	(2) <u>Traditional Neighborhood Development (TND)</u>	<u>Section 15.C.06</u>
32	(3) <u>[Reserved]</u>	<u>[Section 15.C.07 (Reserved)]</u>
33	(4) <u>[Neighborhood Commercial Development (NCD)]</u>	<u>[Section 15.C.08 (Reserved)]</u>
34	(5) <u>[Infill or Redevelopment (IRD)]</u>	<u>[Section 15.C.09 (Reserved)]</u>

35

36 **C. Required Planned Unit Development.** PUD review and approval by the DRB under this Article is

37 required for any subdivision and development of a tract or parcel with a total area of four (4) or more

38 acres within any zoning district listed under Table 15.C-1.

1 **D. Elective Planned Unit Development.** An applicant may elect PUD review, as allowed within  
 2 specified zoning districts, for the subdivision and development of any tract or parcel of less than four (4)  
 3 acres, that qualifies as either:

- 4
- 5 (1) A Conservation PUD under Subsection 15.C.05, in which fifty percent (50%) or more of the  
 6 total tract area includes one or more Hazard or Level I Natural Resource areas identified for protection  
 7 under Article 12; [or  
 8 (2) An Infill or Redevelopment PUD as authorized under Subsection 15.C.09 (Reserved)].  
 9

10 **E. PUD Type by Zoning District.** The types of PUD allowed within an underlying zoning district are  
 11 specified by district under Table 15.C-1.

**Table 15.C-1 PUD Types by Zoning District**

PUD Type	Underlying Zoning Districts
<u>Conservation Development (CON)</u>	<u>(1) R1-PRD, R1-Lakeshore, R1-Lakeview, R2, Lakeshore, SEQ-NR, SEQ-NRT, SEQ-NRN, SEQ-VR, SEQ-VC</u>  <u>(2) A tract or parcel in any PUD-allowed zoning district in which the 50% resource threshold is exceeded (see Section 15.C.05)</u>
<u>Traditional Neighborhood Development (TND)</u>	<u>R1-PRD, R1-Lakeview, R1-Lakeshore, R2, R4, R7, Lakeshore, Allen Road, Swift Street, C1-LR, C1-R12, R7-NC, SEQ-VR, SEQ-VC</u>  <u>SEQ-NR, SEQ-NRN, SEQ-NRT, only in association with a Conservation PUD, in a designated Development Area with a minimum Buildable Area of 4 acres</u>
<u>[Neighborhood Commercial Development (NCD)]</u>	<u>[Reserved]</u>
<u>[Infill or Redevelopment (IRD)]</u>	<u>[Reserved]</u>

13

14 (1) Planned Unit Development under this Article does not apply to subdivision and development  
 15 within those zoning districts for which no PUD type is specified. In addition:

- 16
- 17 (a) All PUD types are prohibited within any zoning district not listed in Table 15.C-1; and  
 18
- 19 (b) All PUD types are prohibited within the SEQ-NRP Subdistrict; except for land on a tract or  
 20 parcel within the SEQ-NRP that is included for conservation within a Conservation PUD.

21

22 (2) A Conservation PUD under Section 15.C.05 is required for the subdivision and development  
 23 of a tract or parcel of four (4) or more acres within the following SEQ Sub-Districts: SEQ-NR, SEQ-NRT,  
 24 and SEQ-NRN. A Conservation PUD is elective in other listed zoning districts; and in any zoning district  
 25 in which PUDs are allowed, for tracts or parcels of two (2) or more acres in which fifty percent (50%)

1 or more of the total tract or parcel area includes one or more Hazard or Level I Natural Resource areas  
2 identified for protection under Article 12.

3  
4 (3) Where more than one PUD type is allowed within the underlying zoning district, the applicant  
5 may select the PUD type applicable to their project unless specifically stated otherwise.

6  
7 (4) A PUD that includes land in two or more underlying zoning districts must be an allowed PUD  
8 type in each zoning district. In association with Master Plan or PUD approval, the DRB may, within  
9 the area included in the PUD:

10  
11 (a) Extend underlying district regulations, and associated PUD provisions, by up to fifty (50) feet  
12 in either direction of the zoning district line.

13  
14 (b) Require a designated "Transition Zone" under Subsection 15.C.04(E), within or along the  
15 district boundary or the delineated PUD perimeter, as necessary to mitigate the impacts of  
16 development on adjoining properties and uses.

17  
18 **F. Multiple PUDs.** Multiple PUDs per tract may be allowed if the total tract acreage is sufficient to  
19 accommodate the minimum buildable or conservation acreage required for each PUD type. These may  
20 include different PUD types, as allowed within the underlying zoning district(s), to be developed in one or  
21 more phases as part of an integrated whole under an approved PUD Master Plan.

### 22 **15.C.03 Planned Unit Development Review**

23  
24  
25 **A. Combined Review.** It is the intent of these regulations to establish a unified process for the review  
26 of a Planned Unit Development as a Major Subdivision under Article 15.A, and the provisions and  
27 standards specific to a Planned Unit Development under this Article. A PUD is therefore subject to Sketch  
28 Plan Review (15.A.05) and, as a Major Subdivision, Preliminary and Final Subdivision Review (15.A.06,  
29 15.A.07), and PUD standards under this Article, as provided below.

30  
31 (1) A Master Plan under Article 15.B, submitted prior to or in association with Preliminary  
32 Subdivision Review under 15.A.06, is also required for a Planned Unit Development. A PUD Master  
33 Plan submitted for review under Article 15.B must comply with applicable PUD standards under this  
34 Article.

35  
36 (a) The DRB may waive Master Plan Review for a PUD of less than four (4) acres, to be  
37 developed in a single phase of no more than three (3) years.

38  
39 (b) At applicant request, PUD Master Plan review by the DRB under Article 15.B for the entire  
40 PUD may be combined with Preliminary Subdivision Review under Section 15.A.06 for one or  
41 more phases of development, if the application requirements and standards for each type of  
42 review are met.

1 (c) In its approval of a PUD Master Plan, the DRB shall specify the level of review, and review  
2 processes required for subsequent applications filed under the PUD Master Plan as required  
3 under Section 15.B.06. As stated in its decision, the DRB may waive preliminary subdivision  
4 approval for specified phases or portions of the PUD.

5  
6 (d) The DRB may also agree to combine Preliminary with Final Subdivision Review for one or  
7 more phases of PUD development where a PUD Master Plan has been previously approved and is  
8 in effect, or no Master Plan review is required.

9  
10 **B. Application Requirements.**

11  
12 (1) A PUD application may involve one or more contiguous properties under single or multiple  
13 ownership, if incorporated under a common PUD application; however, all properties must come  
14 under the direct control of the applicant or developer as required for subsequent permitting and  
15 development.

16  
17 (2) In addition to Preliminary Subdivision and Master Plan Review submission requirements  
18 under Sections 15.A.06 and 15.B.04, the application for a proposed PUD must include the following:

19  
20 (a) A statement and description of PUD conformance with the City’s Comprehensive Plan in  
21 effect at the time of application, including applicable land use, development, and infrastructure  
22 policies specific to the area proposed for development.

23  
24 (b) Documentation of project conformance with any proposed, previously approved or  
25 amended Master Plan for the PUD in effect at the time of application.

26  
27 (c) A statement and description of project conformance with the description, intent, and  
28 defining characteristics of the PUD type(s) proposed.

29  
30 (d) A statement and description of how the proposed PUD complies with the design  
31 standards specific to the selected PUD type(s).

32  
33 (e) A list and description of requested modifications, waivers, or other forms of relief from  
34 the strict standards of these Regulations sought through PUD review, including applicable zoning  
35 district, subdivision, site plan, or PUD standards and associated mitigation measures; including  
36 any proposed alternative forms of compliance under Section 15.C.04.

37  
38 **15.C.04 General PUD Standards**

39  
40 **A. Conformance with the Comprehensive Plan.** The proposed PUD must conform to the City’s  
41 Comprehensive Plan in effect at the time of application. Conformance with the plan in this context means  
42 that the proposed PUD must:

1 (1) Advance any clearly stated plan policies and objectives specific to the type and location of the  
2 proposed development;

3  
4 (2) Incorporate preferred settlement patterns, including future land uses, densities and  
5 intensities of development referenced in the land use plan, as implemented through planned unit  
6 development provisions specific to each PUD type.

7 (3) Incorporate, as applicable, planned facilities, services and infrastructure identified in the  
8 utilities and facilities plan, as implemented under the City's adopted Capital Improvement Program  
9 (CIP) and Official Map.

10  
11 **B. Conformance with the Master Plan.** Each phase of a PUD developed in one or more phases must  
12 conform to the PUD Master Plan, as approved or amended by the DRB under Article 15.B, including the  
13 approved development plan, phasing schedule, buildout budget, management plan, and any associated  
14 development agreements or conditions of master plan approval.

15  
16 **C. Compliance with Regulations.** The provisions and standards specific to a PUD under this Article  
17 supersede underlying zoning district, subdivision, and site plan standards. In no case, however, shall the  
18 provisions or standards specific to a PUD supersede the Environmental Protection Standards of Article 12.

19  
20 (1) Any provision or standard under these Regulations applicable to the proposed development  
21 that is not superseded, modified, or waived by the DRB in association with PUD review shall remain  
22 in effect.

23  
24 (2) A PUD must also comply with other applicable city ordinances and regulations listed under  
25 Section 15.A.11(C) in effect at the time of application, including the following, unless modified or  
26 waived by the DRB in consultation with city or state officials having shared jurisdiction.

27  
28 (a) **Official Map.** The PUD must incorporate planned public facilities and capital  
29 improvements included in the City's adopted Official Map and Capital Improvement Program (CIP)  
30 in effect at the time of application, unless modified or waived by the DRB.

31  
32 (b) **Impact Fees.** Development within the PUD is also subject to impact fees enacted and  
33 levied under the City's impact fee ordinance; however the if the applicant or a subsequent  
34 developer is required, in association with PUD approval, to provide land or to construct a facility  
35 explicitly included in the calculation of an impact fee, they may then receive credit against the  
36 impact fee in an amount equal to the value of the dedicated land or cost of construction.

37  
38 (3) **Alternative Compliance.** One or more PUD dimensional and design standards under this  
39 Article may be modified at applicant request for an alternative form of compliance, subject to  
40 separate DRB review and approval, to provide the flexibility necessary to address unique site  
41 conditions or constraints; compatibility with existing or planned development in the vicinity; or to  
42 allow for exceptional and innovative design. Note that alternative compliance does not constitute an  
43 exemption from a PUD standard. Allowed modifications include proposed functional or design  
44 alternatives that may be considered in place of a specific requirement under this Article, only if the

1 intent of the requirement is met or exceeded. In approving a request for alternative compliance, the  
2 DRB must find that the proposed alternative:

- 3
- 4 (a) Conforms to the intent, description, and defining characteristics of the selected PUD  
5 type(s);
  - 6 (b) Achieves the intent of the PUD standard to be modified;
  - 7 (c) Results in development that is equivalent or demonstrably superior in function, design,  
8 and quality to that required under the standard to be modified; and
  - 9 (d) Does not adversely impact properties, uses or facilities within, adjacent to, or in the  
10 vicinity of the planned development (e.g., regarding walkability, traffic, parking, drainage).

11

12 The DRB in approving an alternative form of compliance may attach conditions as necessary to ensure  
13 compliance, or to mitigate any adverse impacts resulting from a proposed alternative.

14

15 **D. Development Density.**

16

17 (1) **Intent.** A Planned Unit Development is intended to accommodate typically higher effective  
18 densities of development within a designated Development Area than may be allowed within the  
19 underlying zoning district, as necessary to accommodate:

- 20
- 21 (a) The clustering of development to conserve resources identified for protection;
  - 22 (b) A more efficient and cost-effective use of land, facilities, services, and infrastructure;
  - 23 (c) Densities that support a walkable, pedestrian-oriented pattern of development; or
  - 24 (d) Transit-supportive densities of development along existing and planned transit routes.

