

SECTION 34 - PLANNED DEVELOPMENT DISTRICTS (P.D.D.)
(Revision Date 2.15.22)

34.1 Intent: The intent of a Planned Development (PD) District is to encourage and accommodate unique and desirable development that will be consistent with the long range, orderly development of an area but is not accommodated by the established conventional zoning of that area by virtue of use and/or area, location and bulk standards. Each PD District is another independent zoning district created to accomplish a specific purpose, complete with its unique and narrowly drawn permitted uses and bulk standards and other applicable zoning provisions, whether set forth specifically therein or incorporated by reference to the applicable provisions of the overall Town-wide zoning regulations. Said PD Districts may only be established in the following locations: properties located in the T-3, T-3.5, T-4 and T-5 zones and properties owned and/or operated by Colleges or Universities.

34.2 Purpose: Planned Development (PD) Districts may only be established by the Commission to permit modification of the strict application of the standards and provisions of these Regulations to accomplish the purposes set forth below. A PD District may be established by the Commission when found necessary and appropriate for the following purposes:

34.2.1 To permit tracts of land to be developed, redeveloped and improved as harmonious design unit of stable character, consistent with the character of the Town and the long range improvement of the neighborhood and consistent with the plan of conservation and development adopted by the Commission, or to accomplish an appropriate transition between dissimilar zones, when such tracts are of sufficient size to accommodate such design units and when another zoning district could not be appropriately established to accomplish such purposes.

34.2.2 To permit the use of land, buildings and other structures for purposes that would be beneficial to and consistent with the character of the Town and the long range improvement of the neighborhood and consistent with the plan of conservation and development adopted by the Commission to accomplish an appropriate transition between dissimilar land use areas, when such proposed uses are located on tracts of sufficient size to accommodate harmonious design of buildings, structures and facilities in connection with the use and when another zoning district could not be appropriately established to accomplish such purposes.

34.3 Standards: The following standards shall apply to all proposed PD Districts:

34.3.1 Size: The tract of land for which application is made for the establishment of a PD District must contain an area of not less than ~~four acres~~ 28,000 square feet (.6 acres) or land area of 174,240 square feet. The tract of land for which application is made for the establishment of a PD District for a college and/or university must contain an area of not less than 800,000 square feet.

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34.3.2 Permitted Uses: Permitted uses in any PD District shall be limited to those uses specifically identified as permitted in said PD District. Any future proposed use in a PD District not specifically identified as a permitted use at the time of adoption of said District may only be

established after amendment of the permitted use provisions in accordance with the procedures established for the initial adoption of said PD District.

34.3.3 Utilities: All proposed PD Districts must be adequately served by public water supply and municipal sanitary sewers.

34.3.4 Architecture: Exterior architectural design and treatment, including building and related signs, shall be above average and intended to produce an aesthetic enhancement of the streetscape and blend with neighboring buildings. The Commission shall consider the proposed design treatments and building materials in determining the appropriateness of a proposal. The Commission may, where appropriate, solicit the review and comments of an independent advisory architectural review panel.

34.3.5 Natural Features: When reasonably prudent and feasible, development proposals shall make reasonable attempts to adapt to existing topography and natural site features.

34.3.6 Other Standards: All town-wide standards and provisions of the Regulations shall also apply to all proposed PD Districts except as may be specifically modified therein.

34.4 Petition: A petition for the establishment of a PD District shall be submitted to the Commission in writing, shall be signed by the owner or owners of all parcels within the proposed District and shall be accompanied by the following:

34.4.1 Statement: A written statement of uses and standards shall be submitted, identifying the permitted uses and setting forth the specific area, location and bulk standards to be applicable to the district. Such Statement shall also specify in detail the remaining particular provisions of these Regulations which are proposed to be modified as well as any special or additional provisions which are proposed to be applicable to the use of land, buildings and other structures, the location and bulk of buildings and other structures and the area, shape, and frontage of lots within the District. **For the establishment for a PD District for a college or University the Petition shall also contain the information required to be submitted for its five-year Institutional Master Plan (IMP) as otherwise required in Section 668.2 of these regulations.**

