

ATTACHMENT A
ORDINANCE NO. 2016-15
SECOND READING

POLICY 19.3.4: Encourage re-development of underutilized commercial lands by providing an option to convert those lands to residential uses at higher residential densities within the Urban Community future land use designation and Mixed-Use Overlay in a manner consistent with Policies 19.1.1.c, 19.1.1.d, 19.1.3.e, 19.2.1.i and 19.3.2. This Policy allows for the conversion of a parcel zoned Commercial Planned Development (“CPD Parcel”) of not more than 5.5 acres in size to a Residential Planned Development (“RPD”) when combined with an existing adjacent RPD (“Existing RPD Parcel”) provided the Resulting Project (“the project resulting from the combination of the Existing RPD and CPD Parcels”) is consistent with the following requirements:

- a. The CPD Parcel shall be zoned CPD before November 16, 2006;
- b. The CPD Parcel shall have two sides immediately adjacent to and physically abutting the Existing RPD Parcel;
- c. The proposed development on the CPD Parcel shall be consistent with and integrated into the residential development on the Existing RPD Parcel and the Resulting Project shall be operated as a single project under common control pursuant to a Declaration of Covenants approved by the Village land use attorney; and
- d. The total number of residential units for the Resulting Project shall not exceed 140% of the approved number of residential units for the Existing RPD Parcel. The residential units shall be calculated by multiplying that percentage by the approved number of residential units for the Existing RPD Parcel to generate the total number of units available for the Resulting Project. For example, if the Existing RPD Parcel is authorized for 168 units, the total number of residential units for the Resulting Project shall be calculated by multiplying 140% by 168 units to render a maximum total of 235 units for the Resulting Project.
- e. The density on the Resulting Project shall not exceed eight dwelling units per gross acre (8 du/gross acre).
- f. The Resulting Project shall be within 660-feet of approved commercial development measured from the Resulting Project’s closest property line to the commercial development’s closest property line.

All conversions of a CPD Parcel to an RPD Parcel under this Policy are subject to the following review requirements:

- a. The conversion shall be part of an application to rezone the CPD Parcel to an RPD; and
- b. Approval for the conversion of the CPD Parcel to an RPD is at the Council’s discretion and is dependent on a determination that such a conversion is compatible and consistent with the Existing RPD Parcel and with the rezoning approval criteria set forth in the Land Development Code.