

TITLE 1

CHAPTER 6

RESIDENTIAL ZONE BONUS DENSITY ENTITLEMENTS

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6.1 What this Chapter Does.

This Chapter establishes the provisions and processes for the granting of Bonus Density to subdivisions and Master Development Plans.

6.2 Purpose and Objective.

The purpose and objective of this Chapter is to identify the improvements, facilities, and amenities necessary to accommodate the demands of a higher density development and to provide developers with incentives to contribute necessary amenities and development upgrades that benefit city residents. This Chapter is intended to allow maximum flexibility so as to foster creativity and innovation in development and to allow developers to respond to market demands. It is also the objective of this Chapter to facilitate projects that will have a variety of housing types and attractive neighborhoods.

6.3 Structure of Bonus Density Entitlements.

Bonus Density Entitlements, or increases in the number of residential units a developer is entitled to build on an acre (above the 0.8 residential dwelling units per acre Base Density of the Residential Zone) shall be permitted when a project provides additional improvements and amenities as outlined in

this Chapter. Bonus Density Entitlements are structured in Tiers and are cumulative. The requirements of each Tier must be met before Bonus Density from the next Tier may be awarded. All Bonus Density Entitlements granted by the City Council are density maximums. It is the responsibility of the developer to demonstrate that a parcel designated for higher densities can accommodate the requested densities in compliance with all of the generally applicable requirements of Titles 1 and 2. All Bonus Density Entitlements are subject to the applicable standards and limitations of this code, including Title 2 Section 8.9, restricting construction and impermeable surfaces on sloped land. Bonus Density will not be granted when the proposed improvement, facility, or amenity is an otherwise required improvement for a land use as found in Title 1 and/or Title 2 of this Code.

6.3.1 Density for Master Development Plans.

Master Development Plans will be approved with Bonus Density Ceilings in compliance with Tables 6.1 – 6.4, and will be formalized in a Master Development Agreement. The specific improvements, facilities, and amenities shall be identified and agreed to during the Master Development Plan approval process. The Master Development Agreement will specify the improvements, facilities, and amenities to be funded and/or constructed within the Development Density Areas throughout the development, in exchange for increased density entitlements. All development projects of one hundred sixty (160) acres or more or those which propose any Tier III or Tier IV Residential project shall have an approved Master Development Plan. Smaller development projects may also participate in the Master Development Plan process. Once a Master Development Plan is approved, additional Bonus Densities are no longer available for the project.

6.3.2 Density for Preliminary Plats.

Tier I and Tier II projects less than one hundred sixty (160) acres may be developed through the Preliminary Plat process. Preliminary Plats will be approved with Bonus Density Ceilings in compliance with Tables 6.1 – 6.4, and will be formalized in a Development Agreement. The specific improvements,

facilities, and amenities shall be identified and agreed to during the Preliminary Plat approval process. The Development Agreement will specify the improvements, facilities, and amenities to be funded and/or constructed within the Development Density Areas throughout the development, in exchange for increased density entitlements. Once a Preliminary Plat is approved, additional Bonus Densities are no longer available for the project.

6.3.3 Density for Tier I and Tier II Residential Developments.

All developments that have project densities greater than the Base Density Residential 0.8 dwelling units per acre shall be developed with the improvements and amenities required to comply with the increased density entitlements. Table 6.1- Tier I Residential Bonus Density Entitlements (Required), and Table 6.2 Tier II Residential Bonus Density Entitlements (Optional), summarize the amenities for which bonus densities will be granted in Tier I and Tier II Residential developments, respectively. The developer shall identify the specific improvements and amenities for the development project and the Bonus Density Entitlement thereby earned with submission of a Master Development Plan, and again with the submission of a Preliminary Plat Application if the area's density exceeds the overall Master Development Plan density. Approval is granted by the City Council upon recommendation by the Planning Commission. Improvements and amenities shall be enumerated in a Development Agreement, which provides for bonding of all improvements and shall be approved by the City Council.

6.3.4 Density for Tier III and Tier IV Residential Developments.

All Multi-family Dwellings and other developments that have project densities between 5.21 and 22.7 dwelling units per acre shall be proposed in a Master Development Plan. Table 6.3- Tier III Residential Bonus Density Entitlements (Required), and Table 6.4- Tier IV Residential Bonus Density Entitlements (Optional), summarize the amenities for which bonus densities will be granted in Tier III and Tier IV Residential developments, respectively.

