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City Clerk
116 E. Market Street
Troy, Illinois 62294



Ordinance No. 2025 - 32

AN ORDINANCE of the City of Troy, Illinois, Amending Title XV: Land Usage,
Chapter 154 Zoning Ordinance of the Code of Ordinances Pertaining to
Planned Developments and Development Bonuses

ADOPTED BY THE CITY COUNCIL
OF THE CITY OF TROY, ILLINOIS

THIS Sixteenth DAY OF June 2025

Whereas, the City of Troy previously adopted an ordinance establishing criteria and procedures for Planned Developments; and

Whereas, the corporate authorities have determined the ordinance requires updating to attract a greater variety of residential, commercial and recreational development; and

Whereas, the Planning Commission performed a review of the city's Planned Development Ordinance and determined that changes are necessary to encourage a creative approach to the use of land resulting in a better development that promotes an innovative design and the construction of aesthetic amenities while respecting the surrounding established area; and

Whereas, the Planning Commission has complied with the provisions of *Section 154.143 Amendments* of the Zoning Ordinance by holding a public hearing on June 12, 2025, to consider amending Section 154.064 Planned Developments; and

Whereas, as a result of said hearing, the Planning Commission has made a recommendation (Recommendation 2025-07PC) to the City Council that they enact said amendments to the Zoning Ordinance; and

Whereas, the City Council has duly considered the matter and the recommendation of the Planning Commission and has determined that the amendments referenced herein conform to the goals, objectives, and policies of the Comprehensive Plan and promote progressive and flexible land development on tracts of land that may be difficult to develop under established guidelines.

Now, Therefore, Be It Ordained by the Mayor and the City Council of the City of Troy, Illinois as follows:

SECTION 1: The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if outlined in this Section of this Ordinance verbatim, as findings of the City Council of the City of Troy, Illinois.

SECTION 2: Section 154.064 of the Zoning Ordinance shall be deleted in its entirety, and a new Section 154.064 Planned Development (PD) Overlay is created to read as follows:

§ 154.064 PLANNED DEVELOPMENT (PD) OVERLAY.

(A) *Purpose.* The Planned Development (PD) Overlay is an innovative land planning tool that should be utilized to improve property and establish unique and modern urban development where strict adherence to standard zoning criteria inhibits the creative process.

A planned development overlay aims to promote progressive and flexible land development on problematic tracts of land where certain causative factors, such as extreme topography, irregular property boundaries, surrounding uses and zoning, and other similar aspects render the land difficult to develop under established guidelines. It should be utilized to create compatible land uses

within urbanized areas and generate the appropriate criteria necessary to enable land development that is unlikely to occur given the standards established in other zoning districts.

Care should be given to ensure that development under this section does not negatively impact the health, safety, and welfare of the general public. The discretionary oversight granted in this section shall allow the Planning Commission and the City Council to establish standards and impose conditions upon such requests to mitigate or eliminate potentially adverse effects upon the community or properties within the vicinity of the proposed use.

Designation under this section shall not affect the underlying zoning of the property except as provided in the ordinance establishing the overlay.

(B) *General Guidelines.* All uses – permitted, special, and conditional – relative to a request for a planned development shall be initially established by the underlying zoning district. In situations where there is a need to deviate from the established guidelines in the underlying zoning district relative to permitted, secondary or conditional uses or general development criteria i.e. density requirements, area requirements, etc., the applicant shall present to the Planning Commission and the City Council the special circumstances that inhibit the development of property strictly utilizing the standards designated in the underlying zoning district and the criteria that will differ from the established criteria. The applicant shall provide the method for establishing the new standards and the conditions necessary for the change in the standards.

(1) *Land uses.*

- (a) *Permitted and special uses:* All permitted, conditional, and special uses established in the underlying zoning district. When varying from the uses within the underlying zoning district, the applicant shall provide an amended list of permitted or special uses and the conditions necessary for the change in standards from the underlying zoning district.
- (b) *Limitation of uses:* Uses prohibited shall be those specifically prohibited within the underlying zoning district.

(2) *Area regulations:* Requirements associated with lot width, lot depth, front yard setback, side yard setback, rear yard setback, and distance between buildings shall be initially established by the underlying zoning district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from the underlying zoning district.* The minimum planned development district size shall be five acres or be contiguous to

and/or part of the same underlying zoning district that, in total, meets the minimum district size.

(3) *Height requirements:* The height requirements associated with structures shall be initially established by the underlying district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from the underlying zoning district.*

(4) *Off-street parking and loading requirements:* Requirements associated with off-street parking and loading shall be initially established by § 154.080 through § 154.090 of the *Zoning Ordinance*. *When varying from the guidelines within this subchapter, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from those established.*

(5) *Sign standards:* On-premise signage shall be provided by Chapter 155: Sign Regulations of the Zoning Ordinance.

(6) *Buffer area regulations:* Requirements associated with the establishment of a buffer area shall be initially established by the underlying zoning district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from the underlying zoning district.*

(7) *Development standards:* When applicable, development standards shall be initially established by the underlying zoning district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from the underlying zoning district.*

(8) *Green space requirements:* Requirements associated with green space shall be initially established by § 153.086 *Provision of Green Space* of the *Subdivision Code*. *When varying from the guidelines within § 153.086 Provision of Green Space, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from those established.*

(9) *Density requirements:* Requirements associated with maximum density, lot size, minimum open space, maximum building coverage, and maximum impervious coverage shall be initially established by the underlying zoning district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new*

standards and the conditions necessary for the change in standards from the underlying zoning district. The lot size for any residentially zoned district may be reduced by no more than 10%.

(10) *Development Bonuses:* May be granted by the City according to § 154.069.

(C) *Subdivision regulations and construction standards.* The PD Overlay shall not be used to deviate from the construction standards established for new construction within the City. Except in extreme circumstances relative to width, grade, and radii, all subdivision regulations shall be met. Justification must be given for the establishment of private streets or roadways; however, all subdivision regulations and construction standards must be met.

(D) *Additional requirements and restrictions.* In granting a PD overlay, the Planning Commission may recommend and the City Council may impose such conditions, safeguards, and restrictions upon the premises benefited by the planned development as may be necessary to comply with the standards section of this ordinance to avoid, minimize, or mitigate any potentially injurious effect of such planned development uses upon other property in the neighborhood, and to carry out the general purpose and intent of this ordinance. Such conditions shall be set out in the ordinance approving the planned development.

(E) *Application for establishing a Planned Development Overlay.* An application for a PD overlay, including site plans and the required fees, must be filed with the Code Official. For PD overlays based on residential zoning districts, the requirement for a site plan may be waived and a Preliminary Plat in compliance with Chapter 153: Subdivision Code shall suffice. The application shall contain the following information and any additional information as may be required by the Code Official, Planning Commission or City Council. Failure to meet the following submittal requirements will result in the rejection of the application.

(1) The name of the proposed development and a general description of the proposed PD overlay.

(2) Names, addresses and contact information of the owner(s) of record, and engineer, surveyor or designer responsible for the planning, engineering, surveying and design.

(3) The street address, legal description and acreage in the entire planned development.

(4) Copies of the proposed deed restrictions, protective covenants, and homeowners' association articles of incorporation and bylaws.

(5) A list of names and addresses of the owners of record for all properties located within 250 feet of the subject property's boundary. Property owner lists shall be obtained from the Madison County Maps and Plats GIS Division of the Chief County Assessment Office

(6) The zoning classification and present use of the subject property.

(7) A statement or diagram/matrix detailing the area or areas of the zoning ordinance that will be varied from and the conditions present that require deviation from the established standards. This written justification for the establishment of the PD overlay must clearly and explicitly detail each item that will deviate from the established guidelines and should explain what special physical circumstances are present on the subject tract of land that inhibit its development. Economic justifications for establishing the PD overlay are not acceptable. This portion of the application is the foundation for the establishment of the PD overlay.

Applications for establishing a PD overlay will be accepted only for vacant tracts of land or for property undergoing redevelopment. Redevelopment is not synonymous with "remodel". For purposes of this section, redevelopment shall be defined as a minimum increase of 50% in the appraised value of the subject property brought about as a result of the improvements made as proposed, as determined by a licensed appraiser. This appraisal information shall be provided by the applicant at the applicant's expense. Demolition and rebuild, construction of new principal structure(s) or a change in the principal use as defined in this ordinance are conditions that may be used to determine this valuation.

(8) A statement as to why the proposed PD overlay will not cause substantial injury to the value, use or enjoyment of other property in the neighborhood.

(9) A statement as to how the proposed PD overlay will be designed, arranged, and operated to ensure that development and use of neighboring property in accordance with the applicable district regulations will not be prevented or made unlikely. *Care should be taken when proposing a PD overlay to ensure that uses within the overlay closely match those within the underlying zoning district and that conformance with the Comprehensive Plan and Future Land Use Plan Map is maintained.*

(10) A statement or diagram/matrix detailing the particular measures that will be implemented to compensate for the requested deviations from the underlying zoning district.

(F) *Review and Approval Procedure.*

(1) *Step 1 – Pre-application conference.* The applicant shall meet with City staff to provide an informal reaction to the project plans, but such comments are advisory and do not commit the City to any plan proposal or element.