25

26 (2) Within a PUD, the overall density and intensity of development shall be determined based on  
27 the total Buildable Area included within designated Development Areas, as shown on the PUD Master  
28 Plan; and land use allocations, PUD density and dimensional standards, and allowed building types  
29 and standards as specified by PUD type.

30

31 (3) **Buildable Area.** The “Buildable Area” within a PUD is as defined under 15.A.11(2) to include  
32 the total tract area, less the area occupied by the following physical and legal site limitations or  
33 constraints:

- 34
- 35 (a) Known Hazards, as defined and regulated under Article 12, including Floodplain overlay  
36 districts A, AE, A1-30, and 0.2% B2, River Corridors except those along intermittent streams, Very  
37 Steep Slopes, Class I and Class II wetland and associated buffers.
  - 38 (b) The area occupied by Level I Natural Resources, as defined and regulated under Article  
39 12, including the Habitat Block Overlay District and Habitat Connector Overlay District;
  - 40 (c) Existing and planned street and railroad rights-of-way; and
  - 41 (d) Transmission line corridors or easements Transmission line corridors, except upon  
42 request of the applicant that it be designated as Buildable Area.
- 43

1       (4)     **Land Use Allocations.** The Land Use Allocation is defined as the minimum percentage of  
2     Buildable Area within one or more designated Development Areas, that must be allocated to a  
3     particular category of land use, as indicated on the PUD Master Plan and delineated on preliminary  
4     and final subdivision plans. These include the following use categories, as specified by PUD type:

5  
6       (a)     **Residential** – intended to accommodate allowed residential uses, including a variety and  
7     mix of housing types, associated building lots, and onsite or shared residential parking areas.

8  
9       (b)     **Mixed Use** – intended to accommodate a mix of compatible residential and  
10    nonresidential uses and building types, associated building lots, onsite parking areas and  
11    separately designated principal or shared parking lots or facilities serving the development.

12  
13    (c)     **Civic Space** – intended to accommodate one or more civic spaces, including associated  
14    civic space lots and parking areas.

15  
16    (d)     **Resource Land** – intended to accommodate Level I Natural Resource Areas regulated  
17    under Article 12, and other natural or open space areas included within delineated Conservation  
18    Areas or conservation lots.

19  
20    (e)     **Unallocated** – intended for allocation by the applicant under one or more of the above  
21    use categories as allowed by PUD type, to provide some flexibility in determining the overall mix  
22    of proposed development. This may also be designated on the PUD Master Plan as unallocated  
23    “Reserved” land subject to reallocation under an approved master plan amendment.

24  
25    (5)     **Minimum (Base) Density.** To ensure densities of development that support the efficient use  
26    of land and infrastructure, walkability, and transit-supportive development within a PUD, the  
27    following minimum residential densities of development (Base Density), expressed as the minimum  
28    number of dwelling units per acre of Buildable Area, apply within designated Development Areas  
29    proposed for residential or mixed use development, unless otherwise specified by PUD type:

30  
31       (i)     The minimum (base) density of residential development within a designated  
32    Residential or Mixed Use Area, as specified by PUD Type, represents the minimum number of  
33    dwelling units per acre (DU/A) that is either required or allowed by right under these  
34    Regulations, over one or more phases of development under an approved PUD Master Plan.

35  
36       (ii)    The required minimum (base) residential density within a designated Residential Area  
37    is four dwelling units per acre (4 DU/A) or the maximum residential density allowed within  
38    the underlying zoning district, whichever is greater, except within a Southeast Quadrant (SEQ)  
39    sub-district. In the SEQ, the minimum (base) residential density is 4 DU/A.

40  
41       (iii)   Within a designated Mixed Use Area, or within ½-mile of an existing or planned transit  
42    route, the required residential base density is eight dwelling units per acre (8 DU/A) or the  
43    maximum residential density allowed within the underlying zoning district, whichever is  
44    greater.



1  
2 (iv) The residential base density may also vary by subzone, as specified by PUD type, in  
3 association with allowed housing types within that subzone.

4  
5 (v) Accessory Dwelling Units (ADUs) shall not be included in the calculation of residential  
6 base density or the minimum number of required dwelling units (residential yield).

7  
8 (vi) The minimum number of dwelling units required or allowed by right (residential yield)  
9 within a designated Residential or Mixed Use area, excluding ADUs, may be calculated as:

10  
11

$\text{Total Buildable Area (A)} \times \text{Land Allocation (\%)} \times \text{Base Density (DU/A)} = \text{Min DUs (\#)}$
--

12  
13 (b) The DRB may allow for an increase in the overall density of residential development within  
14 a designated residential or mixed use area, for example through adjustments or modifications to  
15 the required housing mix, allowed housing types, or associated building lot or height standards,  
16 as necessary to accommodate the following:

17  
18 (i) The purchase and transfer of development rights from land within the SEQ-NRP or  
19 SEQ-NRT Subdistrict (Section 9.05 Transfer of Development Rights).

20  
21 (ii) The incorporation of offset housing units under inclusionary zoning (Section 18.01  
22 Inclusionary Zoning).

23  
24 (iii) The incorporation of additional housing units awarded as an incentive for affordable  
25 housing development under Section 18.01 Inclusionary Zoning).

26  
27 (iv) The transfer of residential development density within a Conservation PUD from Level  
28 I and other resource or open space areas identified for protection that are included in a  
29 designated Conservation Area.

30  
31 (c) **Nonresidential Base Density.** There is no minimum (base) density or intensity  
32 requirement for nonresidential development within a designated Development Area.

33  
34 (d) **Maximum Development Density.** The maximum development density allowed within  
35 any PUD except a Conservation PUD shall be determined based on the total buildable area,  
36 proposed land use allocations by use category, the allowed mix of building types, and associated  
37 building lot standards as specified by PUD type.

38  
39 (i) Within a Conservation PUD the maximum residential development density within the  
40 designated Development Area shall be capped as specified by zoning district under Section  
41 15.C.05.

1 **E. Transition Zone.** A PUD may also incorporate one or more transition zones along PUD or property  
2 boundaries, as indicated on the PUD Master Plan and delineated on preliminary and final subdivision  
3 plans, to include the minimum land area necessary to either extend and integrate compatible,  
4 complementary forms of planned development, or to separate and buffer conflicting, incompatible forms  
5 of planned development, in relation to existing and planned development in the vicinity of the PUD.  
6

7 (a) The “Transition Area” for purposes of analysis, must at minimum incorporate the prevalent  
8 pattern of development directly adjacent to and within the vicinity of the PUD, including the relative  
9 layout, type and density of existing and planned development (e.g., street, block and lot  
10 configurations, building placement and height); existing and planned transportation and  
11 infrastructure connections; traffic patterns; public facilities and services; and civic space, resource  
12 land and other designated open space areas located within one-quarter to one-half mile of PUD  
13 boundaries, depending on the development context.  
14

15 (b) Acceptable design techniques and modifications applied within a Transition Zone, subject to  
16 DRB review and approval, include but may not be limited to:  
17

18 (i) Avoiding incompatible land uses along PUD boundaries, for example by ensuring that  
19 similar, or compatible, complementary uses are located on facing blocks or lots, and incompatible  
20 uses abut rear lot lines or are otherwise separated by buffers or open space.  
21

22 (ii) Using existing natural features, such as changes in topography, riparian corridors, or tree  
23 stands to visually screen or functionally separate different forms and intensities of development.  
24

25 (iii) Modifying street and block dimensions and standards as necessary to connect with or to  
26 extend adjoining street, block, and path networks.  
27

28 (iv) Using streets and streetscape elements to visually define transitions and to functionally  
29 integrate or separate different forms and intensities of development.  
30

31 (v) Matching the relative density or intensity of adjoining development along PUD  
32 boundaries by adjusting or averaging lot dimensions (frontage, depth); building orientation and  
33 spacing (front, side setbacks); or building height (step downs, upper floor step backs) within the  
34 transition zone.  
35

36 (vi) Introducing and designing civic or other open space areas (e.g., greenbelts, parks, greens,  
37 squares, or plazas) to visually define transition areas, and to functionally integrate or separate  
38 different forms and intensities of development.  
39

40 (vii) Incorporating greenbelts or vegetative buffers and screening of sufficient width and  
41 density to visually and functionally separate incompatible forms and intensities of development.  
42

43 **F. Allowed Uses.** Allowed uses within a PUD, unless otherwise expressly allowed or prohibited by  
44 PUD type, include any use listed in Appendix C as a permitted or conditional use in the underlying zoning

1 district(s) that can be accommodated within, or in association with, designated land use allocations and  
2 allowed building types.

3  
4 (1) Conditional uses allowed within the underlying zoning district shall be considered permitted  
5 uses within a PUD. Separate conditional use review and approval shall not be required.

6  
7 (2) Given the emphasis on compact, walkable forms of residential and mixed use development  
8 within a PUD, auto-oriented uses, building types, and facilities, including uses that require expansive  
9 onsite parking, are generally precluded from locating within a PUD, unless specifically designed to  
10 emphasize a pedestrian scale and orientation of development fronting on and accessed from the  
11 adjacent street, for example by locating shared parking facilities to the rear of the building, as  
12 accessed from a side street. New drive-through facilities are prohibited from locating within a PUD.

13  
14 **G. PUD Dimensional Standards.** PUD dimensional standards, where applicable by PUD type, define  
15 a range of block, lot, and building height dimensions which are intended to provide, within defined  
16 parameters, some flexibility in the overall pattern of development specific to each type. Where PUD  
17 standards vary from associated building type standards, the upper and lower PUD dimensional limits  
18 (maximum and minimum) limits shall apply.

19  
20 **H. Street, Building, and Civic Space Types.** Where applicable, PUD types include a list of allowed  
21 “types” of development, representing the key elements or components necessary to support and achieve  
22 the desired form, density and mix of development specific to that PUD type. These include allowed:

- 23  
24 (1) Street Types, and associated street standards, under Article 11.A;  
25 (2) Civic Space Types, and associated civic space and lot standards, under Article 11.B; and  
26 (3) Building Types, and associated building and building lot standards, under Article 11.C.

27  
28 **I. Solar Siting Preferences.** Applicants are encouraged to incorporate renewable energy facilities,  
29 and in particular roof- or ground-mounted solar energy facilities that are compatible with PUD layout and  
30 design, as specified by PUD type. Any areas reserved for ground mounted solar installations serving the  
31 development must be indicated on the PUD Master Plan and depicted on preliminary and final subdivision  
32 plans.

33  
34 **J. PUD Design Standards.** A proposed PUD must also incorporate and comply with design standards  
35 specific to that PUD type, except as allowed in association with a form of Alternate Compliance approved  
36 by the DRB under 15.C.04(C).

1 **15.C.05 Conservation Development**  
2  
3

4 **A. Description.** A Conservation PUD (CON PUD) is a type of planned development intended to  
5 permanently conserve natural resource and other open space areas identified by the City for protection  
6 in conformance with the Comprehensive Plan, and supplemental open space plans and resource  
7 inventories; while also allowing for compatible, clustered forms of land subdivision and development on  
8 a portion of the tract or parcel to be conserved. The primary objective of this PUD type is to conserve  
9 large or contiguous tracts of open space in one or more designated “Conservation Areas” while allowing  
10 for the transfer of development density from these areas to a designated “Development Area,” delineated  
11 to exclude adjacent Conservation Areas, as shown on the PUD Master Plan. Flexibility is provided as  
12 necessary to site and cluster new development within the Development Area, at densities that support  
13 walkable residential and mixed use neighborhoods, in relation to available buildable acreage and  
14 infrastructure capacity within the Development Area.