34.4.2 Initial Development Concept Plans: An Initial Development Concept Plan shall be submitted for the proposed development and should include property maps, site plans, architectural plans and other drawings as relevant in sufficient detail to show the existing conditions and improvements as well as those proposed to be erected on the site, the open spaces to be provided or maintained, the nature and location of the existing and/or proposed use or uses, the relationship of the proposed development to surrounding properties and other pertinent information. Plans where applicable shall be prepared and certified by an architect and/or professional civil engineer licensed to practice in the State of Connecticut and shall include the following information:

a. Location and size of property, including a boundary map with an accuracy meeting or exceeding standards for a "Class A-2 Transit Survey" as defined by the Connecticut Technical

Council, Inc. which map is to show the precise boundaries of the proposed District, as well as existing zoning boundaries and the boundaries of any officially designated wetland areas;

b. Present and proposed land uses and the acreage of each use, as well as existing and future land uses in the surrounding area;

c. Present and proposed buildings and structures including use, dimensions and locations of each;

d. Proposed vehicular and pedestrian circulation patterns including locations and dimensions of private and public streets and common drives, pedestrian walkways, malls and other public and private paths;

e. Location of proposed off-street parking facilities with dimensions, including location, size and number of parking spaces, access drives and walkways;

f. Proposed provisions for lighting on the site, to be designed and located in such a manner and of such amount as to ensure sufficient visibility at all times to maximize pedestrian and vehicular safety without undue adverse effect on the use and enjoyment of neighboring properties.

g. Proposed open area such as parks, lawn areas, and recreational facilities;

h. Existing and proposed landscaping treatment, including major tree areas, water bodies and related treatment of open space areas, screening, and existing and proposed topography;

i. Utility information including water supply, sewage disposal, storm drainage, including capacity of water courses and the additional flow being produced, electrical service and exterior site lighting, including fixture locations and heights;

j. A location map showing the site's situation within the Town's circulation system and all streets and intersections within 1,000 feet of the site;

k. Preliminary architectural plans including generalized floor plans, exterior elevations, perspective drawings and descriptive information on types of building materials and exterior finishes;

l. A written traffic report by a qualified professional engineer evaluating the impact of the PD District on the street system, including the amount of traffic projected to occur within and for the proposed development and the adequacy of the surrounding street system and traffic controls to accommodate existing traffic, projected traffic from the proposed development and projected traffic from other approved developments that may impact the relevant portions of the street system:

m. A written engineering report by a qualified engineer addressing storm drainage and flooding, including a storm water management plan, utility services, soils and geology of the site and sediment and erosion control measures to be employed, hydrological-geology conditions, seismic monitoring provisions as may be applicable to the proposal;

n. Any additional information which the Commission may reasonably require or the applicant may wish to submit, including such items as a marketability study, an economic impact analysis, project model and/or architectural perspective renderings, proposed covenants and/or restrictions related to open space and/or public access rights, periodic maintenance of storm water management facilities, landscaping and other site improvements and scheduling and timing of development phasing;

o. The Plan shall incorporate a summary table indicating compliance with planning, site design and qualifying standards. Said table shall show proposed phasing, number and type of buildings, parking tabulation, area and percentage of lot coverage by buildings and paved surfaces.

34.4.3 Fee: A petition in an amount determined by the Commission and set forth in the Schedule of Fees. In addition, the applicant shall agree to defray all reasonable costs to the Town for any independent traffic report, economic analysis and/or other services necessitated by the proposal and requested by the Commission. **(FEE RECOMMENDATION MIN \$1500.00)**

34.5 Procedures: Upon submission of a petition for the establishment of a PD District, the Commission and its staff shall immediately review the petition and during this review may discuss with the petitioner the need for additional information/reports. Prior to or upon acceptance of a complete petition, the Commission may authorize the preparation of such independent reports and analyses as it deems necessary to arrive at an informed decision. After acceptance of a complete petition, the Commission shall hold a public hearing on the petition and the accompanying Initial Development Concept Plan in the same manner and with the same notice as required for amendment of these Regulations.