(2) *Step 2 – City staff review.* The applicant shall submit an application and applicable site plan or preliminary plat to the Code Official. The application shall be made within 180 days after the pre-application conference. The Code Official shall forward the documents to City staff. All comments and recommendations shall be provided to the applicant in writing. During the review process, City staff may make an informal presentation of the application to the Planning Commission for their initial consideration.

(3) *Step 3 – City staff approval.* The applicant shall address the comments, corrections, and recommendations in Step 2 and submit a revised PD Overlay plan.

(4) *Step 4 – Planning Commission review.* The Planning Commission shall hold a public hearing and make a recommendation to the City Council to approve, approve with conditions, or disapprove the PD Overlay in consideration of the approval criteria.

(5) *Step 5 – City Council review and decision.* The City Council shall make the final decision on all applications for a PD Overlay. In making its decision, the council shall consider but not be bound by the recommendation of the Planning Commission. If a rezoning request accompanies the PD Overlay application, then the PD Overlay plan may be placed on the same City Council agenda as the rezoning request. Upon the City Council's approval of the PD Overlay resolution, the PD Overlay plan shall be considered to be approved.

(G) *Standards/Approval Criteria.* Recommendations and decisions about a PD Overlay by the Planning Commission and City Council are to be based on the following standards and criteria:

(1) The proposed PD overlay will be consistent with the adopted policies in the Comprehensive Plan and Future Land Use Plan Map.

(2) The proposed PD overlay will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting public health, safety, and general welfare.

(3) The proposed PD overlay will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property under the applicable district regulations. In determining whether the proposed PD overlay will so dominate the immediate neighborhood, consideration shall be given to:

(a) The location, nature, and height of buildings, structures, walls, and fences on the site, and

(b) The nature and extent of screening on the site.

- (4) The proposed PD overlay at the specified location will contribute to or promote the welfare or convenience of the public.
 - (5) Adequate access roads or entrance and exit drives will be provided and designed to prevent traffic hazards and minimize traffic congestion in public streets and alleys.
 - (6) The proposed PD overlay will be served adequately by essential public facilities and community services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the PD overlay will provide adequately for such services.
 - (7) The proposed PD overlay will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.
 - (8) The benefits of the proposed PD overlay outweigh the loss of or damage to any homes, businesses, natural resources, agricultural lands, historic or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historic features of significance, and outweigh the personal and economic costs of disruption to the lives, businesses, and property of individuals affected by the proposed use.
 - (9) All reasonable means for meeting the projected need or demand for the proposed building, structure, development, use, or activity which may be less costly or less intrusive to existing communities have been considered and rejected by the applicant for clearly disclosed reasons, and that all reasonable means for minimizing adverse impacts of the proposed use have been considered and incorporated into the proposal.
 - (10) The proposed PD overlay is consistent with prior plans, the Comprehensive Plan and projections of the applicant, if any, upon which the City of Troy has based planning or zoning decisions or, if the proposed use is consistent with prior plans or projections of the applicant, that the benefits to the community of the proposed use outweigh any such inconsistency.
- (H) *Amendments or revisions to an approved PD Overlay.* Minor changes to the plan may be approved by city staff without review by the Planning Commission or the City Council as long as the changes do not materially affect the PD Overlay as approved by the City Council.
- (I) *Period of Validity.* No site plan for a PD overlay shall be valid for longer than one year from the date on which the City Council grants approval, unless within the one year period: (a) a building permit is obtained and the erection or alteration of a structure is started, or (b) an occupancy permit is obtained and a use commenced. The City Council may grant one additional extension not

exceeding one year, upon written application, without notice or hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application as required in Section 154.143 Amendments. It should be recognized that the establishment of a planned development is contractual, and upon expiration of a site plan approved in conjunction with a PD overlay, the property will revert to the underlying zoning district designation and all uses and the general development guidelines as stated in the district shall apply. There shall be no vested rights associated with an expired site plan approved in conjunction with a PD overlay.

SECTION 3: That Section 154.069 Development Bonuses shall be created to read as follows:

§ 154.069 DEVELOPMENT BONUSES

(A) *Purpose.* To advance the goals of the Comprehensive Plan and zoning regulations of the city, the Planning Commission may recommend, and the City Council may approve, development bonuses that include a reduction in green space or parking requirements when certain practices that provide public benefit are incorporated into the development.

This subchapter establishes guidelines for relief from traditional zoning standards to compensate for certain improvements to promote the public good, as further described. These regulations apply in the C-5 zoning district and Planned Development overlays.

(B) *General guidelines.* If development bonuses are requested, the applicant shall document all site amenities or improvements for the city's review and consideration. Development bonus opportunities provided herein shall serve as a guide in providing relief from the underlying zoning district standards. These opportunities are presented by zoning class; proposed mixed-use developments can utilize opportunities from either zoning class, provided those opportunities further the public benefit provided by the development.

(1) *Residential development bonuses.* Relief from underlying zoning guidelines may be granted to planned residential developments that incorporate elements and provide amenities that create more impactful green space and recreational opportunities within the subdivision. The incorporated elements should be regionally significant or a meaningful addition to the development for bonuses to be assigned at the discretion of the City Council. If construction of the development is to occur in stages, then open space or recreational amenities shall be developed in reasonable proportion to the number of dwelling units intended to be developed and to be served during any given stage of construction, as approved by the City Council.

- (a) *Density bonus.* Upgrades to public and private infrastructure and protection of natural resources will be considered for a reduction in density. Multiple approaches could be considered below for a maximum increase of 25% in the total number of dwelling units. The maximum reduction in lot size shall be limited to 10% of the underlying zoning requirement.
1. *Streetscape improvements.* Upgrades to roads and the streetscape that create boulevards or parkways will be considered for a density bonus of up to 10%. Notwithstanding the typical section, only streetscape improvements that exceed the requirements outlined in development standards will be considered for a development bonus. Streetscape upgrades could include, but are not limited to:
 - a. Modified typical sections of roads that trade pavement width for green features, including added landscaping and tree canopies in the right-of-way. Any modification to typical sections shall document the following considerations at a minimum:
 - 1) Reduced pavement width is sufficient to accommodate full and future buildout traffic demands as well as emergency vehicles in all conditions. No parking or snow routes could be requested on streets with modified typical sections.
 - 2) Ornamental street signs and street light posts, landscaping, and like improvements that exceed the development standards would be privately maintained.
 - b. Planting a minimum of two canopy trees per lot within the residential subdivision will be considered for a density bonus of up to five percent. Tree species must be native to the region and have a 2.5-inch caliper or greater. Tree planting shall be made a condition of individual lot occupancy to receive a density bonus.
 2. *Pedestrian facility upgrades.* Upgrades to pedestrian facilities will be considered for a density bonus of up to 10%. Only pedestrian facilities that exceed the requirements outlined in development standards will be considered for a development bonus. Pedestrian facility upgrades could include, but are not limited to:
 - a. Providing sidewalk widths above the minimum required width.
 - b. Providing bike trails that increase the circulation of bike traffic.

- c. Providing sidewalks and paths beyond the road frontage that increase pedestrian traffic circulation.
 - d. Providing increased access to public transportation, including:
 - 1) Adding a bus stop along an existing route.
 - 2) Adding a bus route to increase access to more areas.
 - 3) Providing amenities to create an accessible bus stop in varied weather conditions.
 - e. Providing pedestrian amenities, including:
 - 1) Pedestrian-scaled lighting that lights the pedestrian path while considering the mature height of street trees and the tree canopy.
 - 2) Seating in the form of benches, seat walls, and railings.
 - 3) Signage and information kiosks directing people to major activity centers and amenities.
 - 4) Trash receptacles.
 - 5) Bike and scooter parking.
 - 6) Public art on buildings in the streetscape.
 - 7) Shade with street trees, awnings, and canopies.
3. *Green space.* Green space, as outlined below, will be considered for a density bonus of up to 15%. Only green space that exceeds the requirements outlined in development standards or provides meaningful improvement to the green space will be considered for a density bonus and will be calculated with a weighted percentage toward the total requirement as outlined below. Green space considerations include, but are not limited to:
- a. To promote the protection of woodlands, 125% of the land area may be counted toward meeting green space requirements if the woodlands are set aside and permanently protected as undeveloped space.
 - b. Two hundred percent of the land area dedicated to establishing a woodland canopy and a tree preservation easement set aside and permanently protected as undeveloped space may be counted toward green space requirements. A plan shall be established by an arborist for the development

of the tree canopy and shall specify the planting of two hardwood trees for each tree anticipated in the woodland. The plan shall assess 200 square feet for each tree-designated woodland. For example, where 20,000 square feet are being preserved, the following formula would be used: 20,000 square feet divided by 200 square feet equals 100 trees. As the required tree planting ratio is 2:1, 200 trees would be planted.

- c. To promote low-impact design and stormwater-related best management practices (BMPs), 125% of the land area used for rain gardens, bio-retention facilities, groundwater infiltration systems, and other approved structural stormwater BMPs may be counted toward meeting green space requirements when the areas are set aside as undeveloped space.
 - d. To promote recreation, 125% of the land area used for retention ponds may be counted toward meeting green space requirements when the areas are set aside as undeveloped space, and the retention pond serves as stormwater management with the addition of recreational amenities. Recreational amenities include walking paths, providing adequate depth to support aquatic life, stocking the pond with fish, adding docks or bridges, and similar items to promote recreation.
 - e. To promote the provision and protection of natural preserves, 125% of the land area of natural preserves and created wetlands may be counted toward meeting green space requirements if the natural preserves are set aside and permanently protected as undeveloped space.
 - f. One hundred fifty percent of the reserved land area placed into a conservation easement with a legally incorporated land conservation agency or donated for a city park may be counted toward green space requirements.
4. *Subdivision amenities.* Recreational subdivision amenities, as outlined below, will be considered for a density bonus of up to 10%. Only amenities that exceed the requirements outlined in development standards will be considered for a density bonus. Recreational subdivision amenities could include, but are not limited to:
- a. Swimming pools.
 - b. Sports courts, i.e., basketball, pickleball, tennis, etc.
 - c. Playgrounds.