15  
16 **B. Purpose.** More specifically, the purposes of a Conservation PUD are to:  
17

- 18 • Conserve the City’s most significant natural resources and open spaces, including Level I resources  
19 identified by the City for protection under Article 12, and other valued natural and open space  
20 resources identified on the tract or parcel to be developed.
- 21 • Contribute to a linked network of permanently protected open spaces and greenways throughout  
22 the City.
- 23 • Protect public health, safety, and welfare by avoiding land subdivision and development within  
24 Hazard Areas regulated under Article 12, including floodplains, river corridors, wetlands, and very  
25 steep slopes.
- 26 • Provide for sustainable long-term resource management, and compatible forms of outdoor  
27 recreation, within designated Conservation Areas.
- 28 • Maintain the overall development capacity of the tract or parcel through the transfer of  
29 development density within the PUD, from one or more Conservation Areas to a designated  
30 Development Area.
- 31 • Make more efficient use of available land and infrastructure capacity within the designated  
32 Development Area as necessary to accommodate and support higher densities of development.
- 33 • Provide flexibility in subdivision layout and design within the designated Development Area to  
34 promote a more compact, clustered form of development that creates walkable, pedestrian-  
35 friendly neighborhoods, incorporates a mix and variety of housing types, and reduces the extent  
36 and cost of supporting infrastructure.

37  
38 **C. Applicability.** A Conservation PUD is an allowed PUD type within underlying zoning districts listed  
39 in Table 15.C-1.  
40

- 41 (1) A Conservation PUD is required for the subdivision and development of a tract or parcel of  
42 four (4) or more acres within the following Southeast Quadrant Sub-Districts, as shown on the map  
43 entitled “Official Zoning Map”: SEQ -NR, SEQ-NRT, and SEQ-NRN.  
44

1 (a) Within these SEQ Sub-districts, for a tract or parcel in existence as of the effective date of  
2 these Regulations [date] that is more than four (4) acres in total area; one “carve out” of no more  
3 than two (2) acres under applicable subdivision and zoning district regulations may be allowed  
4 before a Conservation PUD will be required, as long as the remaining, retained tract or parcel  
5 within one or more of the above-listed subdistricts is a minimum of four (4) acres, as required for  
6 subsequent development as a Conservation PUD.

7  
8 (b) A Conservation PUD is not required for the subdivision of land within these subdistricts  
9 solely for the purpose of transferring land or interests in land to be conserved under separate  
10 ownership.

11  
12 (2) A Conservation PUD is specifically prohibited on a tract or parcel located entirely within the  
13 SEQ-NRP Subdistrict; and is not required for the subdivision or development of parcels in this sub-  
14 district that meet the requirements of Section 9.12.

15  
16 (3) A Conservation PUD is an elective PUD Type:

17  
18 (a) Within other underlying zoning districts listed for this PUD type under Table 15.C-1; and

19  
20 (b) In any other underlying zoning district that allows for Planned Unit Development, for any  
21 tract or parcel of four (4) or more acres in which a minimum of 50% of the total tract or parcel  
22 area consists of Hazards and Level I Resource Areas identified for protection under Article 12.

23  
24 (4) A Conservation PUD may incorporate or be proposed in association with another PUD type  
25 allowed within the underlying zoning district or sub-district (e.g., a TND) if the total tract or parcel  
26 acreage is sufficient to meet minimum Conservation and Buildable Area acreage requirements for  
27 each PUD type.

28  
29 D. Context. For planning and design purposes, the Conservation PUD planning area must at  
30 minimum include all existing Hazard, Level I, and Level II Resource Land; other potential open space areas  
31 identified through site investigation; and all streets, paths, lots, buildings, uses, and supporting  
32 infrastructure located within ¼-mile of the tract or parcel to be conserved and developed, or within ½-  
33 mile of the tract or parcel if located on an existing or planned transit route, as measured from the property  
34 line or delineated PUD boundary.

35  
36 E. Conservation PUD Sub-Zones. A Conservation PUD must include the following Sub-Zones, as  
37 designated on the PUD Master Plan, and as more specifically identified and delineated on preliminary and  
38 final subdivision plans and plats:

39  
40 (1) Conservation Area. A Conservation PUD must include one or more designated “Conservation  
41 Areas” which at minimum comprise 70% of the total tract or parcel area; and which, to the maximum  
42 extent physically feasible, are contiguous or linked to resource or other open space areas located on  
43 adjacent parcels or in the immediate vicinity of the proposed PUD.

44  
45 (a) The designated Conservation Area(s) must include and incorporate:

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(i) Hazards, as defined and regulated under Article 12 (Table 12-01) which, as unbuildable land, are not eligible for or subject to the transfer of development density.

(ii) Level I Resources, as defined and regulated under Article 12 (Table 12-01) which, within a Conservation PUD, are eligible for and subject to the transfer of development rights. In meeting the minimum 70% allocation requirement, Level I Resource Land is to be given priority for inclusion within a designated Conservation Area.

(iii) Other locally identified natural or open space resource areas present on the tract or parcel, as necessary to meet the minimum 70% allocation requirement. These may include:

- Level II Resources, as defined and regulated under Article 12;
- Additional buffer areas around Hazards, Level I, or Level II Resources.
- Arable farmland, including primary agricultural soils, existing farm fields, open meadowland, and cultivated or managed pasture and grassland.
- Significant natural communities, including habitat supporting rare, threatened, and endangered plant and animal species.
- Woodland or mature tree stands located outside of mapped Habitat Blocks and Connectors regulated under Article 12.
- Scenic gateways, views, and viewsheds present on site.
- Historic sites, structures, and landscape features present on site.
- Other open space areas identified for consideration in the City’s Comprehensive Plan, supplemental open space plans and resource inventories, or through local site investigation.

(b) In the SEQ District, a Conservation Area may also include and incorporate a portion of the tract or parcel located within the NRP-SEQ Sub-District, as eligible for the transfer of development rights either within the Conservation PUD, or to another designated receiving area under Section 9.05 (Transfer of Development Rights).

(c) A designated Conservation Area may include restricted infrastructure encroachments only as may be allowed, subject to DRB review and approval, under Article 12. These areas cannot be counted toward meeting the minimum 70% resource allocation requirement (see Subsection (J) below).

(d) The Conservation Area(s) must be identified on the PUD Master Plan, and shown and noted as a “Conservation Lot” on preliminary and final subdivision plats, and in associated deeds and association agreements, as undivided, permanently protected Open Space to be managed and maintained in single or common ownership under an Open Space Plan approved by the DRB. Options to ensure permanent protection and sustainable long-term management of conserved resources include:

1            (i) A conservation easement that prohibits future subdivision and development, and  
2            defines the range of permitted activities, to be held by the City or a qualified nonprofit  
3            organization acceptable to the DRB and City Attorney, such as a land trust or conservancy; or  
4

5            (ii) Dedication of land in fee simple to the City, or a qualified nonprofit conservation  
6            organization acceptable to the DRB and City Attorney.  
7

8            (e) Future subdivision and development within the designated Conservation Area shall be  
9            prohibited, as noted on the recorded subdivision plat.  
10

11           (f) The Open Space Plan and Conservation Easement required in association with  
12           Conservation Area designation must be prepared by or in consultation with a qualified  
13           professional, such as a conservation biologist, wildlife biologist, or forester, with demonstrated  
14           expertise in the sustainable, long-term management of those resources identified for protection.  
15           The Open Space Plan at minimum must identify and describe:  
16

17           (i) Delineated Hazards, Level I and II Resources, and other open space resources  
18           identified for protection within the Conservation Area(s), including their relationship to open  
19           space areas on adjoining parcels, and in the immediate vicinity of the proposed PUD;  
20

21           (ii) The entity or entities responsible for the stewardship and management of resources  
22           within the Conservation Area, in compliance with the terms of PUD subdivision approval and  
23           conservation easements;  
24

25           (iii) The intended use and proposed long-term management of each delineated hazard or  
26           resource area included in the Conservation Area(s); in accordance with relevant  
27           environmental protection standards under Articles 10 and 12, accepted management  
28           practices, and proposed maintenance schedules;  
29

30           (iv) Any proposed encroachments, or resource-compatible uses or activities proposed  
31           within the designated Conservation Area(s); and  
32

33           (v) Proposed measures necessary to minimize and mitigate the adverse impacts of  
34           proposed uses or encroachments on protected resources.  
35

36           (g) Conservation Area boundaries must be clearly and permanently marked in the field with  
37           signage approved by the DRB that identifies the area(s) as protected open space, at minimum as  
38           required for protected resources under Article 12.  
39

40           **(2) Development Area.** A Conservation PUD must also include a designated “Development Area”  
41           that excludes the Conservation Area(s), represents no more that 30% of the total tract or parcel area,  
42           fronts on, or is directly accessible from the existing street network, and which has the buildable area  
43           and infrastructure capacity necessary to also accommodate development density transferred from  
44           the adjoining Conservation Area(s).  
45

1       (a)     The Development Area must be located adjacent or proximate to existing or planned  
2       municipal transportation, water supply, and wastewater infrastructure and, to the maximum  
3       extent physically feasible, to existing or planned development in the immediate vicinity.

4  
5       (b)     The Development Area must be sited and delineated to minimize allowed (restricted)  
6       encroachments under Article 12 within the designated Conservation Area(s).

7  
8       (c)     Within the SEQ District, no Development Area may be located within the NRP Sub-District.

9  
10       (d)    The Development Area must be able to accommodate a concentrated, clustered form of  
11       residential or mixed use development that is consistent and compatible with the overall type and  
12       density of development allowed within the underlying zoning district(s); but which may  
13       incorporate a higher effective density of development as necessary to also accommodate  
14       development rights transferred from the Conservation Area(s) on the tract or parcel.

15  
16       (e)     Alternatively, a Development Area may incorporate or consist of another, associated PUD  
17       Type, such as a TND, as allowed within the underlying zoning district or sub-district, if there is  
18       sufficient Buildable Area to meet minimum PUD standards, including land use allocation standards  
19       specific to that PUD type, and to accommodate the development rights transferred from  
20       associated Conservation Areas.

21  
22       (3)     **Buffer Area.** A Conservation PUD may incorporate one or more Transition Zones under  
23       15.C.04(E) and the requirements of this subsection, as a designated Buffer Area between designated  
24       Conservation and Development Areas, or between a proposed Conservation Area and existing or  
25       planned development on adjoining properties, as necessary to separate incompatible uses (such as a  
26       residential neighborhood from an active farming operation), or to avoid, or to minimize and mitigate,  
27       the adverse impacts of development on conserved resources and open space.

28  
29       (a)     For purposes of tract area allocation and residential density calculations under this  
30       Section, the land area within a Buffer Area shall be included as part of the total land area included  
31       in the designated Development Area.

32  
33     **F. Residential Density and Unit (Yield) Calculations.** Notwithstanding PUD residential density  
34     provisions under Section 15.C.04, for a Conservation PUD:

35  
36       (1)     As an offset for required open space protection, the residential development density  
37       applicable within the underlying zoning district may be applied to the total tract or parcel area, less  
38       the area included in Hazards, for transfer to and application within the designated Development Area.  
39       This establishes the number of Assigned Housing Units allowed by right within the designated  
40       Development Area.