34.6 Public Hearing and Decision: The Commission shall hold a duly noticed public hearing as required for any amendment of the Zoning Regulations. After the public hearing, the Commission may approve, disapprove or give approval with modifications to the Initial Development Concept Plans only after the Commission makes the findings set forth under below. Approval of the Initial Development Concept Plans shall authorize adoption of the PD District based upon the findings set forth below as well as other findings necessary for the adoption of these Regulations. These modified Zoning Regulations and Zoning Map shall be considered to authorize the submission of a Final Site Development Plan for the establishment of the development substantially in accordance with the Initial Development Concept Plan as approved. The adopted PD District shall be shown on the Zoning Map with a reference to the records of the Commission where the approved standards and Initial Development Concept Plans may be seen. If the PD District is adopted, the Commission shall give notice of such adoption in the manner required for any amendment of these Regulations. Recording of the adopted PD District shall be accompanied by an endorsed copy of the approved Initial Development Concept Plan

34.7 Findings Required for Initial Development Concept Plan Approval: Prior to approval of an Initial Development Concept Plan, with or without conditions and/or modifications, the Commission shall make the following findings:

- a. The proposal possesses features consistent the intent of the PD District.
- b. The qualifying standards of the PD District have been satisfied.
- c. The site design and organization of uses, buildings, parking and drives provides for the safety of intended users.
- d. Provisions for traffic flow, water, sanitary sewer service, storm water management and usable open space are adequate and acceptable, do not overburden existing streets, utility services and storm water facilities both on and off site and do not result in unacceptable off-site conditions.
- e. If any upgrading or improvements to off-site roads, utilities or other infrastructure are necessary and approved by the Commission and other applicable agencies, such improvements

shall be provided at no cost to the Town. The applicant shall provide at its own expense such additional information, data, designs and plans as are necessary to arrive at a proper decision.

f. The proposal will not have a significant adverse impact of surrounding properties or on property values in the area.

g. Ecological and environmental concerns associated with the proposal, including impacts on wetlands, watercourses and other aspects of the environment, will be adequately addressed. In making this finding, the Commission shall any comments received from the Inland Wetlands Commission and/or Wetlands Enforcement Officer.

h. Provisions will be made for the on-going maintenance of parking areas, storm water management facilities, open space areas and other infrastructure components not proposed for acceptance by the Town.

34.8 Findings ~~Required~~required for the Adoption of the PD District; The Commission shall make the following findings prior to the adoption of the PD District. Said findings are in addition to other findings necessary for the amendment of these Regulations and to the findings required for the approval of the Initial Development Plan:

a. The PD District, its Statement of Uses and Standards, and the Initial Development Plan applicable therein are consistent with the intent and purpose set forth herein.

b. Except for those provisions specifically amended by the Statement of Uses and Standards, the proposal complies or will comply with all applicable provisions of the Zoning Regulations.

c. Another zoning district could not be appropriately established to accomplish such purposes;

d. The PD District, its Statement of Uses and Standards and the Initial Development Concept Plan applicable therein will be consistent with any comprehensive plan of development adopted by the Commission for the area in which it is located;

e. The PD District encompasses a tract of land that complies with the size requirements of Par. 34.3.1 herein;

f. The public streets and intersections are or will be suitable and adequate to accommodate anticipated traffic and projected development intensity will not generate traffic in such amounts as to overload the street system in the area;

g. The existing and proposed utility services are adequate for the proposed development and the utilities and drainage have been so arranged as to not overburden the capacity of the facilities connected therewith;

h. Any potential impacts regarding ecological and environmental conditions can be maintained within acceptable limits.

34.9 Community Benefits Agreement

The Applicant and the Town may enter into a Community Benefits Agreement tied to the implementation of the project. The Community Benefit Agreement is a requirement for all projects that receive direct assistance from the Town of Hamden. Direct Assistance is defined as projects that are in receipt of (a) financing or grant funding from the Town; (b) tax incentives; (c) land at discounted value; and/or (d) other forms of public assistance. It

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should be noted that zoning approvals, including the PDD Designation in not considered a public benefit for the purposes of the Community Benefit Agreement.

34.109 Final Site Development Plans: Final Site Development Plans shall be submitted for approval by the Planning and Zoning Commission within six (6) months of the effective date of an adopted PD District or such longer time period as may be approved by the Commission, in conformance with and incorporating all the information required by the approved Initial Development Concept Plans. In addition to the requirements set forth herein, the Final Site Development Plans shall comply with all applicable provisions of Section 720 – Site Plans. Such Final Site Development Plans may be submitted in stages provided that such stages encompass not less than the minimum required tract size and includes all those public amenities and features used as a public protection for the surrounding area. Such stages shall be capable of complete and self-sufficient existence without the completion of the remaining stages.