- d. Clubhouse or community center.
 - e. Public gathering spaces, i.e., pavilions or gazebos.
- (b) *Parking space reduction.* A reduction in minimum parking as required in § 154.080 through § 154.090 in residential uses will be considered. An engineering parking study shall be provided to justify any parking reduction to demonstrate that adequate parking for residential uses is provided. The strategies listed in *Streetscape Improvements* and *Pedestrian Facility Upgrades* could be considered for parking space reduction. However, at no time could one strategy be considered for both a density bonus and a parking space reduction unless otherwise approved by the City Council.
- (c) *Public infrastructure improvements.* Improvements to critical public infrastructure will be considered for a development bonus of up to half the maximum allowable bonuses for reductions in green space and parking requirements. Improvements that support the extension and connection of critical infrastructure above those improvements required for the function of the development will be considered for a density bonus. These improvements could include those identified by the city as future desired infrastructure projects. Right-of-way dedications or easement dedications for future desired improvements will also be considered for a development bonus. Public infrastructure improvement considerations include, but are not limited to:
- 1. Extensions of collector roads through the development.
 - 2. Improvements to critical wastewater infrastructure, including the construction of a regional lift station or the extension of a collecting trunk line to serve multiple users.
 - 3. Improvements to critical water infrastructure, including the extension and looping of transmission lines to provide increased flows and redundancy in the water system.
 - 4. Regional detention ponds and stormwater improvements to serve multiple users.
- (2) *Commercial development bonuses.* Relief from underlying zoning guidelines may be granted to planned commercial developments that incorporate elements that create more impactful green space and intentional public spaces within the development. The incorporated elements should be a regionally significant addition to the development for bonuses to be assigned at the discretion of the City Council.

- (a) *Parking space reduction.* The maximum parking reduction in parking spaces shall be limited to 50% of the spaces required for the specific use of the property as provided in § 154.080 through § 154.090. An engineering parking study shall be provided to justify any parking reduction above 25% of the required parking spaces to demonstrate that adequate parking for the proposed use is provided. A balance between the intended users and the following list of incentives may be considered to reach a parking space reduction.
1. *Pedestrian facility upgrades.* Upgrades to pedestrian facilities will be considered for a parking space reduction. Only pedestrian facilities that exceed the requirements outlined in development standards will be considered for a development bonus. Pedestrian facility upgrades could include, but are not limited to:
 - a. Providing sidewalk widths above the minimum required width.
 - b. Providing bike trails that increase the circulation of bike traffic.
 - c. Providing sidewalks and paths beyond the road frontage that increase pedestrian traffic circulation.
 - d. Providing increased access to public transportation, including:
 - 1) Adding a bus stop along an existing route.
 - 2) Adding a bus route to increase access to more areas.
 - 3) Providing amenities to create an accessible bus stop in varied weather conditions.
 - e. Providing pedestrian amenities, including:
 - 1) Pedestrian-scaled lighting that lights the pedestrian path while considering the mature height of street trees and the tree canopy.
 - 2) Seating in the form of benches, seat walls, and railings.
 - 3) Signage and information kiosks directing people to major activity centers and amenities.
 - 4) Trash receptacles.
 - 5) Bike and scooter parking.
 - 6) Public art on buildings in the streetscape.

- 7) Shade with street trees, awnings, and canopies.
- f. Providing pedestrian-specific amenities to a civic green, including open shelters that encourage public gatherings.
- g. The following images portray desirable outcomes:



Seating along sidewalks in the form of benches with pedestrian-scale lighting.



Public art in a streetscape.



Shade with street trees, awnings, and canopies.

2. *Streetscape improvements.* Upgrades to roads and the streetscape that create boulevards or parkways will be considered for a parking space reduction of up to 10%. Notwithstanding the typical section, only streetscape improvements that exceed the requirements outlined in development standards will be considered for a development bonus. Streetscape upgrades could include, but are not limited to:
 - a. Modified typical sections of roads that trade pavement width for green features, including added landscaping and tree canopies in the right-of-way. Any modification to typical sections shall document the following considerations at a minimum:
 - 1) Reduced pavement width is sufficient to accommodate full and future buildout traffic demands, as well as emergency vehicles in all conditions. No parking or snow routes could be requested on streets with modified typical sections.
 - 2) Ornamental street signs and street light posts, landscaping, and like improvements that exceed the development standards would be privately maintained.
 - (b) *Density bonus.* Upgrades to public and private infrastructure and protection of natural resources will be considered for a reduction in density. Multiple approaches could be considered below for a maximum increase in site impervious area of up to 30%, not to exceed a site impervious area of 85%.
 1. *Green space.* Green space, as outlined below, will be considered for a density bonus of up to 15%. Only green space that exceeds the requirements outlined in development standards or provides meaningful improvement to the green space requirements will be considered for a density bonus and will be calculated with a weighted percentage as outlined below. Green space considerations include, but are not limited to:
 - a. To promote the protection of woodlands, 125% of the land area may be counted toward meeting green space requirements if the woodlands are set aside and permanently protected as undeveloped space.
 - b. Two hundred percent of the land area dedicated to establishing a woodland canopy and a tree preservation easement set aside and permanently protected as undeveloped space may be counted toward green space

requirements. A plan shall be established by an arborist for the development of the tree canopy and shall specify the planting of two hardwood trees for each tree anticipated in the woodland. The plan shall assess 200 square feet for each tree-designated woodland. For example, where 20,000 square feet are being preserved, the following formula would be used: 20,000 square feet divided by 200 square feet equals 100 trees. As the required tree planting ratio is 2:1, 200 trees would be planted.

- c. To promote low-impact design and stormwater-related best management practices (BMPs), 125% of the land area used for rain gardens, bio-retention facilities, groundwater infiltration systems, and other approved structural stormwater BMPs may be counted toward meeting green space requirements when the areas are set aside as undeveloped space.
- d. To promote recreation, 125% of the land area used for retention ponds may be counted toward meeting green space requirements when the areas are set aside as undeveloped space, and the retention pond serves as stormwater management with the addition of recreational amenities. Recreational amenities include walking paths, providing adequate depth to support aquatic life, stocking the pond with fish, adding docks or bridges, and similar items to promote recreation.
- e. To promote the provision and protection of natural preserves, 125% of the land area of natural preserves and created wetlands may be counted toward meeting green space requirements if the natural preserves are set aside and permanently protected as undeveloped space.
- f. One hundred fifty percent of the landscape area may be counted toward the green space requirement if the development provides landscaping in addition to the minimum landscape requirements. Landscape areas over 10% of the requirement shall be provided for bonus consideration.
- g. Two hundred percent of the land area included as a civic green may be counted toward the green space requirement.
- h. One hundred fifty percent of the reserved land area placed into a conservation easement with a legally incorporated land conservation agency or donated for a city park may be counted toward green space requirements.

2. *Commercial density bonus.* Incentives listed in *Streetscape Improvements* and *Pedestrian Facility Upgrades* could be considered for a density bonus of up to five percent for each category in commercial development if parking reductions are not requested. At no time could one strategy be considered for both a density bonus and a parking space reduction unless otherwise approved by the City Council.
3. The following images portray desirable outcomes:



A civic green is an open space consisting of a lawn and informally framed by trees and shrubs, typically furnished with paths, benches, and open shelters.



Landscaping in addition to minimum requirements. Flowering shrubs that border a bench.



Retention pond with a walking path around it for recreation.

- (c) **Public infrastructure improvements.** Improvements to critical public infrastructure will be considered for a development bonus of up to 15%. Improvements that support the extension and connection of critical infrastructure above those improvements required for the function of the development will be considered for a density bonus. These improvements could include those identified by the city as future desired infrastructure projects. Right-of-way dedications or easement dedications for future desired improvements will also be considered for a development bonus. Public infrastructure improvement considerations include, but are not limited to:
1. Extensions of collector roads through the development.
 2. Improvements to critical wastewater infrastructure, including the construction of a regional lift station or the extension of a collecting trunkline to serve multiple users.
 3. Improvement to critical water infrastructure, including the extension and looping of transmission lines to provide increased flows and redundancy in the water system.
 4. Regional detention ponds and stormwater improvements to serve multiple users.
- (3) **Industrial development bonuses.** Relief from underlying zoning guidelines may be granted to planned industrial developments that incorporate elements that create more impactful green space and create additional separation from different surrounding zoning.
- (a) **Density bonus.** Upgrades to public and private infrastructure and protection of natural resources will be considered for a reduction in density. Multiple approaches could be considered below for a maximum increase in site impervious area of up to 15%, not to exceed a site impervious area of 85%. Strategies that create additional buffers from

residential and commercial zones for visual, noise, and pollution concerns should be prioritized in industrial developments.