41  
42       (2)     The number of Assigned Housing Units (excluding accessory dwelling units), is determined as  
43       follows:

44  
45       **Assigned Housing Units = (Total Tract Area – Hazards Area) x Zoning District Base Density (DU/A)**



1  
2 The Effective (calculated) Residential Density within the designated Development Area can then be  
3 determined based on the total Developable Area within the designated Development Area.  
4  
5

**Example:** *Total Tract Area = 20 Acres, Hazards = 1.5 Acres, District Density = 1.2 DU/Acre  
Assigned Units (Yield) = (20 A - 1.5 A) x 1.2 DU/A = 22.2 or **22 Dwelling Units***

*Development Area = 30% Tract Area (max) = 0.3 x 20 A = 6 Acres*

*Buildable Area = 6 Acres – Streets (0.6 A) = 5.4 Acres*

*Effective Residential Density in Development Area = 22 DU/5.4 A or **4.07 DU/Acre***

6  
7  
8 (3) **Supplemental Housing Units.** Additional, supplemental housing units are allowed by right or  
9 may be included within the designated Development Area as necessary to achieve the Minimum  
10 Density of residential development required under (4) below; or to achieve the Maximum Residential  
11 Density allowed by zoning district under (5). Supplemental Housing Units include:  
12

13 (a) Offset housing units granted by right for any required Inclusionary Dwelling units  
14 pursuant to Section 18.01;

15 (b) Bonus housing units awarded for the provision of additional affordable housing pursuant  
16 to Section 18.01; and

17 (c) Housing units associated with the transfer and purchase of development rights (Section  
18 9.05).  
19

20 An applicant electing not to apply Supplemental Housing Units must meet the Minimum (Base)  
21 Residential Density for each proposed phase of development, and may reserve land in future phases  
22 in the Master Plan to apply Supplemental Residential Units if applicable if they elect not apply/include  
23 them initially.  
24

25 (4) **Minimum (Base) Residential Density in residential and mixed-use districts.** To ensure an  
26 efficient, compact, form of neighborhood or mixed use development, to include a mix and variety of  
27 housing types, the effective residential density within the Development Area at buildout, to be  
28 achieved over one or more phases of development under an approved PUD Master Plan, must equal  
29 a minimum (base) density of four dwelling units per acre (4 DU/A), to include both assigned housing  
30 units under (2), and any supplemental units under (3) needed to meet this minimum density  
31 requirement.  
32

33 (a) If the designated Development Area has the minimum Buildable Area needed to  
34 accommodate another PUD Type allowed within the underlying zoning district or subdistrict,  
35 (such as a TND), the effective residential density within the Development Area at buildout, to be  
36 achieved over one or more phases of development under an approved PUD Master Plan, must  
37 equal the minimum (base) density specified for that PUD Type, to include assigned housing units  
38 allowed by right under (2).  
39

1 (5) **Maximum Residential Density.** The maximum effective residential density, calculated to  
2 include both assigned and supplemental housing units within the Development Area of a Conservation  
3 PUD, may be determined in one of two ways, as applicable:

4  
5 (a) **Zoning District.** If based only on the underlying zoning district, the maximum effective  
6 residential density within the Development Area is established as follows:

- 7  
8 • In all eligible Southeast Quadrant sub-districts and R1 Districts, the maximum is six  
9 dwelling units per acre (6 DU/A).  
10 • In all other districts: the maximum is one-point-five (1.5) times the Assigned Housing  
11 Units.  
12  
13

**Example 1:** *Total Tract Area = 20 Acres, Hazards = 1.5 Acres, SEQ District Density = 1.2 DU/Acre  
Assigned Units (Yield) = (20 A - 1.5 A) x 1.2 DU/A = 22.2 or **22 Dwelling Units***

*Development Area = 30% Tract Area (max) = 0.3 x 20 A = 6 Acres  
Maximum Residential Density within Development Area = 6 units per acre  
Development Area x Maximum Residential Density = 6 acres x 6 DU/A = 36 units*

*Supplemental Housing Units*

*Minimum Inclusionary (ownership) = 10%, 2 dwelling units (of the Assigned 22 DUs)  
Offset dwelling units = 2 x inclusionary = 4 dwelling units*

*Additional dwelling units which can be provided via affordable housing bonus (Section  
18.01) or purchase of TDRs = 10 dwelling units*

**Example 2:** *Total Tract Area = 20 Acres, Hazards = 1.5 Acres, R2 District Density = 2 DU/Acre  
Assigned Units (Yield) = (20 A - 1.5 A) x 2 DU/A = **37 Dwelling Units***

*Development Area = 30% Tract Area (max) = 0.3 x 20 A = 6 Acres  
Maximum Residential Density within Development Area = 37 DU x 1.5 = 55 units*

*Supplemental Housing Units*

*Minimum Inclusionary (ownership) = 10%, 3 dwelling units (of the Assigned 22 DUs)  
Offset dwelling units = 2 x inclusionary = 6 dwelling units*

*Additional dwelling units which can be provided via affordable housing bonus (Section  
18.01) = 12 dwelling units*

14  
15  
16 (b) **Associated PUD Type.** If the designated Development Area has the minimum Buildable  
17 Area needed to accommodate another PUD Type allowed within the underlying zoning district or

1 subdistrict, such as a TND, the maximum Residential Density within the Development Area is  
2 established by the PUD Type.

3  
4 **E. Allowed Uses.**

5  
6 (1) **Development Area.** Any use allowed as permitted or conditional use in the underlying zoning  
7 district is allowed as a permitted use within the designated Development Area of a Conservation PUD.  
8 Separate conditional use review or permits shall not be required.

9  
10 (2) **Conservation Area(s).** Within the designated Conservation Area allowed uses may include:

11  
12 (a) Only those uses, structures, or restricted encroachments allowed within Hazards and  
13 Resource Areas, as specified under Article 12, subject to separate DRB review and approval under  
14 associated environmental protection standards; and

15  
16 (b) Resource-compatible activities or uses necessary for the sustainable, long-term use and  
17 management of protected resources, as specified in the Open Space Plan approved by the DRB  
18 under Subsection E above.

19  
20 **F. Conservation PUD Dimensional Standards.**

21  
22 (1) Subdivision standards under Article 15.A and zoning district dimensional standards under  
23 Appendix C as generally applicable to the tract or parcel, including block, building lot, height, setback,  
24 and coverage standards, may be modified or reduced by the DRB within the designated Development  
25 Area of a Conservation PUD as necessary to accommodate the transfer of development density, and  
26 to allow for a more compact, walkable, and efficient form of development. In approving modifications  
27 or reductions in required dimensional standards, the DRB must find that within the designated  
28 Development Area:

29  
30 (a) There is sufficient Buildable Area and existing or planned infrastructure capacity available  
31 to support the type, form, and density of proposed development; and

32  
33 (b) The modifications or reductions in required dimensional standards will result in a more  
34 compact, walkable, and efficient form of residential neighborhood or mixed use development  
35 within the designated Development Area.

36  
37 (2) However, within a Conservation PUD that incorporates another PUD type as the designated  
38 Development Area under 15.C.05(E) above, the dimensional standards for that PUD type, which may  
39 also vary by building type, shall apply within the designated Development Area.

40  
41 **G. Conservation PUD Design Process.** The following steps must be followed, in order, in the  
42 subdivision, layout, and design of a Conservation PUD, as documented in association with the  
43 development of the PUD Master Plan:

1 (a) **Conservation Area(s).** Identify and delineate one or more designated Conservation Areas  
2 on the tract or parcel to be protected, as described under Subsection (E) above, to include  
3 delineated Hazard, Level I Resource Areas, and Level II Resource Areas, and other open space  
4 areas needed to meet the minimum 70% allocation requirement.

5  
6 (b) **Development Area.** Identify and delineate the designated Development Area, as  
7 described under Subsection (E) above, to exclude the designated Conservation Area(s), and to  
8 include proposed streets, blocks, building and civic space lots, designated parking areas and  
9 supporting infrastructure easements or rights-of-way.

10  
11 (c) **Buffer Area.** Identify and delineate one or more Buffer (Transition) Areas between  
12 designated Conservation and Development Areas, as described under Subsection E, as necessary  
13 to separate incompatible land uses and forms of development; or to avoid, or where allowed, to  
14 minimize and mitigate the adverse impacts of development, including allowed encroachments,  
15 on resources and open space areas identified for protection.

16  
17 **H. Conservation PUD Design Standards.** The applicant for a Conservation PUD must demonstrate  
18 how the PUD is consistent with the stated description and purpose a Conservation PUD under 15.C.05(A)-  
19 (B) above; and the following Conservation PUD Design Standards, as indicated in the Conservation PUD  
20 Master Plan, and incorporated on preliminary and final subdivision plans.

21  
22 (1) The Development Review Board may modify a standard under this Subsection only as follows,  
23 or in association with an accepted form of Alternative Compliance under 15.C.04(C).

24  
25 (a) The DRB may modify a standard under this subsection within a designated Conservation  
26 or Buffer Area only as necessary to accommodate allowed uses and encroachments, or to provide  
27 for limited access and connectivity within protected resource areas, subject to separate DRB  
28 review and findings under Article 12.

29  
30 (b) The DRB may modify a standard under this subsection within a designated Development  
31 Area only as necessary to accommodate the required minimum effective density of development,  
32 including development rights transferred from the Conservation Area.

33  
34 (c) Any proposed form of Alternative Compliance under a Conservation PUD design standard  
35 must clearly achieve the intent of standard to be modified, as required under Section 15.C.04(C).

36  
37 (2) **Conservation Area Design Standards.**

38  
39 (a) **Open Space Context.** The Conservation Area(s) shown on the PUD Master Plan, and  
40 associated Conservation Lots delineated on preliminary and final subdivision plans, to the extent  
41 physically feasible must be configured to include the acreage and means of access necessary to  
42 allow for intended use, and for the sustainable long-term management of resources identified for  
43 protection.

1 (i) For managed agricultural or forest land retained in private ownership, the allocated  
2 acreage should be sufficient to qualify for parcel enrollment in the state’s Use Value Appraisal  
3 (Current Use) Program.

4  
5 (b) **Contiguity.** As necessary to minimize the fragmentation of open space resources, and to  
6 establish or maintain an interconnected network of open space in the City, Conservation Area(s)  
7 must be sited and configured to the extent physically feasible to:

8  
9 (i) Maintain contiguous open space by extending, or by connecting via existing or  
10 planned greenways, buffer areas, or Habitat Connectors, open space areas located on the  
11 PUD tract or parcel, on adjoining parcels and, where feasible, in the immediate vicinity of the  
12 proposed PUD; and to

13  
14 (ii) Avoid further land subdivision, development, and physical encroachments, such as  
15 connecting streets, driveways, or utility corridors, within the adjoining Conservation Area(s),  
16 except as provided for and regulated under Article 12; and to

17  
18 (iii) Provide for the extension of existing and planned recreation path or trail networks,  
19 including such facilities shown on the City’s Official Map, within designated greenways, buffer  
20 areas, or trail corridors sited to avoid Hazards, and to minimize adverse impacts to Level I,  
21 Level II, and other protected open space resources identified on site, and on adjoining parcels.

22  
23 (c) **Access.** Vehicle access to or within a Conservation Area is limited to that required in  
24 support of long-term resource management, for example to accommodate vehicles, equipment,  
25 and machinery used in resource maintenance and management; and to access allowed uses  
26 identified in the Open Space Plan, such as passive outdoor recreational use.

27  
28 (i) A dedicated access road or driveway serving the Conservation Area, separate from  
29 that provided for development within the Development Area, may be required as necessary  
30 to ensure access for long-term resource management and public safety.

31  
32 (ii) Access points to the Conservation Area must be clearly identified on plans and plats;  
33 and posted with permanent signage identifying the Conservation Area and indicating allowed  
34 uses.

35  
36 (d) **Infrastructure and Utilities.** The following infrastructure and utilities, as necessary to  
37 meet City ordinance requirements, clearly stated Comprehensive Plan objectives, or to serve the  
38 adjoining Development Area, may be sited within the designated Conservation Area(s), as shown  
39 on the PUD Master Plan, only in a manner that either avoids, or minimizes and mitigates adverse  
40 impacts to protected resources; however the acreage associated with these facilities shall not be  
41 counted toward meeting the minimum 70% allocation requirement:

42  
43 (i) Ground-mounted solar arrays;

44 (ii) Designated parking areas needed to serve intended uses within the Conservation  
45 Area;

- 1           (iii)    Stormwater management facilities, including infiltration and retention ponds;
- 2           (iv)    Water supply and wastewater system infrastructure, including well shields or disposal
- 3           fields; or
- 4           (v)    Other infrastructure or utilities included on the City’s Official Map; or which are
- 5           determined by the DRB to be necessary to support adjoining development and which cannot
- 6           be sited within the Designated Development Area.

7

8           (e)    **Landscaping and Screening.** Vegetative buffers, landscaping, and fencing must be

9           provided as necessary to physically and visually separate protected resources within the

10           Conservation Area from development on adjoining properties, in a manner that is aesthetically

11           compatible with the surrounding landscape.

