

4.3 PLANNED DEVELOPMENT

This draft has been substantially edited from previous drafts. It has no minimum size requirements for PDs, which needs to be checked with the TSC. Consider making this section parallel to the conservation design subdivisions, the major difference being allowing for mixed uses and possibly higher densities.

4.3.1 Objectives

Planned Developments (PDs) are permitted in all planning districts and are intended to provide the Review Board with the flexibility to consider well-designed plans for development which are consistent with the intent of base and overlay planning districts but may need relief from some other provisions of this Code to achieve one or more of the following objectives:

- A. To allow for an integrated mix of land uses appropriate to a property's site conditions and location, which could substantively contribute to the quality of life and economic vitality of North Elba and Lake Placid.
- B. To promote compact development patterns to preserve important natural, scenic and cultural resources.
- C. To provide types of affordable housing for which there is a recognized need in the community.
- D. To facilitate the adequate and economical provision of streets and utilities to provide housing in a cost effective manner;
- E. To cluster residential development so as to preserve and maintain open space, including but not limited to important resource or conservation lands;
- F. To protect significant natural, cultural or scenic features;
- G. To allow for creative design and layout of development, an efficient use of land, and to provide for the integrated mix of uses.

4.3.2 Applicable Standards

A. Conditional Review Standards

The PD shall meet all applicable standards set forth in Section 5.0 Conditional Use Review, and shall be consistent with the Comprehensive Plan and all other applicable municipal regulations and ordinances currently in effect. The PUD shall also meet all local and state regulations for sewage disposal and the protection of water quality.

B. Applicable District Standards

1. The minimum front, side and rear yard setbacks at the periphery of the PD shall be as dictated required for the particular district, unless otherwise

specified by the Review Board. The Board may allow other setbacks standards within the PD, such as zero lot lines, as part of the its approval. Should this apply only to development

2. Any structures within a PD must comply with the height requirements as set forth for the planning district in which it is located (see Section 2.2 xx).
3. A PD may only include permitted or conditional uses allowed in the district in which it is located. Multiple principle structures and/or uses on a lot, or multiple ownership of a single structure may be permitted.

C. Unified plan

The proposed development shall be in accordance with a unified plan and architectural scheme. However, it shall not be required that the entire whole of the development be in a single ownership, or built or financed by a single party, if satisfactory evidence is shown that all parties who are financially or otherwise involved concerned in the development are legally bound to conform to the above required unified site plan and architectural scheme.

4.3.4. Modifications of Standards

The Review Board may permit the modification of regulations set forth in accordance with the following:

A. General Requirements

1. The PD shall represent an effective and unified treatment of the development site, including provisions as appropriate for the preservation or protection of surface and ground waters; wetlands, streams bank, floodplains and lake shore areas; significant topographic features, including hilltops and ridgelines; areas of steep slope or shallow soil; significant resource lands, including agricultural and forest land; historic or archaeological sites and structures; natural and critical habitat areas; and open spaces, including scenic views and vistas.
2. Principal buildings and mixed uses shall be arranged to be compatible and buffered as appropriate to ensure visual and acoustical privacy for the residents of the development and for adjacent properties.

B. Density Modifications

1. The Review Board may allow for a greater concentration or higher intensity of development within some section(s) of the development than in others, on individual lots which are smaller than the minimum lot size for the planning district within in which the PUD is located, provided that there is an offset by a lesser concentration in other sections, including the reservation of the remaining land as open space dedicated conservation lands.
2. Density Bonuses of up to 100 % may be granted at the discretion of the Review Board if provisions are met for income based housing. (sec)
3. Density bonuses of up to 25 % shall also be granted at the discretion of the Review Board for PUD's area is to be set aside as open space if the following conditions are met:
 - a. Provision shall be made for a minimum of 50 percent of a PD's total tract size to be set aside as permanent conservation lands, the configuration of which must be approved by the Review Board. Sewage disposal areas, utility and road rights-of-way or easements, access and parking areas shall not be counted as open space areas, except where the applicant can prove, to the satisfaction of the Board, that they will in no way disrupt or detract from the values for which the open space is to be protected.
 - b. Such lands preserved as open space shall be dedicated protected, either by a conveyance in fee and/or grant of a conservation easement to the Town or Village, a qualified charitable nonprofit conservation organization or a mandatory homeowners association. The terms of all proposed conveyances and grants, as well as arrangements for long-term maintenance of conservation lands must be approved by the Review Board. Land held in common shall be subject to appropriate deed restrictions stipulating the permitted and restricted use of such lot, and establishing the person or entity responsible for maintenance and long term stewardship. The location, size and shape of lands set aside to be preserved for open space shall be approved by the Board, in accordance with the following:
 - 1) Open space land shall provide for the protection of identified resources, including farmland, productive forest, wildlife habitat, natural areas, aquifer protection areas, surface waters, stream banks, historic and archaeological sites, and scenic views and vistas;
 - 2) Designated open space may include the portion of a single lot, which is characterized by one or more of the above referenced features, or may encompass the contiguous boundaries of the above referenced feature located on multiple lots;
 - 3) Open space land shall be designed and located so as to conform and connect with and extend existing and potential existing or

potential future open space lands on adjacent parcels.

4.3.5 Additional Submissions

In addition to a site development plan, an application for PD approval shall include a statement describing all proposed modifications, changes or supplements to existing Code requirements. Modifications of this Code approved by the Review Board shall be noted in writing and appended to a plat depicting the project to be filed in the Town/Village Land Records. All other provisions of this Code not specifically modified shall remain in effect and be applicable to the project.

4.3.6 Pre-Existing Planned Developments

Pre-existing Planned Developments, which were created as individual districts in the previous land use code shall continue to exist as pre-approved developments, but are no longer to be treated as distinct or separate zoning districts. All conditions attached to existing permits authorizing these developments shall continue in force. Such conditions are part of the permits filed in the Town/Village offices. ALLOWED TO EXPAND AREA / AMEND PERMIT