1. *Green space.* Green space, as outlined below, will be considered for a density bonus of up to 15%. Only green space that exceeds the requirements outlined in development standards or provides meaningful improvement to the green space requirements will be considered for a density bonus and will be calculated with a weighted percentage as outlined below. Green space considerations include, but are not limited to:
 - a. To promote the protection of woodlands, 125% of the land area may be counted toward meeting green space requirements if the woodlands are set aside and permanently protected as undeveloped space.
 - b. Two hundred percent of the land area dedicated to establishing a woodland canopy and a tree preservation easement set aside and permanently protected as undeveloped space may be counted toward green space requirements. A plan shall be established by an arborist for the development of the tree canopy and shall specify the planting of two hardwood trees for each tree anticipated in the woodland. The plan shall assess 200 square feet for each tree-designated woodland. For example, where 20,000 square feet are being preserved, the following formula would be used: 20,000 square feet divided by 200 square feet equals 100 trees. As the required tree planting ratio is 2:1, 200 trees would be planted.
 - c. To promote low-impact design and stormwater-related best management practices (BMPs), 125% of the land area used for rain gardens, bio-retention facilities, groundwater infiltration systems, and other approved structural stormwater BMPs may be counted toward meeting green space requirements when the areas are set aside as undeveloped space.
 - d. To promote recreation, 125% of the land area used for retention ponds may be counted toward meeting green space requirements when the areas are set aside as undeveloped space, and the retention pond serves as stormwater management with the addition of recreational amenities. Recreational amenities include walking paths, providing adequate depth to support aquatic life, stocking the pond with fish, adding docks or bridges, and similar items to promote recreation.

- e. To promote the provision and protection of natural preserves, 125% of the land area of natural preserves and created wetlands may be counted toward meeting green space requirements if the natural preserves are set aside and permanently protected as undeveloped space.
 - f. One hundred fifty percent of the landscape area may be counted toward the green space requirement if the development provides landscaping in addition to the minimum landscape requirements. Landscape areas over 10% of the requirement shall be provided for bonus consideration.
 - g. Two hundred percent of the land area included as a civic green may be counted toward the green space requirement.
 - h. One hundred fifty percent of the reserved land area placed into a conservation easement with a legally incorporated land conservation agency or donated for a city park may be counted toward green space requirements.
2. *Parking reduction.* The maximum parking reduction in parking spaces shall be limited to 50% of the spaces required for the specific use of the property as provided in § 154.080 through § 154.090. An engineering parking study shall be provided to justify any parking reduction to demonstrate adequate parking for the proposed use. A balance between the intended users and the incentives listed in *Pedestrian Facility Upgrades* may be considered to reach a parking space reduction as approved by the City Council.
- (b) *Public infrastructure improvements.* Improvements to critical public infrastructure will be considered for a density bonus of up to 15%. Improvements that support the extension and connection of critical infrastructure above those improvements required for the function of the development will be considered for a density bonus. These improvements could include those identified by the city as future desired infrastructure projects. Dedication of rights-of-way or easement dedications for future desired improvements will also be considered for a development bonus. Public infrastructure improvement considerations include, but are not limited to:
- 1. Extensions of collector roads through the development.
 - 2. Improvements to critical wastewater infrastructure, including the construction of a regional lift station or the extension of a collecting trunkline to serve multiple users.

3. Improvements to critical water infrastructure, including the extension and looping of transmission lines to provide increased flows and redundancy in the water system.
4. Regional detention ponds and stormwater improvements to serve multiple users.

(4) *Example Calculations.*

(a) Residential Bonus Example.

1. *Example: 100-acre subdivision in an underlying R1-A zoning district:*

Underlying zoning class:	R-1A Single-family Residential
Total area of development:	100 acres
Maximum coverage in percent of lot:	30% or 30 acres
Minimum lot size:	8,250 sq. ft.
Green space requirement:	10% or 10 acres

2. *Design development assumptions:* Some assumptions for the area of the subdivision that will have to be dedicated to right-of-way and stormwater management, regardless of incentives or bonuses. Note that detention only counts for 50% of the green space requirement.

Right-of-way in subdivision:	15% or 15 acres
Detention in subdivision:	8% or 8 acres

3. *Maximum number of lots in subdivision:* Using the assumptions stated above, the number of lots in the subdivision is calculated below. Note that only 50% of detention areas count toward the green space requirement. A density bonus of up to 25% lists the maximum number of lots for this example.

a. Developable lot area: 100 acres (*total*) – 8 acres (*detention*) – 6 acres (*required green space in addition to detention*) – 15 acres (*ROW*) = 71 acres

Number of lots: 71 acres / 8,250 sq. ft. = 374 lots

Max number of lots: 374 * 125% = 467 lots

4. *Some strategies that could be utilized to reduce the green space requirement:*

a. *Eight-acre retention pond with recreational amenities.* Detention area typically counts as 50% of the area for the green space calculation, so the 8-acre retention area with recreational amenities will count as 10 acres, instead of 4 acres, toward the green space requirement.

8 acres * 125% = 10 acres

Density Bonus lot count:

100 acres – 15 acres (ROW) – 8 acres (retention w/amenities) = 77 acres

Number of lots: 77 acres / 8,250 sq. ft. = 406 lots

- b. *Establishing a 3-acre woodland canopy.* In this example, three acres that are not wooded but may be difficult to develop due to an odd-shaped remnant parcel, difficult grades, or other factors could be established as a woodland canopy.

3 acres * 200% = 6 acres (counted toward green space)

100 acres – 15 acres (ROW) – 8 acres (detention) – 3 acres (canopy) = 74 acres

Number of lots: 74 acres / 8,250 sq. ft. = 390 lots

5. *Strategy to reduce lot size requirement:*

- a. Providing pedestrian facility upgrades in green space. Maximum 10% bonus.
71 acres of developable lot area as derived in Section 3 above for the example subdivision
Minimum lot size: 8,250 sq. ft. * 90% = 7,425 sq. ft.
Number of lots: 71 acres / 7,425 sq. ft. = 416 lots

6. *A cumulative example to increase density in a residential development:*

- Create an 8-acre retention facility with a walking trail, a pedestrian bridge, a fishing dock, depth to support aquatic life, and stocked with fish. The eight-acre retention area counted as 10 acres toward green space requirements, where it would count as four acres toward green space in straight zoning.
- Provide two native canopy trees on each lot. As a condition of approval, each residential lot will have to have two native canopy trees planted before the issuance of an occupancy permit (5% density bonus).
- The development provides recreational amenities including a playground, a basketball court, a pickleball court, and a swimming pool on 1.5 acres of common ground. All these amenities are provided in a central area near the subdivision entrance, but the subdivision is to be built in four phases. The amenity construction will be staged to build the basketball and pickleball courts in phase 1 of the subdivision. The playground will be constructed in

phase 3. And the swimming pool will be constructed in phase 4 (*5% density bonus*).

Developable lot area: 100 acres (*total*) – 8 acres (*detention*) – 15 acres (*ROW*) – 1.5 acres (*community amenities*) = 75.5 acres

Minimum lot size: 8,250 sq. ft. * 90% = 7,425 sq. ft.

Number of lots: 75.5 acres / 7,425 sq. ft. = 443 lots

An increase of 69 lots from straight zoning assumptions.

(b) Commercial Bonus Example

1. *Example: A 100-acre subdivision in an underlying C-5 zoning district:*

Underlying zoning class:	C-5 Town Center Mixed-use
Total area of development:	100 acres
Maximum coverage in percent of lot:	50% or 50 acres
Green space requirement:	30% or 30 acres
Maximum impervious area per zoning:	50 acres of structures plus 20 acres of impervious = 70 acres

2. *Some strategies that could be utilized to reduce the green space requirement:*

- a. Eight-acre retention pond with recreational amenities (*retention area typically counts as 50% of the area for green space calculation*)

8 acres * 125% = 10 acres (*at 50%, 5 acres counted for detention*)

- b. Assume this development would require 3.64 acres of required landscaping, but 110% is provided.

3.64 acres * 110% = 4 acres (*provided*)

4 acres * 125% = 5 acres (*counted toward green space*)

- c. 4-acre civic green

4 acres * 200% = 8 acres (*counted toward green space*)

- d. 5-acre area establishing a woodland canopy

5 acres * 200% = 10 acres (*counted toward green space*)

In this example, bonuses allow for 11.36 more acres of development.

Providing 20.64 acres of physical green space counts as 32 acres of green space with bonuses.

SECTION 4: Section 154.020 Establishment of Districts and Zoning District Regulations, subsection (M) Town Center Mixed-use - C-5 Zoning District shall be amended to read as follows:

(M) Town Center Mixed-use - C-5 Zoning District, (9) Development Standards, (d) *Development Bonuses*. May be granted by the City according to § 154.069.

SECTION 5: The portions of this Ordinance shall be severable. If any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed following the legislative intent.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law and shall be published in pamphlet form by the authority of the City Council.

Passed by the City Council of the City of Troy, Madison County, Illinois, and approved by the Mayor this 16th day of June, 2025.