12

13           (i)    Fencing that would impede wildlife movement is prohibited within the Conservation

14           Area. Fencing bordering or located within the Conservation Area must comply with fencing

15           requirements under Article 12, and Section 13.11 (Fences) of these Regulations.

16

17           (ii)   Fencing within the Conservation Area must consist of natural materials; except for

18           fencing associated with an agricultural use. Any chain link fencing installed for such purposes

19           must be plastic coated in either dark green or black.

20

21           (3)    **Development Area Design Standards.**

22

23           (a)    **Development Context.** Land subdivision and development within the Development Area

24           of a Conservation PUD must define an efficient, compact, walkable and pedestrian-friendly form

25           of residential neighborhood or mixed use development that is:

26

27           (i)    Consistent with zoning district or associated PUD type standards, including relevant

28           purpose statements, allowed uses, building types where applicable, and dimensional

29           standards as may be modified or reduced under Subsection (H) above.

30

31           (ii)   Compatible with planned development in the area, as specified in the Comprehensive

32           Plan and zoning or PUD purpose statements, to include similar or complementary uses and

33           patterns of land subdivision and development.

34

35           (iii)   Set back and buffered from incompatible uses and forms of development on abutting

36           parcels; and from the delineated Conservation Area, as necessary to avoid or to minimize and

37           mitigate encroachments and adverse impacts to protected resources under Article 12.

38

39           (iv)   Set back from existing arterial and collector streets as required under Section 3.06

40           (Setbacks and Buffers).

41

42           (b)    **Connectivity.** Street, recreation path, pedestrian, and transit connectivity must be

43           provided or maintained within the designated Development Area, and between the Development

44           Area and existing or planned development on adjacent parcels and in the vicinity of the proposed

45           development, in accordance with applicable subdivision requirements under Article 15.A, to the

1 extent that this does result in encroachments within the Conservation Area, or adverse impacts  
2 to protected resource areas, except as allowed and regulated under Article 12.

3  
4 (i) Streets, sidewalks, recreation paths, and supporting infrastructure and utilities shall be  
5 designed in a manner that allows for the extension of such facilities to adjacent properties  
6 located in areas planned for development, outside of designated Conservation Areas.

7  
8 (c) **Streets, Blocks, and Lots.** Zoning district and subdivision standards pertaining to streets,  
9 blocks, and building lots under Article 15.A, or an associated PUD type, shall apply to development  
10 within the Development Area, except for associated density and dimensional standards as may  
11 be modified or reduced within a Conservation PUD under Subsection H above. In addition:

12  
13 (i) The Development Area may border and be accessed from an arterial street, subject  
14 to required setbacks under Section 3.06; but must include only local or collector streets. No  
15 building lot within the Development Area may front on an arterial street, except as may be  
16 allowed within the zoning district(s) applicable to the proposed Development Area or where  
17 no alternative street exists or proposed. In such instances, curb cuts shall be minimized.

18  
19 (ii) The Development Area must incorporate Street Types (Article 11.A), as allowed  
20 within the underlying zoning district or associated PUD type, that are appropriate to the  
21 development context, including the size of the designated Development Area, and the type,  
22 scale, and density of proposed development within it.

23  
24 (iii) The layout of streets, blocks, and building and civic space lots within the Development  
25 Area must define a compact, walkable, interconnected, and pedestrian-scaled form of  
26 development that provides direct and efficient pedestrian and bicycle access and  
27 connectivity. Minimum block lengths and building lot frontage may be reduced as allowed  
28 under Subsection (H).

29  
30 (iv) To the extent physically feasible, streets that border a Conservation Area must be  
31 single-loaded (accessed only from the development side) and laid out to follow or parallel the  
32 delineated Conservation Area boundary, as necessary to maintain street connectivity within  
33 the Development Area, to define a clear transition between the Development Area and  
34 protected open space within the adjoining Conservation Area, and to reinforce that protected  
35 open space is not intended to serve as an extension of rear yards.

36  
37 (v) Dead-end streets and cul-de-sacs are prohibited, except as may be allowed under  
38 Section 15.A.14 (Street Network) to avoid encroachments within the Conservation Area,  
39 including resource areas identified for protection under Article 12. Such streets may not  
40 exceed 200 FT in length.

41  
42 (vi) Where the total Development Area acreage or number of allowed building lots or  
43 units is insufficient to meet minimum block standards; pedestrian connections between  
44 building and civic space lots, and any allowed dead-end streets or cul-de-sacs, must be

1 maintained through on-street sidewalks or connecting off-street recreation or pedestrian  
2 paths, as shown on the PUD Master Plan.

3  
4 (d) **Civic Space.** A minimum of 10% of the total Buildable Area must be allocated to one or  
5 more Civic Space lots, by Civic Space Type (Article 11.B), within any Development Area that  
6 exceeds two (2) acres in size, and includes ten (10) or more dwelling units or mixed use  
7 development, except as otherwise specified for an associated PUD Type. Civic space in this  
8 context is intended to serve as a focal point or visually defining feature of the development, in  
9 support of neighborhood gatherings, local businesses, social engagement and interaction, and  
10 more programed or organized outdoor recreation. The type of Civic Space selected may vary  
11 based on the development context, including available buildable acreage, proposed uses as  
12 allowed within the underlying zoning district, and the type and density of proposed development;  
13 however:

14  
15 (i) Civic space lots must be integrated into the fabric of development design, as  
16 physically and visually distinct spaces that can be accessed on foot, to include civic spaces  
17 located within walking distance (¼-mile) of building lots.

18 (ii) Civic space design, including proposed amenities, must be consistent with the  
19 selected Civic Space Type(s), and intended use.

20  
21 (e) **Building Types.** Building types, including housing types, allowed within the Development  
22 Area include principal buildings and accessory structures designed to accommodate uses allowed  
23 within the applicable zoning districts; or Building Types (Article 11.C) as specified for an associated  
24 PUD Type such as a TND.

25  
26 (i) Buildings within the Development Area must meet applicable zoning district or  
27 Building Type standards, including the minimum or maximum number of dwelling units  
28 allowed per lot or structure.

29  
30 (ii) Associated dimensional lot area, frontage, setback, coverage, and height  
31 requirements may be modified or reduced under Subsection (H) above as necessary to  
32 accommodate the effective increase in development density in the Development Area.

33  
34 (iii) Principal buildings and building entrances must be oriented to and accessed from the  
35 street, an adjoining courtyard, or civic space. Secondary entrances may open onto side or  
36 rear garages or parking areas. – The placement of garages and parking areas within the  
37 Development Area, if not specified otherwise specified by zoning district or associated PUD  
38 type, must meet applicable standards under Section 13.17 and 9.10 as applicable.

39  
40 (f) **Housing Mix.** A mix of two or more housing types and styles must be provided as allowed  
41 within the applicable zoning district pursuant to Section 15.A.17, as required for affordable  
42 housing, or as specified for an associated PUD Type, for any residential or mixed use development  
43 that includes four (4) or more residential building lots. Within these developments, the  
44 Development Area must include an integrated mix of housing types and styles within



1 neighborhoods, blocks, and along street frontage, rather than segregating or compartmentalizing  
2 housing types by block or street.

3  
4 (g) **Utilities and Facilities.** To the maximum extent feasible, infrastructure and utilities  
5 required to support the type and density of development proposed within the Development Area  
6 must be located within the designated Development Area, or an associated Buffer Area, in  
7 accordance with applicable subdivision requirements under Article 15.A.

8  
9 (i) The applicant must demonstrate that there is sufficient existing or planned potable  
10 water supply, wastewater, and stormwater system capacity available within the Development  
11 Area to serve the type and effective density of proposed development, to include develop  
12 rights transferred from adjoining Conservation Area(s), in conformance with State and City  
13 requirements.

14  
15 (ii) Preferred solar facilities within a designated Development Area includes rooftop  
16 facilities mounted on principal and accessory structures, including parking canopies or  
17 structures located on designated parking lots. Given the effective increase in development  
18 density and required pattern of development, ground mounted solar facilities, including solar  
19 arrays, typically cannot be accommodated within these areas.

20  
21 (4) **Buffer Area Design Standards.** Any designated Buffer Area (Transition Zone) between a  
22 designated Conservation and Development Area must at minimum be of sufficient area and width to  
23 serve its intended function and purpose, to include the protection of Resource Land and other open  
24 space areas within the designated Conservation Area from the adverse impacts of development within  
25 the Development Area, and to avoid or minimize associated encroachments.

26  
27 (a) To the extent physically feasible, the Buffer Area must incorporate the least productive  
28 or developable land available bordering the delineated Conservation Area, to be included and  
29 managed in association with the designated Development Area.

30  
31 (b) Within the Buffer Area, existing vegetation that can effectively serve as a landscaped  
32 buffer between incompatible uses or development must be retained to the maximum extent  
33 possible. A buffer or landscaping plan under Section, prepared by a qualified landscape architect,  
34 may be required by the DRB as necessary ensure that an adequate, well-landscaped buffer will be  
35 established, managed, and maintained in accordance with its purpose, function, and allowed  
36 uses.

37  
38 (c) One or more of the following types of development may be sited within the Buffer Area  
39 to the extent that this does compromise buffer integrity or function, or adversely impact  
40 protected resources and other open space areas in the adjoining Conservation Area:

41  
42 (i) Greenways, recreation paths, and trail corridors;

43 (ii) Water system, wastewater, and stormwater management Infrastructure serving  
44 proposed development in the Development Area that cannot be included or incorporated  
45 directly within the proposed pattern of development;

- 1 (iii) A parking area intended to serve the Development Area or allowed uses within the
- 2 adjoining Conservation Area.
- 3 (iv) Ground-mounted solar facilities, including solar arrays.
- 4 (v) Other infrastructure or utilities included on the City's Official Map; or which are
- 5 determined by the DRB to be necessary to support adjoining development.

1 **15.C.06 Traditional Neighborhood Development (TND)**  
2

3 **A. Description, Purpose.** A Traditional Neighborhood Development (TND) is a type of planned  
4 development that is intended to result in a more compact, pedestrian-oriented form of neighborhood  
5 development characterized by a discernable center such as a central green or square; walkable,  
6 interconnected residential streets and blocks; a variety of housing types that front on local streets; and  
7 smaller civic spaces and facilities strategically located throughout to serve neighborhood residents. A TND  
8 may include one or more distinct, but interconnected neighborhoods that can be traversed from center  
9 to edge in a ten- to fifteen-minute walk. It may involve new, greenfield development in areas served by  
10 existing or extended city infrastructure, smaller compatible or complementary infill development on  
11 vacant or underdeveloped parcels within or immediately adjacent to an established neighborhood, or a  
12 combination of the two.

13  
14 **B. TND Characteristics.** Defining characteristics of a Traditional Neighborhood Development (TND)  
15 include:

- 16 • Predominantly residential uses, with limited supporting civic and neighborhood commercial uses.
  - 17 • Efficient, highly interconnected local street, sidewalk and path network that accommodates all  
18 users, while also limiting through traffic on neighborhood streets.
  - 19 • Walkable, pedestrian-oriented blocks, building lots, and streetscapes that include continuous,  
20 uninterrupted, ADA-compliant sidewalks as established by the Street Type.
  - 21 • Recreation paths within greenways or along busier streets that connect with or serve the  
22 adjoining neighborhood.
  - 23 • Direct pedestrian access to transit facilities, and neighborhood goods and services located within  
24 easy walking distance (¼- to ½-mile) of neighborhood areas.
  - 25 • Predominantly detached buildings, including a variety and integrated mix of housing types, that  
26 are oriented to and front directly on local streets, courtyards, or civic spaces.
  - 27 • A well-defined civic space, such as a centrally located square or green, that serves as the focal  
28 point of the neighborhood, contributes to neighborhood identity, and accommodates  
29 neighborhood gatherings.
  - 30 • Smaller civic spaces and facilities, such as pocket parks and playgrounds, within direct walking  
31 distance (¼-mile) of neighborhood residences, that encourage social interaction and provide  
32 access to outdoor recreation and neighborhood activities.
  - 33 • Amenities (e.g., civic, streetscape, recreational, open space improvements) that contribute to the  
34 built environment, and enhance neighborhood character, pedestrian access, and use.
  - 35 • Vehicle access to adjoining lots primarily from a rear alley, side street, or shared service lane or  
36 driveway.
  - 37 • Onsite parking areas, and detached accessory buildings (including garages), that are located to  
38 the rear or side of fronting, principal buildings, and screened from view from adjoining streets and  
39 civic spaces.
  - 40 • Attached garages that, where allowed by building type, are set back from, and do not visually  
41 dominate, detract from, or obscure the front building façade or main building entrance.
- 42  
43

1 **C. Applicability.** A Traditional Neighborhood Development (TND) is an allowed PUD type within the  
2 underlying, primarily residential zoning districts listed in Table 15.C-1.