Seven (7) copies of all Final Site Development Plans shall be submitted and shall include at least the following:

- a. Site Plan containing detailed layout information related to all site plan proposals contained in the Initial Development Concept Plans, plus an additional, schematic layout of building, drives and parking areas at a scale of 1 inch = 100 feet;
- b. Architectural Plans for each proposed building or other structure, including generalized floor plans, exterior elevations incorporating thereon all wall signs, including locations and dimensions, perspective drawings and descriptive information concerning exterior building materials, finishes and colors, including material samples if requested by the Commission.
- c. Landscaping Plans presenting in detail the landscaping treatments and materials and open space proposals contained in the Initial Development Concept Plans, including proposed grading, plant materials specifics and maintenance provisions;
- d. Site Lighting shall be designed and positioned so as to minimize objectionable light at the property lines and visibility glare at any location on or off site. Externally lit signs, displays and aesthetic lighting must be lit from above. Light standards shall not exceed a height reasonable for the intended purpose. Lighting that infringes on adjacent properties must be shielded to prevent glare and light trespass. All nonessential lighting must be turned off after business hours, except for necessary security lighting. For site plans in excess of 20,000 square feet, a lighting plan prepared and sealed by a Connecticut-licensed professional engineer or acceptable, certified lighting professional must be submitted. It shall show all fixture locations, arrangements, types, U. ratios and foot-candle illuminance at five-foot intervals on the site.
- e. Engineering Plans presenting the detail designs and information supporting all the engineering elements of the Initial Development Concept Plans.
- f. Legal Documents required by these Regulations, including such things as covenants, restrictions, easements, bonds and certificates, if applicable.

34.109.1 Approval: **The Commission may hold a public hearing on the Final Site Development Plan if in its estimation said Plan differs significantly from the Initial Development Concept Plan. Otherwise, the Final Site Development Plan shall be processed in the same manner as a site plan approval under Section 720 – Site Plans.** Approval of the Final Site Development Plans shall be noted on said Plans which shall then be signed by the Chairman of the Planning and Zoning Commission with the date of approval indicated on the

Plans. A complete copy of the approved, endorsed Plans shall be recorded in the Office of the Town Clerk.

34.1~~10~~ Bonds: The petitioner shall file with the Commission a performance bond, in form, amount and surety approved by the Commission, to guarantee the faithful performance of the site improvements work to be undertaken within the public rights-of-way, unless said improvements are bonded under the provision of the Hamden Subdivision Regulations. Said bond shall include driveway connections, sanitary sewer and water supply facilities, storm drainage and pollution control facilities, landscaping and other essential site improvements. In addition, a separate cash bond shall be posted to guarantee the proper installation, maintenance and repair of all sediment and erosion control measures in a timely fashion to the satisfaction of the Commission.

34.1~~2~~ Additional Limitations: Adoption of a PD District by the Commission shall constitute approval of the Statement of Uses and Standards and will authorize uses, buildings structures and site development in accordance the approved Initial Development Concept Plan, subject to the subsequent approval of Final Site Development Plans and detailed specifications and conditions by the Commission. Failure to submit Final Site Development Plans within the specified time period or any approved extension thereof shall render the approved Initial Development Concept Plan null and void. Except as otherwise permitted by the Commission, the authorized Final Site Development Plan shall be completed within five (5) years from the effective date of said Final Site Development Plan, except that the Commission may extend the time for completion for one (1) year periods after public hearing for good cause demonstrated to the satisfaction of the Commission. If said extension is not granted, the right to construct said approved Final Site Development Plan shall expire at the end of said five (5) year approval period. Any such expiration of Initial Development Concept Plan approval or Final Site Development Plan approval does not automatically terminate the validity of the PD District. Therefore, upon any such expiration, the Commission may, in its discretion, take the necessary steps to amend these Regulations and the Zoning Map by deleting said PD District and re-establishing for such land the uses and standards previously applicable or the provisions of another appropriate zoning district. Until such time as this rezoning occurs, said PD District together with its adopted Statement of Uses and Standards continues to exist.

34.13 Modification of Adopted PD Districts: Following a duly noticed public hearing specifically conducted for that purpose, as originally required for the adoption of said PD District, the Commission may approve a significant change to the Final Site Development Plans and/or any provision, permitted use or standard contained in the Statement of Uses and Standards. Any minor modification or adjustment to the Final Site Development Plans that does not materially change the nature, scope or intensity of said Plans may be approved administratively by the Commission as a minor site plan modification. This procedure for modification effectively precludes any need for variance relief through the Zoning Board of Appeals since any provision or standard of said PD District may be modified if required by following the procedure set forth above.