Aldermen:

Dawson ✓

Italiano ✓

Total:

Flint ✓

Knoll ✓

6 Ayes

Hellrung ✓

Manley ✓

0 Nays

Henderson ABSENT

Turner ABSENT

0 Abstains



APPROVED:

David Nonn, Mayor

ATTEST:

Kimberly Thomas, City Clerk

RECOMMENDATION No. 2025 ~ 07PC

Of the Planning Commission of the City of Troy, Illinois, Recommending Amendments to Certain Sections of the Code of Ordinances Pertaining to Chapter 154 Zoning Ordinance: Sections 154.064 Planned Development (PD) Overlay, 154.069 Development Bonuses, and Section 154.020 Establishment of Districts and Zoning District Regulations

WHEREAS, the Planning Commission of the City of Troy has reviewed certain sections of Chapter 154 Zoning Ordinance and believes that the proposed changes are necessary to promote progressive and flexible land development on problematic tracts of land; and

WHEREAS, the Planning Commission met on June 12, 2025 to consider amending certain sections of the Code of Ordinances pertaining Planned Developments and Development Bonuses. A copy of the proposed amendment (See Exhibit A) and certification by the City Clerk regarding publication of the hearing notice are incorporated by reference; and

WHEREAS, the Planning Commission considered the testimony and exhibits offered on behalf of the proposed amendment and the following citizens also testified (See Exhibit B); and

WHEREAS, the Planning Commission has considered the factors as described in Sections 154.143 Amendments of the Code of Ordinances; and

WHEREAS, following the testimony, the members of the Planning Commission voted as recorded below:

Table with 4 columns: Name, Vote, Name, Vote. Rows include Bogue (YES), Lybarger (YES), Patton (YES), Compton (YES), McBride (YES), Reiter (Absent), Curtis (YES), Niermann (YES), Stone (Absent). Summary: 7 Yeas, 0 Nays, 0 Abstains.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS, that the amendment for the following: Sections 154.064 Planned Development (PD) Overlay, 154.069 Development Bonuses, and 154.020 Establishment of Districts and Zoning District Regulations of the Code of Ordinances as specified in Exhibit A

Is Not Recommended [] Is Recommended with the following stipulations, if noted: [x] NONE

A copy of this recommendation is presented to the City Council; the original shall be filed with the City Clerk.

ADOPTED this 12th day of June, 2025.

By [Signature] Chairman, Planning Commission

Attest [Signature] Secretary, Planning Commission

Section 154.064 Planned Developments is repealed in its entirety and a new section 154.064 Planned Development (PD) Overlay shall be created to read as follows:

§ 154.064 PLANNED DEVELOPMENT (PD) OVERLAY.

(A) *Purpose.* The Planned Development (PD) Overlay is an innovative land planning tool that should be utilized to improve property and establish unique and modern urban development where strict adherence to standard zoning criteria inhibits the creative process.

A planned development overlay aims to promote progressive and flexible land development on problematic tracts of land where certain causative factors, such as extreme topography, irregular property boundaries, surrounding uses and zoning, and other similar aspects render the land difficult to develop under established guidelines. It should be utilized to create compatible land uses within urbanized areas and generate the appropriate criteria necessary to enable land development that is unlikely to occur given the standards established in other zoning districts.

Care should be given to ensure that development under this section does not negatively impact the health, safety, and welfare of the general public. The discretionary oversight granted in this section shall allow the Planning Commission and the City Council to establish standards and impose conditions upon such requests to mitigate or eliminate potentially adverse effects upon the community or properties within the vicinity of the proposed use.

Designation under this section shall not affect the underlying zoning of the property except as provided in the ordinance establishing the overlay.

(B) *General Guidelines.* All uses – permitted, special, and conditional – relative to a request for a planned development shall be initially established by the underlying zoning district. In situations where there is a need to deviate from the established guidelines in the underlying zoning district relative to permitted, secondary or conditional uses or general development criteria i.e. density requirements, area requirements, etc., the applicant shall present to the Planning Commission and the City Council the special circumstances that inhibit the development of property strictly utilizing the standards designated in the underlying zoning district and the criteria that will differ from the established criteria. The applicant shall provide the method for establishing the new standards and the conditions necessary for the change in the standards.

(1) *Land uses.*

- (a) *Permitted and special uses:* All permitted, conditional, and special uses established in the underlying zoning district. When varying from the uses within the underlying zoning district, the applicant shall provide an amended list of permitted or special uses and the conditions necessary for the change in standards from the underlying zoning district.
- (b) *Limitation of uses:* Uses prohibited shall be those specifically prohibited within the underlying zoning district.

- (2) *Area regulations:* Requirements associated with lot width, lot depth, front yard setback, side yard setback, rear yard setback, and distance between buildings shall be initially established by the underlying zoning district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from the underlying zoning district.* The minimum planned development district size shall be five acres or be contiguous to and/or part of the same underlying zoning district that, in total, meets the minimum district size.
- (3) *Height requirements:* The height requirements associated with structures shall be initially established by the underlying district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from the underlying zoning district.*
- (4) *Off-street parking and loading requirements:* Requirements associated with off-street parking and loading shall be initially established by § 154.080 through § 154.090 of the *Zoning Ordinance*. *When varying from the guidelines within this subchapter, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from those established.*
- (5) *Sign standards:* On-premise signage shall be provided by Chapter 155: Sign Regulations of the Zoning Ordinance.
- (6) *Buffer area regulations:* Requirements associated with the establishment of a buffer area shall be initially established by the underlying zoning district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from the underlying zoning district.*
- (7) *Development standards:* When applicable, development standards shall be initially established by the underlying zoning district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from the underlying zoning district.*
- (8) *Green space requirements:* Requirements associated with green space shall be initially established by § 153.086 *Provision of Green Space of the Subdivision Code*. *When varying from the guidelines within § 153.086 Provision of Green Space, the applicant shall provide the method for establishing the new standards and the conditions necessary for the change in standards from those established.*
- (9) *Density requirements:* Requirements associated with maximum density, lot size, minimum open space, maximum building coverage, and maximum impervious coverage shall be initially established by the underlying zoning district. *When varying from the guidelines within the underlying zoning district, the applicant shall provide the method for establishing the new*

standards and the conditions necessary for the change in standards from the underlying zoning district. The lot size for any residentially zoned district may be reduced by no more than 10%.

(10) *Development Bonuses:* May be granted by the City according to § 154.069.

(C) *Subdivision regulations and construction standards.* The PD Overlay shall not be used to deviate from the construction standards established for new construction within the City. Except in extreme circumstances relative to width, grade, and radii, all subdivision regulations shall be met. Justification must be given for the establishment of private streets or roadways; however, all subdivision regulations and construction standards must be met.

(D) *Additional requirements and restrictions.* In granting a PD overlay, the Planning Commission may recommend and the City Council may impose such conditions, safeguards, and restrictions upon the premises benefited by the planned development as may be necessary to comply with the standards section of this ordinance to avoid, minimize, or mitigate any potentially injurious effect of such planned development uses upon other property in the neighborhood, and to carry out the general purpose and intent of this ordinance. Such conditions shall be set out in the ordinance approving the planned development.

(E) *Application for establishing a Planned Development Overlay.* An application for a PD overlay, including site plans and the required fees, must be filed with the Code Official. For PD overlays based on residential zoning districts, the requirement for a site plan may be waived and a Preliminary Plat in compliance with Chapter 153: Subdivision Code shall suffice. The application shall contain the following information and any additional information as may be required by the Code Official, Planning Commission or City Council. Failure to meet the following submittal requirements will result in the rejection of the application.

- (1) The name of the proposed development and a general description of the proposed PD overlay.
- (2) Names, addresses and contact information of the owner(s) of record, and engineer, surveyor or designer responsible for the planning, engineering, surveying and design.
- (3) The street address, legal description and acreage in the entire planned development.
- (4) Copies of the proposed deed restrictions, protective covenants, and homeowners' association articles of incorporation and bylaws.
- (5) A list of names and addresses of the owners of record for all properties located within 250 feet of the subject property's boundary. Property owner lists shall be obtained from the Madison County Maps and Plats GIS Division of the Chief County Assessment Office
- (6) The zoning classification and present use of the subject property.
- (7) A statement or diagram/matrix detailing the area or areas of the zoning ordinance that will be varied from and the conditions present that require deviation from the established standards. This

written justification for the establishment of the PD overlay must clearly and explicitly detail each item that will deviate from the established guidelines and should explain what special physical circumstances are present on the subject tract of land that inhibit its development. Economic justifications for establishing the PD overlay are not acceptable. This portion of the application is the foundation for the establishment of the PD overlay.

Applications for establishing a PD overlay will be accepted only for vacant tracts of land or for property undergoing redevelopment. Redevelopment is not synonymous with "remodel". For purposes of this section, redevelopment shall be defined as a minimum increase of 50% in the appraised value of the subject property brought about as a result of the improvements made as proposed, as determined by a licensed appraiser. This appraisal information shall be provided by the applicant at the applicant's expense. Demolition and rebuild, construction of new principal structure(s) or a change in the principal use as defined in this ordinance are conditions that may be used to determine this valuation.

(8) A statement as to why the proposed PD overlay will not cause substantial injury to the value, use or enjoyment of other property in the neighborhood.

(9) A statement as to how the proposed PD overlay will be designed, arranged, and operated to ensure that development and use of neighboring property in accordance with the applicable district regulations will not be prevented or made unlikely. *Care should be taken when proposing a PD overlay to ensure that uses within the overlay closely match those within the underlying zoning district and that conformance with the Comprehensive Plan and Future Land Use Plan Map is maintained.*

(10) A statement or diagram/matrix detailing the particular measures that will be implemented to compensate for the requested deviations from the underlying zoning district.