3  
4 **(1)** The boundaries of the TND, as indicated on the PUD Master Plan, and more specifically  
5 delineated on preliminary and final subdivision plans, must delineate a unified, compact, and walkable  
6 form of neighborhood development, typically defined as an area within a ¼- to ½-mile walk from TND  
7 center to edge. TND boundaries must include the designated Development Area(s) within the tract  
8 to be developed, and exclude large, contiguous Hazard and Level I natural resource areas identified  
9 for protection under Article 12, as necessary to maintain a compact and well-integrated form of  
10 neighborhood development.

11  
12 **(2)** A Traditional Neighborhood Development must at minimum incorporate one or more  
13 contiguous or highly interconnected Development Areas, with a total Buildable Area of ten (10) acres  
14 or more, as designated on the TND Master Plan and delineated on preliminary and final subdivision  
15 plans.

16  
17 **(3)** An Infill TND must incorporate a designated Development Area with a Buildable Area of at  
18 least four (4) acres but less than ten (10) acres, to include buildable vacant or underdeveloped land  
19 within or adjacent to an established neighborhood within the City’s existing water and sewer service  
20 areas.

21  
22 **(4)** A TND may border or be accessed from an arterial street but must not be traversed or divided  
23 by an arterial street. No residential building lots within a TND may front directly on or be individually  
24 accessed from an arterial street.

25  
26 **D. TND Dimensional Standards.** A TND must meet TND acreage, land use allocation, density,  
27 coverage, height, building, and building lot dimensional standards under Table 15.C.06-1 unless modified  
28 or waived by the DRB as applicable within an Infill TND or a designated Edge or Transition Zone, or in in  
29 association with an approved form of Alternative Compliance under TND design standards. Building and  
30 building lot standards also vary by Building Type allowed within a TND, as listed under Table 15.C.06-2.

31  
32 **(1)** Within an Infill TND, the DRB may reduce or waive the minimum percentage of Buildable Area  
33 that must be allocated to “Civic Space” or “Mixed Use” where there is civic space, or a mixed use area  
34 adjacent to or within walking distance of the TND.

35  
36 **E. TND Street, Building and Civic Space Types.** Street, Building and Civic Space Types allowed within  
37 a TND are specified by TND Subzone under Tables 15.C.06-2(a)-(c). Separate DRB approval is required for  
38 a Street, Building or Civic Space Type within the TND Edge (Transition) Subzone that is not allowed type  
39 within an adjoining Neighborhood Center or Residential Subzone, to ensure that the proposed type is  
40 compatible with the type and form of adjacent development.

**Table 15.C.06-1 TND Dimensional Standards**

	<u>Minimum</u>	<u>Maximum</u>	<u>Note:</u>
<b><u>TND Total Buildable Area (Acres)</u></b>			<u>Total contiguous or connected Buildable Area included within the delineated TND boundary (Designated Development Area), as necessary to allow for integrated, unified neighborhood development.</u>
<u>Full TND</u>	<u>10 A</u>	<u>---</u>	
<u>Infill TND</u>	<u>4 A</u>	<u>&lt;10 A</u>	
<b><u>TND Land Allocation (% Buildable Area)</u></b>			<u>“Unallocated” = Developer option; may also be “Reserved” as shown on the TND Master Plan, subject to allocation under a Master Plan amendment.</u>
<u>Residential</u>	<u>65%</u>	<u>---</u>	
<u>Mixed Use</u>	<u>5%</u>	<u>---</u>	
<u>Civic Space</u>	<u>15%</u>	<u>---</u>	
<u>Resource Land</u>	<u>0%</u>	<u>---</u>	
<u>Unallocated</u>	<u>0%</u>	<u>15%</u>	
<b><u>TND Buildable Area Coverage Limit (% Impervious)</u></b>	<u>---</u>	<u>60%</u>	<u>As applied to total Buildable Area; not to individual building lots.</u>
<b><u>TND Height Limit (FT)</u></b>	<u>---</u>	<u>35 FT</u>	<u># Stories vary by allowed Building Type.</u>
<b><u>Residential Density (DU/Acre)</u></b>			
<u>Residential – Neighborhood Area</u>	<u>4DU/A or District (a)</u>	<u>Variable (c)</u>	<u>(a) Minimum = Base Density (DU/A), or maximum specified for underlying zoning district (District), whichever is greater. (b) Transit area = Minimum within ½-mile of an existing or planned transit route. (c) Maximum density variable; dependent on selected Housing Types.</u>
<u>Residential –Transit Area</u>	<u>8 DU/A or District (b)</u>	<u>Variable (c)</u>	
<u>Residential – Center</u>	<u>8 DU/A or District (a)</u>	<u>Variable (c)</u>	
<b><u>Nonresidential Density</u></b>	<u>---</u>	<u>Variable</u>	<u>Maximum density variable; dependent on selected Building Type.</u>
<b><u>TND Block</u></b>			
<u>Perimeter (FT)</u>	<u>800 FT</u>	<u>2,000 FT</u>	<u>Midblock connection, pedestrian pass required for any block length &gt; 500 FT</u>
<u>Average Length (FT)</u>	<u>200 FT</u>	<u>500 FT</u>	
<b><u>TND Building Lot (a)</u></b>			
<u>Area (SF)</u>	<u>2,500 SF</u>	<u>10,000 SF</u>	<u>Building lot standards also vary by allowed Building Type; where building lot standards differ, the more restrictive shall apply</u>
<u>Width to Depth (Ratio)</u>	<u>1:2</u>	<u>1:5</u>	
<u>Frontage Width (FT)</u>	<u>25 FT</u>	<u>80 FT</u>	
<u>Frontage Buildout (% Width)</u>	<u>35%</u>	<u>---</u>	
<b><u>TND Building (a)</u></b>			
<u>Front Setback (FT) (b)</u>	<u>10 FT</u>	<u>25 FT</u>	<u>(a) Building standards also vary by allowed Building Type; where standards differ, the more restrictive shall apply.</u>
<u>Side Setback (FT) (c)</u>	<u>0/5 FT</u>	<u>10 FT</u>	
<u>Rear Setback – Principal (FT)</u>	<u>10 FT</u>	<u>---</u>	<u>(b) Min and max front setbacks define the Build-to Zone (BTZ), measured from street right-of-way or civic space lot line. (c) Minimum side setback (0 FT) applies to attached Building Types, where applicable.</u>
<u>Rear Setback – Accessory (FT)</u>	<u>5 FT</u>	<u>---</u>	
<u>Height– Principal (Stories)</u>	<u>1.5</u>	<u>2.5</u>	
<u>Height – Accessory (Stories)</u>	<u>1.0</u>	<u>2.0</u>	

1  
2  
3

**Table 15.C.06-2A TND Street Types** (also see associated standards under Appendix )

	<u>Center</u>	<u>Neighborhood</u>	<u>Edge/Transition</u>
<u>Neighborhood – Narrow</u>		■	□
<u>Neighborhood</u>	■	■	■
<u>Support</u>	■		□
<u>Alley</u>	■	■	■
<u>Pedestrian Street/Pass</u>	■	■	■
<u>Bicycle Boulevard</u>			□

**Table 15.C.06-2B TND Building Types** (also see associated standards under Appendix )

	<u>Center</u>	<u>Neighborhood</u>	<u>Edge/Transition</u>
<u>Residential</u>			
<u>Cottage</u>		■	■
<u>Detached House</u>	■	■	■
<u>Duplex</u>	■	■	■
<u>Multiplex, Small</u>	■	■	■
<u>Carriage House (ADU)</u>	■	■	■
<u>Town House</u>	■		□
<u>Live/Work (Variant)</u>	■		□
<u>Multiplex, Medium</u>			□
<u>Nonresidential</u>			
<u>Civic</u>	■	■	■
<u>Cottage Commercial</u>	■		□
<u>Neighborhood Storefront</u>	■		□

**Table 15.C.06-2C TND Civic Space Types** (also see associated standards under Appendix )

	<u>Center</u>	<u>Neighborhood</u>	<u>Edge/Transition</u>
<u>Green</u>	■		□
<u>Square</u>	■		□
<u>Plaza</u>			□
<u>Courtyard</u>	■	■	■
<u>Neighborhood Park</u>			□
<u>Pocket Park/Plaza</u>	■	■	■
<u>Playground</u>		■	□
<u>Greenway</u>		■	□

■ – Allowed; □ – May be allowed, subject to separate DRB review and approval, in relation to context.

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2  
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4  
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10

**F. Preferred TND Solar Siting Facility Locations.** Within a TND, the minimum required density of development generally precludes ground-mounted solar installations. Preferred facility siting within a TND includes roof-top installations, mounted on principal and accessory buildings, and parking structures, that allow for required minimum densities of development and open, accessible civic spaces.

**G. TND Design Standards.**

1 **(1) Purpose.** The applicant for any TND must demonstrate how the TND is consistent with the  
2 stated description, purpose, and defining characteristics of a TND under 15.C.06(A) and (B) above.

3  
4 **(2) Modifications, Waivers.** The plan for a TND must incorporate each of the following TND  
5 design standards, unless modified or waived by the Development Review Board for an Infill TND, or  
6 in association with an approved form of Alternative Compliance under Section 15.C.04(C).

7  
8 (a) The DRB may modify or waive one or more required standards under this subsection for  
9 an Infill TND that can be met off site, if located within a ¼- to ½-mile of the TND boundary; or as  
10 necessary to complement or fully integrate new neighborhood development with existing  
11 development in the vicinity of the project.

12  
13 (b) Any proposed form of Alternative Compliance under a TND design standard must achieve  
14 the intent of standard to be modified, as required under Section 15.C.04(C).

15  
16 **(3) Context.** For planning and design purposes, the “neighborhood area” includes all existing and  
17 proposed properties, buildings, and uses located within a ¼-mile “pedestrian shed” or, if located on  
18 an existing or planned transit route within a ½-mile “transit shed” of the tract or parcel to be  
19 developed, as measured from the approximate center of the TND.

20  
21 (a) The TND must be designed to establish or to otherwise incorporate and complement the  
22 existing and planned pattern of neighborhood development in the vicinity of the project,  
23 consistent with TND connectivity and design standards under this section.

24  
25 **(4) TND Subzones:** Designated Development Areas, and associated land use allocations within a  
26 TND must include the following subzones, as generally indicated on the TND Master Plan, and more  
27 specifically identified on preliminary and final subdivision plans:

28  
29 (a) **Neighborhood Center.** Consisting of a distinct, attractive, civic space such as a central  
30 square or green that serves as the focal point for the surrounding residential neighborhood, is  
31 intended for access and use by all neighborhood residents, and is fronted on at least three sides  
32 by neighborhood streets, and allowed housing types, or one or more neighborhood-scale  
33 nonresidential civic, mixed use, or commercial buildings. A TND center may be located on or  
34 accessed from a collector street, if fully integrated with the surrounding residential neighborhood.

35  
36 (i) For a TND of ten (10) acres or more, selected Housing Types within the Neighborhood  
37 Center must accommodate a minimum (base) density of residential development of eight  
38 dwelling units/acre (8 DU/A). Within an Infill TND this may be reduced to a minimum of four  
39 dwelling units/acre (4 DU/A) as necessary to better conform to the adjacent pattern and  
40 density of residential development.