(F) *Review and Approval Procedure.*

(1) *Step 1 – Pre-application conference.* The applicant shall meet with City staff to provide an informal reaction to the project plans, but such comments are advisory and do not commit the City to any plan proposal or element.

(2) *Step 2 – City staff review.* The applicant shall submit an application and applicable site plan or preliminary plat to the Code Official. The application shall be made within 180 days after the pre-application conference. The Code Official shall forward the documents to City staff. All comments and recommendations shall be provided to the applicant in writing. During the review process, City staff may make an informal presentation of the application to the Planning Commission for their initial consideration.

(3) *Step 3 – City staff approval.* The applicant shall address the comments, corrections, and recommendations in Step 2 and submit a revised PD Overlay plan.

(4) *Step 4 – Planning Commission review.* The Planning Commission shall hold a public hearing and make a recommendation to the City Council to approve, approve with conditions, or disapprove the PD Overlay in consideration of the approval criteria.

(5) *Step 5 – City Council review and decision.* The City Council shall make the final decision on all applications for a PD Overlay. In making its decision, the council shall consider but not be bound by the recommendation of the Planning Commission. If a rezoning request accompanies the PD Overlay application, then the PD Overlay plan may be placed on the same City Council agenda as the rezoning request. Upon the City Council's approval of the PD Overlay resolution, the PD Overlay plan shall be considered to be approved.

(G) *Standards/Approval Criteria.* Recommendations and decisions about a PD Overlay by the Planning Commission and City Council are to be based on the following standards and criteria:

- (1) The proposed PD overlay will be consistent with the adopted policies in the Comprehensive Plan and Future Land Use Plan Map.
- (2) The proposed PD overlay will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting public health, safety, and general welfare.
- (3) The proposed PD overlay will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property under the applicable district regulations. In determining whether the proposed PD overlay will so dominate the immediate neighborhood, consideration shall be given to:
 - (a) The location, nature, and height of buildings, structures, walls, and fences on the site, and
 - (b) The nature and extent of screening on the site.
- (4) The proposed PD overlay at the specified location will contribute to or promote the welfare or convenience of the public.
- (5) Adequate access roads or entrance and exit drives will be provided and designed to prevent traffic hazards and minimize traffic congestion in public streets and alleys.
- (6) The proposed PD overlay will be served adequately by essential public facilities and community services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the PD overlay will provide adequately for such services.
- (7) The proposed PD overlay will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.
- (8) The benefits of the proposed PD overlay outweigh the loss of or damage to any homes, businesses, natural resources, agricultural lands, historic or cultural landmarks or sites, wildlife

habitats, parks, or natural, scenic, or historic features of significance, and outweigh the personal and economic costs of disruption to the lives, businesses, and property of individuals affected by the proposed use.

(9) All reasonable means for meeting the projected need or demand for the proposed building, structure, development, use, or activity which may be less costly or less intrusive to existing communities have been considered and rejected by the applicant for clearly disclosed reasons, and that all reasonable means for minimizing adverse impacts of the proposed use have been considered and incorporated into the proposal.

(10) The proposed PD overlay is consistent with prior plans, the Comprehensive Plan and projections of the applicant, if any, upon which the City of Troy has based planning or zoning decisions or, if the proposed use is consistent with prior plans or projections of the applicant, that the benefits to the community of the proposed use outweigh any such inconsistency.

(H) *Amendments or revisions to an approved PD Overlay.* Minor changes to the plan may be approved by city staff without review by the Planning Commission or the City Council as long as the changes do not materially affect the PD Overlay as approved by the City Council.

(I) *Period of Validity.* No site plan for a PD overlay shall be valid for longer than one year from the date on which the City Council grants approval, unless within the one year period: (a) a building permit is obtained and the erection or alteration of a structure is started, or (b) an occupancy permit is obtained and a use commenced. The City Council may grant one additional extension not exceeding one year, upon written application, without notice or hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application as required in Section 154.143 Amendments. It should be recognized that the establishment of a planned development is contractual, and upon expiration of a site plan approved in conjunction with a PD overlay, the property will revert to the underlying zoning district designation and all uses and the general development guidelines as stated in the district shall apply. There shall be no vested rights associated with an expired site plan approved in conjunction with a PD overlay.

Section 154.069 Development Bonuses shall be created to read as follows:

§ 154.069 DEVELOPMENT BONUSES

(A) *Purpose.* To advance the goals of the Comprehensive Plan and zoning regulations of the city, the Planning Commission may recommend, and the City Council may approve, development bonuses that include a reduction in green space or parking requirements when certain practices that provide public benefit are incorporated into the development.

This subchapter establishes guidelines for relief from traditional zoning standards to compensate for certain improvements to promote the public good, as further described. These regulations apply in the C-5 zoning district and Planned Development overlays.

(B) *General guidelines.* If development bonuses are requested, the applicant shall document all site amenities or improvements for the city's review and consideration. Development bonus opportunities provided herein shall serve as a guide in providing relief from the underlying zoning district standards. These opportunities are presented by zoning class; proposed mixed-use developments can utilize opportunities from either zoning class, provided those opportunities further the public benefit provided by the development.

(1) *Residential development bonuses.* Relief from underlying zoning guidelines may be granted to planned residential developments that incorporate elements and provide amenities that create more impactful green space and recreational opportunities within the subdivision. The incorporated elements should be regionally significant or a meaningful addition to the development for bonuses to be assigned at the discretion of the City Council. If construction of the development is to occur in stages, then open space or recreational amenities shall be developed in reasonable proportion to the number of dwelling units intended to be developed and to be served during any given stage of construction, as approved by the City Council.

(a) *Density bonus.* Upgrades to public and private infrastructure and protection of natural resources will be considered for a reduction in density. Multiple approaches could be considered below for a maximum increase of 25% in the total number of dwelling units. The maximum reduction in lot size shall be limited to 10% of the underlying zoning requirement.

1. *Streetscape improvements.* Upgrades to roads and the streetscape that create boulevards or parkways will be considered for a density bonus of up to 10%. Notwithstanding the typical section, only streetscape improvements that exceed the requirements outlined in development standards will be considered for a development bonus. Streetscape upgrades could include, but are not limited to:
 - a. Modified typical sections of roads that trade pavement width for green features, including added landscaping and tree canopies in the right-of-way. Any modification to typical sections shall document the following considerations at a minimum:
 - 1) Reduced pavement width is sufficient to accommodate full and future buildout traffic demands as well as emergency vehicles in all conditions. No parking or snow routes could be requested on streets with modified typical sections.
 - 2) Ornamental street signs and street light posts, landscaping, and like improvements that exceed the development standards would be privately maintained.
 - b. Planting a minimum of two canopy trees per lot within the residential subdivision will be considered for a density bonus of up to five percent. Tree

species must be native to the region and have a 2.5-inch caliper or greater. Tree planting shall be made a condition of individual lot occupancy to receive a density bonus.

2. *Pedestrian facility upgrades.* Upgrades to pedestrian facilities will be considered for a density bonus of up to 10%. Only pedestrian facilities that exceed the requirements outlined in development standards will be considered for a development bonus. Pedestrian facility upgrades could include, but are not limited to:
 - a. Providing sidewalk widths above the minimum required width.
 - b. Providing bike trails that increase the circulation of bike traffic.
 - c. Providing sidewalks and paths beyond the road frontage that increase pedestrian traffic circulation.
 - d. Providing increased access to public transportation, including:
 - 1) Adding a bus stop along an existing route.
 - 2) Adding a bus route to increase access to more areas.
 - 3) Providing amenities to create an accessible bus stop in varied weather conditions.
 - e. Providing pedestrian amenities, including:
 - 1) Pedestrian-scaled lighting that lights the pedestrian path while considering the mature height of street trees and the tree canopy.
 - 2) Seating in the form of benches, seat walls, and railings.
 - 3) Signage and information kiosks directing people to major activity centers and amenities.
 - 4) Trash receptacles.
 - 5) Bike and scooter parking.
 - 6) Public art on buildings in the streetscape.
 - 7) Shade with street trees, awnings, and canopies.
3. *Green space.* Green space, as outlined below, will be considered for a density bonus of up to 15%. Only green space that exceeds the requirements outlined in development standards or provides meaningful improvement to the green space will be considered for a density bonus and will be calculated with a weighted percentage toward the total requirement as outlined below. Green space considerations include, but are not limited to:

- a. To promote the protection of woodlands, 125% of the land area may be counted toward meeting green space requirements if the woodlands are set aside and permanently protected as undeveloped space.
 - b. Two hundred percent of the land area dedicated to establishing a woodland canopy and a tree preservation easement set aside and permanently protected as undeveloped space may be counted toward green space requirements. A plan shall be established by an arborist for the development of the tree canopy and shall specify the planting of two hardwood trees for each tree anticipated in the woodland. The plan shall assess 200 square feet for each tree-designated woodland. For example, where 20,000 square feet are being preserved, the following formula would be used: 20,000 square feet divided by 200 square feet equals 100 trees. As the required tree planting ratio is 2:1, 200 trees would be planted.
 - c. To promote low-impact design and stormwater-related best management practices (BMPs), 125% of the land area used for rain gardens, bio-retention facilities, groundwater infiltration systems, and other approved structural stormwater BMPs may be counted toward meeting green space requirements when the areas are set aside as undeveloped space.
 - d. To promote recreation, 125% of the land area used for retention ponds may be counted toward meeting green space requirements when the areas are set aside as undeveloped space, and the retention pond serves as stormwater management with the addition of recreational amenities. Recreational amenities include walking paths, providing adequate depth to support aquatic life, stocking the pond with fish, adding docks or bridges, and similar items to promote recreation.
 - e. To promote the provision and protection of natural preserves, 125% of the land area of natural preserves and created wetlands may be counted toward meeting green space requirements if the natural preserves are set aside and permanently protected as undeveloped space.
 - f. One hundred fifty percent of the reserved land area placed into a conservation easement with a legally incorporated land conservation agency or donated for a city park may be counted toward green space requirements.
4. *Subdivision amenities.* Recreational subdivision amenities, as outlined below, will be considered for a density bonus of up to 10%. Only amenities that exceed the requirements outlined in development standards will be considered for a density bonus. Recreational subdivision amenities could include, but are not limited to:
- a. Swimming pools.