41  
42 (ii) Within an Infill TND, a civic building, or an existing, adjacent public park or civic space  
43 that is directly accessible to neighborhood residents, and is sufficient in size to accommodate  
44 neighborhood gatherings, may serve as the Neighborhood Center.

1  
2 (b) **Neighborhood Residential.** Consisting of one or more compact residential blocks,  
3 bounded by local streets, that incorporate an integrated mix of housing types, at a density of not  
4 less than four dwelling units per acre (4 DU/A); and smaller civic spaces (e.g., pocket parks or  
5 playgrounds) that are strategically located within a ¼-mile walking distance of dwelling units  
6 within the TND.

7  
8 (c) **Neighborhood Edge.** A TND must either have a clearly defined “edge” that physically and  
9 visually distinguishes the TND from the surrounding area (e.g., a greenway, park or conserved  
10 area); or include one or more designated “Transition Zones” along the periphery, in which street  
11 and path connections to adjoining properties are maintained, but dimensional standards, street  
12 and building types may be adjusted as necessary to integrate new development with the adjoining  
13 existing or planned form of development. As provided for a Transition Zones under 15.C.04(E):

14  
15 (i) A TND transition area may accommodate lot sizes, densities and building types that  
16 complement or fully integrate with the existing or planned pattern of adjacent development.

17  
18 (ii) A TND transition area may also incorporate a greenway or buffer as necessary to  
19 separate the TND from resources identified for protection, or from adjoining incompatible  
20 nonresidential uses or forms of development.

21  
22 (5) **TND Street and Path Network.** The TND must incorporate a highly interconnected street grid  
23 that, in addition to meeting relevant connectivity, street and block standards under Article 15.A, also  
24 incorporates TND block standards and Street Types. The local street and path network must serve all  
25 users, including pedestrians, cyclists, and transit riders and, to emphasize and ensure pedestrian  
26 access and walkability, include:

27  
28 (a) “T” street intersections, located as necessary to limit through traffic on neighborhood  
29 streets and, where appropriate, to incorporate terminating views of prominent civic spaces,  
30 buildings, or adjoining conserved lands.

31  
32 (b) Sidewalks that meet minimum ADA requirements and street type standards along both  
33 sides of each street unless specifically recommended otherwise by Director of Public Works and  
34 Planning & Zoning Department Review, pedestrian street crossings at street intersections and,  
35 where the block length exceeds 500 feet, a mid-block pedestrian passage and street crossing.  
36 Street trees, furniture, lighting, and other streetscape elements may also be required, as specified  
37 by street type.

38  
39 (c) Direct (shortest linear distance) pedestrian sidewalk or path connections from local  
40 streets to the main entrances of all principal buildings; and to civic spaces, recreation paths,  
41 shared parking areas, and existing or planned transit stops or facilities serving the neighborhood,  
42 including any off-site facility (e.g., neighborhood park, transit stop, commercial center) within the  
43 extended ¼- to ½-mile neighborhood area that is available and intended for use by TND residents.



1           (d) Off-street walking and recreation paths as necessary to connect with existing or planned  
2 facilities on adjoining properties; or to provide more direct, internal pedestrian and bicycle  
3 connections that cannot be accommodated on local streets.

4  
5 **(6) Vehicle Access and Parking.** A TND must be designed to give pedestrian access and  
6 movement priority over vehicle access within blocks, along fronting streets, and to principal buildings  
7 and civic spaces.

8  
9           (a) To ensure walkability within a TND, the number and width of curb cuts and driveways on  
10 fronting streets or block faces must be minimized to the extent physically and functionally  
11 feasible, as necessary to avoid breaks in adjoining sidewalks.

12  
13           (i) Rear lot alley or service lane access, or shared driveway access from a fronting or side  
14 street, is required for any building lot with a street frontage width of less than 50 feet, and  
15 for attached building types, including duplexes.

16  
17           (ii) Vehicle access (e.g., driveway) to a building lot from a fronting street must be  
18 physically separated and visually distinct from pedestrian street access (sidewalk or path) and  
19 the main building entrance.

20  
21           (iii) The width of a driveway from a front or side street must not exceed ten (10) feet  
22 where it crosses an adjoining sidewalk along the street; and must not result in a physical or  
23 visual interruption in the adjoining sidewalk. The sidewalk must clearly extend across the  
24 driveway.

25  
26           (b) Off-site parking within a TND may include a shared parking lot or facility located behind  
27 principal buildings; or on-street parking along adjoining building lot frontage, as allowed by Street  
28 Type.

29  
30           (c) Onsite parking on a building lot within a TND, as also specified by housing or other building  
31 type, may include:

32  
33           (i) Driveway parking outside of the front setback area (Build-to-Zone);

34           (ii) Parking spaces located to the rear of the building lot, behind the principal building;

35           (iii) Structured parking within the primary building footprint (underground, tuck-under,  
36 pedestal parking), or within an attached or detached accessory structure (garage, carriage  
37 house or carport), that meets associated building requirements under (8) below.

38  
39           (d) With the exception of designated handicapped spaces, shared parking and service areas  
40 servicing more than one dwelling unit or building lot must be located to the rear or side of the  
41 building lot, behind the principal building; and must be screened from view from the street and  
42 from adjoining residential properties by a landscaped fence or dividing wall].

43

1 (e) No principal parking lot or facility may be located on a corner lot, except as specifically  
2 approved by the DRB for a phased development in which the parking lot is reserved for conversion  
3 to a building lot under a subsequent phase of development.

4  
5 **(7) Housing Mix.** The TND must include a well-integrated mix of housing types, as specified by  
6 subzone, that also vary in style by block, street, and building lot.

7  
8 (i) A TND of ten (10) acres or more must include a minimum of three (3) allowed housing  
9 types, none of which represents more than 50% of the total number of dwelling units within  
10 the TND.

11  
12 (ii) An Infill TND of four (4) acres, but less than ten (10) acres, must include a minimum  
13 of two allowed housing types, neither of which represents more than 60% of the total number  
14 of dwelling units within the TND.

15  
16 (iii) Housing types and styles must be mixed within neighborhoods and blocks, along a  
17 street or block face, rather than compartmentalized into areas of near-identical housing.  
18 Where housing styles are repeated, as is common for attached housing types (townhouses),  
19 variations in architectural elements, fenestration, materials, or color must be used to enhance  
20 visual variety.

21  
22 (iv) Within a TND a small multiplex, consisting of three or four dwelling units, must  
23 resemble in appearance a larger detached house that is compatible in form and style with  
24 other housing types located along the same street or block. Corner lots with rear alley or side  
25 street vehicle access are preferred for this housing type.

26  
27 **(8) Buildings.** See allowed TND building types, as specified by Subzone under Table 15.C.06-2B,  
28 and associated standards under Article 11.C.

29  
30 (a) All principal buildings, including primary building façades and main entrances, must front  
31 on a street, a designated civic space, or a common courtyard, and not on an adjoining parking  
32 area. Secondary entrances may access side or rear yards, garages, or parking areas.

33  
34 (b) All principal buildings must be oriented parallel to the fronting street or civic space,  
35 preferably with the narrower building façade facing the street in proportion to building lot width  
36 and depth, to minimize the distance between adjoining buildings and main building entrances.

37  
38 (c) The primary building façade, and any frontage features such as porches, balconies,  
39 stoops, canopies, or awnings, must be located within the Build-to-Zone (BTZ) defined by minimum  
40 and maximum front setback distances. The primary building façade must also meet the minimum  
41 frontage buildout requirement as applicable within the BTZ.

1 (d) Frontage types allowed within the TND, as specified by Building Type, include front yards,  
2 dooryards, porches, balconies, and stoops that create a semi-private space oriented to the street,  
3 to promote social interaction, and neighborhood safety and security.

4  
5 (i) A front porch must have a functional, minimum width of eight (8) feet, and a  
6 minimum depth, as measured horizontally from the building façade, of six (6) feet.

7  
8 (e) Auto-oriented principal uses and buildings, and drive-through facilities, which may be  
9 allowed within the underlying zoning district, are expressly prohibited within a TND. Pedestrian-  
10 oriented walkup facilities (e.g., ATMs, take-out windows) are allowed.

11  
12 (f) Accessory buildings allowed within a TND include detached Carriage Houses (accessory  
13 dwelling units), garages, garden sheds, and other small accessory buildings or structures typical  
14 of and incidental to a residential or civic use.

15  
16 (i) A detached accessory building must be located to the rear of the building lot, behind  
17 the principal building, must be separated from the main building by at least ten (10) feet, and  
18 must meet relevant accessory structure side and rear setback and height requirements.

19  
20 (ii) Garage placement options on a residential building lot are depicted in Fig. 13.17.

21  
22 (iii) An attached garage must be set back a minimum of ten (10) feet as measured  
23 horizontally from the primary (front) building façade, excluding any projecting front porch,  
24 stoop, balcony, or bay window; and must not physically or visibly dominate the front façade  
25 or main building entrance. The width of a front facing garage must not exceed forty percent  
26 (40%) of the total width of the primary building façade, excluding the garage.

27  
28 **(9) Civic Spaces.** See allowed TND Civic Space Types by TND Subzone under Table 15.C.06-2C and  
29 Article 11.B. A TND must include the following designated public or commonly held and managed  
30 civic spaces, at minimum representing fifteen percent (15%) of the total Buildable Area of the TND,  
31 except as modified or waived by the DRB for an infill TND, or in association with an approved form of  
32 Alternative Compliance:

33  
34 (a) A prominent, well-landscaped, main green or square that serves as a neighborhood focal  
35 point and gathering space, and that is bordered by neighborhood streets, and fronting residential,  
36 mixed use, or civic buildings, except as provided for an Infill TND under 15.C.06(G)(4) above; and  
37

38 (b) Smaller civic spaces such as pocket parks or playgrounds that are strategically located by  
39 block or street, within walking distance (no more than ¼-mile) of all neighborhood residences.

40  
41 (i) The requirement for smaller civic space areas may also be met off-site by a public  
42 park or similar civic space that is located within walking distance of neighborhood residences  
43 and is available and directly accessible to neighborhood residents.  
44

1  
2  
3  
4

(ii) Other accessible designated open space areas (e.g., resource land or a stormwater facility) that can accommodate compatible recreational uses may also be considered in meeting this requirement.