- b. Sports courts, i.e., basketball, pickleball, tennis, etc.
 - c. Playgrounds.
 - d. Clubhouse or community center.
 - e. Public gathering spaces, i.e., pavilions or gazebos.
- (b) *Parking space reduction.* A reduction in minimum parking as required in § 154.080 through § 154.090 in residential uses will be considered. An engineering parking study shall be provided to justify any parking reduction to demonstrate that adequate parking for residential uses is provided. The strategies listed in *Streetscape Improvements* and *Pedestrian Facility Upgrades* could be considered for parking space reduction. However, at no time could one strategy be considered for both a density bonus and a parking space reduction unless otherwise approved by the City Council.
- (c) *Public infrastructure improvements.* Improvements to critical public infrastructure will be considered for a development bonus of up to half the maximum allowable bonuses for reductions in green space and parking requirements. Improvements that support the extension and connection of critical infrastructure above those improvements required for the function of the development will be considered for a density bonus. These improvements could include those identified by the city as future desired infrastructure projects. Right-of-way dedications or easement dedications for future desired improvements will also be considered for a development bonus. Public infrastructure improvement considerations include, but are not limited to:
1. Extensions of collector roads through the development.
 2. Improvements to critical wastewater infrastructure, including the construction of a regional lift station or the extension of a collecting trunk line to serve multiple users.
 3. Improvements to critical water infrastructure, including the extension and looping of transmission lines to provide increased flows and redundancy in the water system.
 4. Regional detention ponds and stormwater improvements to serve multiple users.

(2) *Commercial development bonuses.* Relief from underlying zoning guidelines may be granted to planned commercial developments that incorporate elements that create more impactful green space and intentional public spaces within the development. The incorporated elements should be a regionally significant addition to the development for bonuses to be assigned at the discretion of the City Council.

- (a) *Parking space reduction.* The maximum parking reduction in parking spaces shall be limited to 50% of the spaces required for the specific use of the property as provided in § 154.080 through § 154.090. An engineering parking study shall be provided to justify any parking reduction above 25% of the required parking spaces to demonstrate that adequate parking for the proposed use is provided. A balance between the intended users and the following list of incentives may be considered to reach a parking space reduction.
1. *Pedestrian facility upgrades.* Upgrades to pedestrian facilities will be considered for a parking space reduction. Only pedestrian facilities that exceed the requirements outlined in development standards will be considered for a development bonus. Pedestrian facility upgrades could include, but are not limited to:
 - a. Providing sidewalk widths above the minimum required width.
 - b. Providing bike trails that increase the circulation of bike traffic.
 - c. Providing sidewalks and paths beyond the road frontage that increase pedestrian traffic circulation.
 - d. Providing increased access to public transportation, including:
 - 1) Adding a bus stop along an existing route.
 - 2) Adding a bus route to increase access to more areas.
 - 3) Providing amenities to create an accessible bus stop in varied weather conditions.
 - e. Providing pedestrian amenities, including:
 - 1) Pedestrian-scaled lighting that lights the pedestrian path while considering the mature height of street trees and the tree canopy.
 - 2) Seating in the form of benches, seat walls, and railings.
 - 3) Signage and information kiosks directing people to major activity centers and amenities.
 - 4) Trash receptacles.
 - 5) Bike and scooter parking.
 - 6) Public art on buildings in the streetscape.

- 7) Shade with street trees, awnings, and canopies.
- f. Providing pedestrian-specific amenities to a civic green, including open shelters that encourage public gatherings.
- g. The following images portray desirable outcomes:



Seating along sidewalks in the form of benches with pedestrian-scale lighting.



Public art in a streetscape.



Shade with street trees, awnings, and canopies.

- 2. *Streetscape improvements.* Upgrades to roads and the streetscape that create boulevards or parkways will be considered for a parking space reduction of up to 10%. Notwithstanding the typical section, only streetscape improvements that

exceed the requirements outlined in development standards will be considered for a development bonus. Streetscape upgrades could include, but are not limited to:

- a. Modified typical sections of roads that trade pavement width for green features, including added landscaping and tree canopies in the right-of-way. Any modification to typical sections shall document the following considerations at a minimum:
 - 1) Reduced pavement width is sufficient to accommodate full and future buildout traffic demands, as well as emergency vehicles in all conditions. No parking or snow routes could be requested on streets with modified typical sections.
 - 2) Ornamental street signs and street light posts, landscaping, and like improvements that exceed the development standards would be privately maintained.
- (b) *Density bonus*. Upgrades to public and private infrastructure and protection of natural resources will be considered for a reduction in density. Multiple approaches could be considered below for a maximum increase in site impervious area of up to 30%, not to exceed a site impervious area of 85%.
 1. *Green space*. Green space, as outlined below, will be considered for a density bonus of up to 15%. Only green space that exceeds the requirements outlined in development standards or provides meaningful improvement to the green space requirements will be considered for a density bonus and will be calculated with a weighted percentage as outlined below. Green space considerations include, but are not limited to:
 - a. To promote the protection of woodlands, 125% of the land area may be counted toward meeting green space requirements if the woodlands are set aside and permanently protected as undeveloped space.
 - b. Two hundred percent of the land area dedicated to establishing a woodland canopy and a tree preservation easement set aside and permanently protected as undeveloped space may be counted toward green space requirements. A plan shall be established by an arborist for the development of the tree canopy and shall specify the planting of two hardwood trees for each tree anticipated in the woodland. The plan shall assess 200 square feet for each tree-designated woodland. For example, where 20,000 square feet are being preserved, the following formula would be used: 20,000 square feet divided by 200 square feet equals 100 trees. As the required tree planting ratio is 2:1, 200 trees would be planted.

- c. To promote low-impact design and stormwater-related best management practices (BMPs), 125% of the land area used for rain gardens, bio-retention facilities, groundwater infiltration systems, and other approved structural stormwater BMPs may be counted toward meeting green space requirements when the areas are set aside as undeveloped space.
 - d. To promote recreation, 125% of the land area used for retention ponds may be counted toward meeting green space requirements when the areas are set aside as undeveloped space, and the retention pond serves as stormwater management with the addition of recreational amenities. Recreational amenities include walking paths, providing adequate depth to support aquatic life, stocking the pond with fish, adding docks or bridges, and similar items to promote recreation.
 - e. To promote the provision and protection of natural preserves, 125% of the land area of natural preserves and created wetlands may be counted toward meeting green space requirements if the natural preserves are set aside and permanently protected as undeveloped space.
 - f. One hundred fifty percent of the landscape area may be counted toward the green space requirement if the development provides landscaping in addition to the minimum landscape requirements. Landscape areas over 10% of the requirement shall be provided for bonus consideration.
 - g. Two hundred percent of the land area included as a civic green may be counted toward the green space requirement.
 - h. One hundred fifty percent of the reserved land area placed into a conservation easement with a legally incorporated land conservation agency or donated for a city park may be counted toward green space requirements.
2. *Commercial density bonus.* Incentives listed in *Streetscape Improvements* and *Pedestrian Facility Upgrades* could be considered for a density bonus of up to five percent for each category in commercial development if parking reductions are not requested. At no time could one strategy be considered for both a density bonus and a parking space reduction unless otherwise approved by the City Council.
 3. The following images portray desirable outcomes:



A civic green is an open space consisting of a lawn and informally framed by trees and shrubs, typically furnished with paths, benches, and open shelters.



Landscaping in addition to minimum requirements. Flowering shrubs that border a bench.



Retention pond with a walking path around it for recreation.

- (c) *Public infrastructure improvements.* Improvements to critical public infrastructure will be considered for a development bonus of up to 15%. Improvements that support the extension and connection of critical infrastructure above those improvements required for the function of the development will be considered for a density bonus. These improvements could include those identified by the city as future desired infrastructure projects. Right-of-way dedications or easement dedications for future desired improvements will also be considered for a development bonus. Public infrastructure improvement considerations include, but are not limited to:

1. Extensions of collector roads through the development.
2. Improvements to critical wastewater infrastructure, including the construction of a regional lift station or the extension of a collecting trunkline to serve multiple users.
3. Improvement to critical water infrastructure, including the extension and looping of transmission lines to provide increased flows and redundancy in the water system.
4. Regional detention ponds and stormwater improvements to serve multiple users.

(3) *Industrial development bonuses.* Relief from underlying zoning guidelines may be granted to planned industrial developments that incorporate elements that create more impactful green space and create additional separation from different surrounding zoning.