**BUILDING TYPES**

	<b>Description</b>	<b>PUD Types</b>	<b>Dwelling Units</b>	<b>Lot Area</b>	<b>Lot Width</b>	<b>Building Height</b>	<b>Setbacks</b>	<b>Frontage Buildout</b>	<b>Frontage Types</b>	<b>Pedestrian Access</b>	<b>Vehicle Access, Parking</b>
	See Illustrations		(DU)	Square Feet (SF)	Feet (FT)	Stories	Feet (FT)	% Lot Width	See Illustrations	See Illustrations	See Illustrations
<b>HOUSING TYPES</b>											
<b>Cottage</b>	A compact, detached housing type, consisting of a single, principal dwelling unit with a total footprint 1,200 SF or less, on a small lot that fronts on a local street or shared courtyard, with limited front, side, and rear yards. The equivalent of a single family dwelling as defined under the Regulations. Intended to contribute to the variety and mix of housing available within a walkable residential or mixed use neighborhood, to include compatible Cottage Court housing arrangement (see T-3 "Cottage Court" standards, p. ____).	TND [INR]	1 DU/Lot, not including ADU  Cottage Court Min: 3 DU, Max: 9 DU/ Site	Min: 3,000 SF Max: 5,000 SF  Cottage Court Lot area may be reduced to 1,200 SF	Min: 30 FT Max: 50 FT  Cottage Court Lot width may be reduced	Min: 1.0 Max: 1.5	<b>Front (BTZ):</b> 10 to 25 FT  <b>Side:</b> Min: 5 FT  <b>Rear:</b> Min: 10 FT, or 5 FT from a rear alley  Cottage Court Setbacks may be reduced to 5 FT	Not applicable.	Dooryard Porch Stoop	One main entrance per building. Main entrance must face the street, common civic space, or a shared courtyard, and be accessed from the street by a connecting walkway.  Secondary entrance(s) to the side or rear.	<b>Access</b> Rear Lot: Alley, Service Lane Front Lot: Shared Driveway, only if no viable rear access exists  <b>Parking</b> On-street: by Street Type, within lot frontage Front Lot: Driveway, outside of BTZ Rear Lot: Pad, Detached Garage Off-Lot: Shared
<b>Detached House</b>	A detached housing type, consisting of a single, principal dwelling unit with a total footprint greater than 1200 SF on a lot that fronts on a local street or shared civic space and has front, side, and rear yards. The equivalent of a single family dwelling as defined under the regulations. Typically the most common housing type within a walkable, low to moderate density residential neighborhood.	TND [NCD] [IRD]	1 DU/Lot, not including ADU	Min: 5,000 SF Max: 10,000 SF	Min: 50 FT Max: 80 FT	Min: 1.5 Max: 2.5	<b>Front (BTZ):</b> 10 to 25 FT  <b>Side:</b> Min: 10 FT  <b>Rear:</b> Min: 10 FT, or 5 FT from a rear alley	Not applicable.	Yard Dooryard Porch Stoop	One main entrance per building. Main entrance must face the street or shared civic space, and be accessed by a connecting walkway that is separate from the driveway.  Main entrance must be visually prominent, and separate from an attached garage entrance.  Secondary entrance(s) to the side or rear.	<b>Access</b> Rear Lot: Alley, Service Lane, Front Lot: Single or Shared Driveway Side (Corner) Lot: Single Driveway  <b>Parking</b> On-street: by Steet Type, within lot frontage Front/Side Lot: Attached Garage, Pad Rear Lot: Detached Garage, Carriage House, Pad Footprint: Tuck Under, loaded from front or rear

<p><b>Carriage House</b></p>	<p>A detached, accessory housing type that is located on the same lot, and to the rear of a Detached House or Cottage. A Carriage House is the equivalent of an Accessory Dwelling Unit as defined under the Regulations. A Carriage House must be clearly subordinate in size and scale, and architecturally similar to the principal dwelling on the lot.</p> <p>Intended to provide affordable housing within a walkable residential neighborhood.</p>	<p>TND [NCD] [INR]</p>	<p>1 ADU/Lot</p>	<p>Not applicable.</p>	<p>Not applicable</p>	<p>Min: 1 Max: 1.5</p>	<p>Must be located a minimum of 10 FT behind the principal building, and meet required side and rear setbacks applicable to the principal building</p>	<p>Not applicable.</p>	<p>Not applicable.  But must have a either shared or dedicated yard area or outdoor space for use of residents</p>	<p>Private entrance; accessible by a connecting walkway from front or side street, or rear alley</p>	<p><b>Access</b> Rear Lot: Alley, Service Lane Front Lot: Shared Driveway, with principal dwelling Side Lot: Single Driveway</p> <p><b>Parking</b> On-Street: by Street Type, along lot frontage Side Lot: Driveway, outside ROW Rear Lot: Pad Footprint: Ground Floor</p> <p>May also be shared with principal dwelling.</p>
<p><b>Duplex</b></p>	<p>A housing type that consists of two dwelling units, either attached, on individual lots, separated by a common dividing wall along the property line; or stacked on a single lot, separated by floor level; with individual or shared front, side, and rear yards. The equivalent of a Two-Family Dwelling as defined under the Regulations.</p> <p>A Duplex is similar in size, scale, and appearance to a Detached House, and is designed to fit within a traditionally single family neighborhood. Intended to provide additional housing options within walkable neighborhoods.</p>	<p>TND [NCD] [INR]</p>	<p>1 to 2 DU/Lot</p>	<p><b>Attached:</b> Min: 2,500 SF Max: 5,000 SF</p> <p><b>Stacked:</b> Min: 5,000 SF Max: 10,000 SF</p>	<p><b>Attached:</b> Min: 25 FT Max: 50 FT</p> <p><b>Stacked:</b> Min: 50 FT Max: 80 FT</p>	<p>Min: 1.5 Max: 2.5</p>	<p><b>Front (BTZ):</b> 10 to 25 FT</p> <p><b>Side:</b> Min: 0 FT (attached) or 10FT</p> <p><b>Rear:</b> Min: 10 FT; or 5 FT from a rear alley</p>	<p>Not applicable.</p>	<p>Yard Dooryard Porch Stoop</p>	<p>Maximum of two entrances (one/DU).  Main entrance(s) to must face, and be accessed from the street by a connecting walkway.  Secondary entrances to the side or rear.</p>	<p><b>Access</b> Rear Lot: Alley, Service Lane, Shared Driveway Front Lot: Single or Shared Driveway Side Lot: Shared Driveway</p> <p><b>Parking</b> On-Street: by Street Type, within lot frontage Front/Side Lot: Attached Garage; maximum of one bay per side, with 10 FT facade setback Rear Lot: Pad, Detached Garage Footprint: Tuck Under, loaded from front or rear</p>
<p><b>Townhouse</b></p>	<p>An attached housing type, also referred to as a rowhouse, in which 3 to 5 relatively narrow dwelling units, each separated by a common dividing wall along the property line, form a single row of housing that fronts on the street, common civic space, or a shared courtyard. Each townhouse is located on a separate lot, with a separate entrance, front and rear yard; an end unit may also incorporate a side yard. The equivalent of a Townhouse or Rowhouse, as defined under the Regulations.</p> <p>This housing type typically shares uniform plans, fenestration, and architectural elements, but should also incorporate some variation between individual units. Intended to provide more concentrated housing options within walkable neighborhood or mixed use centers.</p>	<p>TND, [NCD] [INR]</p>	<p>1 DU/ Townhouse</p> <p>3 to 5 Townhouses/ Row</p>	<p>Min: 1,200 SF Max: 3,000 SF</p>	<p>Min: 20 FT Max: 30 FT</p>	<p>Min: 2.0 Max: 2.5</p>	<p><b>Front (BTZ):</b> 10 to 20 FT</p> <p><b>Side:</b> Min: 0 FT (attached), or 10 FT (end)</p> <p><b>Rear:</b> Min: 10 FT; or 5 FT from a rear alley or shared parking area</p>	<p>Not applicable.</p>	<p>Dooryard Porch Stoop</p>	<p>One main entrance per unit.  Main entrance to each unit must face the street, common civic space, or a shared courtyard and be accessed from the street by a connecting walkway.  Secondary entrances to the rear.</p>	<p><b>Access</b> Rear Lot: Alley, Service Lane, Shared Driveway</p> <p><b>Parking</b> On-street: by Street Type, within lot frontage Rear Lot: Pad, Detached Garage Footprint: Tuck Under, accessed from rear Off-Lot: Shared, screened surface parking, located behind townhouse lots, connected by a common pedestrian walkway.</p>

<b>Multiplex, Small</b>	A single, detached, multiunit residential building that includes three or four dwelling units on a single lot, with shared front, side, and rear yards, and shared parking. Similar in size, scale and appearance to a larger Detached House, to fit within the context of a traditional single family residential neighborhood, typically on a larger corner lot. A type of Multifamily Dwelling, as defined under the Regulations.  Intended to allow for compatible, well-designed residential or infill development that provides housing options within a walkable, predominantly single family or mixed use neighborhood.	TND	3 to 4 DU/Building, Lot	Min: 5,000 SF Max: 10,000 SF	Min: 50 FT Max: 100 FT	Min: 2.0 Max: 2.5	<b>Front (BTZ):</b> 10 to 20 FT  <b>Side:</b> Min: 10 [5] FT  <b>Rear:</b> Min: 10 FT; may be reduced to 5 FT from rear alley	Not applicable.	Yard Dooryard Porch Stoop	One main entrance per building, except on a corner lot.  Main building entrance(s) must face and be accessed from street by a connecting walkway.  Secondary entrances to the side or rear	<b>Access</b> Rear Lot: Alley, Service Lane, Shared Driveway Front Lot: Shared Driveway Side Lot: Shared Driveway <b>Parking</b> On-street: by Steet Type, within lot frontage Rear or Side Lot: Screened surface parking, connected by a pedestrian walkway
<b>Multiplex, Medium</b>	A detached multistory residential building that includes 5 to 12 dwelling units on a single lot, with shared yards, courtyard, or designated common space areas, and shared parking. A type of Multifamily Dwelling, as defined under the regulations.  Nonresidential uses, other than accessory uses or amenities specifically intended for access and use by building residents, are prohibited. Intended to provide compatible residential or infill development within walkable, moderate density mixed use neighborhoods.	TND	5 to 12 DU/ Building, Lot	Min: 10,000 SF Max: 25,000 SF	Min: 75 FT Max: 200 FT	Min: 2.0 Max: 2.5	<b>Front (BTZ):</b> 10 to 20 FT <b>Side:</b> Min: 10 FT <b>Rear:</b> Min: 10 FT; may be reduced to 5 FT from rear alley	Not applicable.	Yard Forecourt Porch	Main building entrance(s) must face the street or a shared courtyard and be accessed from the street by a connecting walkway.  Secondary entrances to the side or rear.	<b>Access</b> Rear Lot: Alley, Service Lane, Shared Driveway Front Lot: Shared Driveway Side Lot: Shared Driveway <b>Parking</b> On-Street: by Steet Type, within lot frontage Side or Rear Lot: Screened surface parking, connected by a pedestrian walkway Footprint: Ground Floor (Pedestal), Underground; accessed from side or rear
-											
<b>MIXED USE &amp; NONRESIDENTIAL BUILDING TYPES</b>											
<b>Cottage Commercial</b>	A small, detached nonresidential or mixed use building on a single lot with front, rear, and side yards, which is similar in scale and appearance to a Detached House. May accommodate a mix of compatible residential and nonresidential uses intended primarily to serve the local neighborhood.	TND [IRD]	Max: 1 DU	Min: 5,000 SF Max: 15,000 SF	Min: 30 FT Max: 100 FT	Min: 1.5 Max: 2.0	<b>Front (BTZ):</b> 10 to 20 FT  <b>Side:</b> Min: 15 FT  <b>Rear:</b> Min: 10 FT, or 5 FT from a rear alley	Not applicable	Yard Dooryard Porch Stoop, Storefront	One main entrance per building.  Main entrance must face the street or a common civic space and be accessed from the street by a connecting walkway.  Secondary entrance(s) to the side or rear.	<b>Access</b> Rear Lot: Alley, Service Lane, Shared Driveway Front Lot: Single or Shared Driveway Side Lot: Single Driveway <b>Parking</b> On-street: by Steet Type, within lot frontage Side or Rear Lot: Screened surface parking, connected by a common walkway Off-Lot: Shared off-site or public parking





**Supplemental Standards**

**Accessory Structures:**

(1) Detached accessory buildings, where allowed, must be located to the rear of the lot behind the principal building, meet minimum side and rear setback requirements applicable to the principal building, and be clearly subordinate in size and scale to the principal building.

**Cottage Court Standards**

(1) For Cottages in a Cottage Court arrangement, see associated site, courtyard, and lot standards specific to a Cottage Court under T-3 "Cottage Court" (p. \_\_\_\_).

**Parking Standards:**

(1) All onsite parking areas and structures must meet required side and rear lot setbacks, unless shared with an adjoining property. Single or shared driveways may be located within side yard setbacks.

(2) An attached garage must be set back 12 FT from the front facade (wall plane), unless otherwise specified by Building Type.

(3) A front facing garage must be positioned a minimum of 5 FT behind the front façade (wall plane); extend no more than 40% of the width of the house; and must include windows and architectural treatments that blend in with the principal façade and serve to minimize its visual impact as viewed from the street.

(4) All side or rear lot surface and ground floor (pedestal) parking associated with a multi-family, nonresidential, or mixed use must be screened from the street, and adjacent civic spaces and residential properties.