(a) *Density bonus.* Upgrades to public and private infrastructure and protection of natural resources will be considered for a reduction in density. Multiple approaches could be considered below for a maximum increase in site impervious area of up to 15%, not to exceed a site impervious area of 85%. Strategies that create additional buffers from residential and commercial zones for visual, noise, and pollution concerns should be prioritized in industrial developments.

1. *Green space.* Green space, as outlined below, will be considered for a density bonus of up to 15%. Only green space that exceeds the requirements outlined in development standards or provides meaningful improvement to the green space requirements will be considered for a density bonus and will be calculated with a weighted percentage as outlined below. Green space considerations include, but are not limited to:
 - a. To promote the protection of woodlands, 125% of the land area may be counted toward meeting green space requirements if the woodlands are set aside and permanently protected as undeveloped space.
 - b. Two hundred percent of the land area dedicated to establishing a woodland canopy and a tree preservation easement set aside and permanently protected as undeveloped space may be counted toward green space requirements. A plan shall be established by an arborist for the development of the tree canopy and shall specify the planting of two hardwood trees for each tree anticipated in the woodland. The plan shall assess 200 square feet for each tree-designated woodland. For example, where 20,000 square feet are being preserved, the following formula would be used: 20,000 square feet divided by 200 square feet equals 100 trees. As the required tree planting ratio is 2:1, 200 trees would be planted.
 - c. To promote low-impact design and stormwater-related best management practices (BMPs), 125% of the land area used for rain gardens, bio-retention facilities, groundwater infiltration systems, and other approved structural

stormwater BMPs may be counted toward meeting green space requirements when the areas are set aside as undeveloped space.

- d. To promote recreation, 125% of the land area used for retention ponds may be counted toward meeting green space requirements when the areas are set aside as undeveloped space, and the retention pond serves as stormwater management with the addition of recreational amenities. Recreational amenities include walking paths, providing adequate depth to support aquatic life, stocking the pond with fish, adding docks or bridges, and similar items to promote recreation.
 - e. To promote the provision and protection of natural preserves, 125% of the land area of natural preserves and created wetlands may be counted toward meeting green space requirements if the natural preserves are set aside and permanently protected as undeveloped space.
 - f. One hundred fifty percent of the landscape area may be counted toward the green space requirement if the development provides landscaping in addition to the minimum landscape requirements. Landscape areas over 10% of the requirement shall be provided for bonus consideration.
 - g. Two hundred percent of the land area included as a civic green may be counted toward the green space requirement.
 - h. One hundred fifty percent of the reserved land area placed into a conservation easement with a legally incorporated land conservation agency or donated for a city park may be counted toward green space requirements.
2. *Parking reduction.* The maximum parking reduction in parking spaces shall be limited to 50% of the spaces required for the specific use of the property as provided in § 154.080 through § 154.090. An engineering parking study shall be provided to justify any parking reduction to demonstrate adequate parking for the proposed use. A balance between the intended users and the incentives listed in *Pedestrian Facility Upgrades* may be considered to reach a parking space reduction as approved by the City Council.
- (b) *Public infrastructure improvements.* Improvements to critical public infrastructure will be considered for a density bonus of up to 15%. Improvements that support the extension and connection of critical infrastructure above those improvements required for the function of the development will be considered for a density bonus. These improvements could include those identified by the city as future desired infrastructure projects. Dedication of rights-of-way or easement dedications for future desired improvements will also be considered for a development bonus. Public infrastructure improvement considerations include, but are not limited to:

1. Extensions of collector roads through the development.
2. Improvements to critical wastewater infrastructure, including the construction of a regional lift station or the extension of a collecting trunkline to serve multiple users.
3. Improvements to critical water infrastructure, including the extension and looping of transmission lines to provide increased flows and redundancy in the water system.
4. Regional detention ponds and stormwater improvements to serve multiple users.

(4) *Example Calculations.*

(a) Residential Bonus Example.

1. *Example: 100-acre subdivision in an underlying R1-A zoning district:*

Underlying zoning class:	R-1A Single-family Residential
Total area of development:	100 acres
Maximum coverage in percent of lot:	30% or 30 acres
Minimum lot size:	8,250 sq. ft.
Green space requirement:	10% or 10 acres

2. *Design development assumptions:* Some assumptions for the area of the subdivision that will have to be dedicated to right-of-way and stormwater management, regardless of incentives or bonuses. Note that detention only counts for 50% of the green space requirement.

Right-of-way in subdivision:	15% or 15 acres
Detention in subdivision:	8% or 8 acres

3. *Maximum number of lots in subdivision:* Using the assumptions stated above, the number of lots in the subdivision is calculated below. Note that only 50% of detention areas count toward the green space requirement. A density bonus of up to 25% lists the maximum number of lots for this example.

a. Developable lot area: 100 acres (*total*) – 8 acres (*detention*) – 6 acres (*required green space in addition to detention*) – 15 acres (*ROW*) = 71 acres

Number of lots: 71 acres / 8,250 sq. ft. = 374 lots

Max number of lots: 374 * 125% = 467 lots

4. *Some strategies that could be utilized to reduce the green space requirement:*
- a. *Eight-acre retention pond with recreational amenities.* Detention area typically counts as 50% of the area for the green space calculation, so the 8-acre retention area with recreational amenities will count as 10 acres, instead of 4 acres, toward the green space requirement.
 $8 \text{ acres} * 125\% = 10 \text{ acres}$
Density Bonus lot count:
 $100 \text{ acres} - 15 \text{ acres (ROW)} - 8 \text{ acres (retention w/amenities)} = 77 \text{ acres}$
Number of lots: $77 \text{ acres} / 8,250 \text{ sq. ft.} = 406 \text{ lots}$
 - b. *Establishing a 3-acre woodland canopy.* In this example, three acres that are not wooded but may be difficult to develop due to an odd-shaped remnant parcel, difficult grades, or other factors could be established as a woodland canopy.
 $3 \text{ acres} * 200\% = 6 \text{ acres (counted toward green space)}$
 $100 \text{ acres} - 15 \text{ acres (ROW)} - 8 \text{ acres (detention)} - 3 \text{ acres (canopy)} = 74 \text{ acres}$
Number of lots: $74 \text{ acres} / 8,250 \text{ sq. ft.} = 390 \text{ lots}$
5. *Strategy to reduce lot size requirement:*
- a. Providing pedestrian facility upgrades in green space. Maximum 10% bonus.
71 acres of developable lot area as derived in Section 3 above for the example subdivision
Minimum lot size: $8,250 \text{ sq. ft.} * 90\% = 7,425 \text{ sq. ft.}$
Number of lots: $71 \text{ acres} / 7,425 \text{ sq. ft.} = 416 \text{ lots}$
6. *A cumulative example to increase density in a residential development:*
- Create an 8-acre retention facility with a walking trail, a pedestrian bridge, a fishing dock, depth to support aquatic life, and stocked with fish. The eight-acre retention area counted as 10 acres toward green space requirements, where it would count as four acres toward green space in straight zoning.
 - Provide two native canopy trees on each lot. As a condition of approval, each residential lot will have to have two native canopy trees planted before the issuance of an occupancy permit (*5% density bonus*).
 - The development provides recreational amenities including a playground, a basketball court, a pickleball court, and a swimming pool on 1.5 acres of common ground. All these amenities are provided in a central area near the subdivision entrance, but the subdivision is to be built in four phases. The amenity construction will be staged to build the basketball and pickleball courts

in phase 1 of the subdivision. The playground will be constructed in phase 3. And the swimming pool will be constructed in phase 4 (5% density bonus).

Developable lot area: 100 acres (total) – 8 acres (detention) – 15 acres (ROW) – 1.5 acres (community amenities) = 75.5 acres

Minimum lot size: 8,250 sq. ft. * 90% = 7,425 sq. ft.

Number of lots: 75.5 acres / 7,425 sq. ft. = 443 lots

An increase of 69 lots from straight zoning assumptions.

(b) Commercial Bonus Example

1. Example: A 100-acre subdivision in an underlying C-5 zoning district:

Underlying zoning class:	C-5 Town Center Mixed-use
Total area of development:	100 acres
Maximum coverage in percent of lot:	50% or 50 acres
Green space requirement:	30% or 30 acres
Maximum impervious area per zoning:	50 acres of structures plus 20 acres of impervious = 70 acres

2. Some strategies that could be utilized to reduce the green space requirement:

- a. Eight-acre retention pond with recreational amenities (retention area typically counts as 50% of the area for green space calculation)
 - 8 acres * 125% = 10 acres (at 50%, 5 acres counted for detention)
- b. Assume this development would require 3.64 acres of required landscaping, but 110% is provided.
 - 3.64 acres * 110% = 4 acres (provided)
 - 4 acres * 125% = 5 acres (counted toward green space)
- c. 4-acre civic green
 - 4 acres * 200% = 8 acres (counted toward green space)
- d. 5-acre area establishing a woodland canopy
 - 5 acres * 200% = 10 acres (counted toward green space)

In this example, bonuses allow for 11.36 more acres of development. Providing 20.64 acres of physical green space counts as 32 acres of green space with bonuses.

**Section 154.020 Establishment of Districts and Zoning District Regulations, subsection (M)
Town Center Mixed-use - C-5 Zoning District shall be amended to read as follows:**

(M) Town Center Mixed-use - C-5 Zoning District, (9) Development Standards, (d) *Development Bonuses*. May be granted by the City according to § 154.069.