All improvements and amenities listed on Tables 6.3 and 6.4 shall be developed within the boundaries of the project. The developer shall identify the specific improvements and amenities for the development project and the Bonus Density Entitlement thereby earned with submission of a Master Development Plan, and again with the submission of a Preliminary Plat Application if the area's density exceeds the overall Master Development Plan density. Approval is granted by the City Council upon recommendation by the Planning Commission. Improvements and amenities shall be enumerated in a Development Agreement, which provides for bonding of all improvements and shall be approved by the City Council.

6.4 Optional Detailed Bonus Density Vesting Arrangements.

A developer or Master Developer may submit a plan specifying a Bonus Density Arrangement within Development Density Area(s), which indicates where more and less dense development will be located and demonstrating how the various densities average out to comply with the overall density entitlement within a Development Density Area. Such a plan shall be submitted graphically with a map showing the outlines of the land to be built with various densities. If this option is exercised, and the Bonus Density Arrangement is approved, then the Developer and the City become bound by the terms of the Arrangement and density within the Development Area is vested according to the approved arrangement. Any subsequent change in the Density Arrangement would require an amendment to the Master Development Plan. Once a Master Development Plan is approved, additional Bonus Densities are longer available for the project.

6.5 Application.

The property owner or an authorized agent shall make application for Bonus Density on forms created by the Planning Director. Completed Bonus Density application forms shall be submitted as part of a Master Development Plan application or Preliminary Plat application (when not processed previously as part of a Master Development Plan). No Bonus Density application shall be

processed without the submission of the completed application and supporting materials as required by this Chapter. The fee to process the Bonus Density application is included in the Preliminary Plat or Master Development Plan processes. Incomplete applications shall not be processed under any circumstance.

6.5.1 Supporting Materials. Bonus Density applications shall be submitted with supporting materials outlined in section 6.6 Bonus Density Criteria. The supporting materials shall be as clear and concise as feasible when explaining future improvements. The supporting materials explaining the improvements and amenities that are being proposed for Bonus Density shall include, but not be limited to, plans, drawings, and cost estimates. An appropriate licensed professional shall prepare supporting materials when required by this Chapter.

6.6 Bonus Density Criteria.

The improvements, facilities, and amenities listed in this Section are available as improvements for which Bonus Density shall be granted by the Planning Commission and City Council. Accordingly, the granting of Bonus Density for projects shall not be done in an arbitrary manner; projects that propose improvements that are consistent with the criteria set forth in this Chapter shall be eligible for bonus density. The burden to demonstrate compliance with the criteria is upon the applicant. It shall be the role of the staff, Planning Commission, and City Council to determine substantial compliance with the criteria. Notwithstanding these provisions the applicant may propose, and the Planning Commission may recommend to the City Council, awarding density when a proposal diverges from the general criteria but an equivalent value to the City and its residents can be demonstrated. Upon receipt of this recommendation, the City Council may exercise its discretionary powers associated with entering into agreements and award density once it has been determined that the proposed improvement, facility, amenity, or payment is within the public's interest.

6.7 Tier I Residential Bonus Density Entitlements (Required).

Participation in Tier I entitles a developer to a Bonus Density increase of 0.8 units per acre in addition to the 0.8 Base Density within the Development Density Area. Developers desiring this Bonus Density entitlement are required to fulfill the following obligations: (1) fund, construct or otherwise give value equaling two thousand (\$2,000 per acre of Buildable Land, covered by the Bonus Density entitlement, toward completion of amenities with a community wide benefit, described in this Chapter and identified on Table 6.1 as Tier I Amenities; (2) dedicate to the City as open space, and improve into parks or trails, four (4) percent of the Buildable Land covered by the Bonus Density entitlement; (3) provide landscaped entryways and monument signage; (4) provide a professionally developed and stamped land plan, which provides for compatibility and buffering between uses and densities, creates and shows central features (including parks and open space), arranges lots around central features, and incorporates curvilinear streets into the development layout; and (5) enter into a Development Agreement with the City setting forth the obligations and vesting that flow between the City and the Developer relating to the proposed development on land covered by the Bonus Density entitlement.

6.7.1 Fund or Construct Community Improvement.

The developer may contribute the value toward community amenities by constructing the amenity or providing an element toward the completion of an amenity, by dedicating land or water rights to the City for such amenities at fair market value or by contributing a fee of two thousand (\$2,000) per acre of Buildable Land by paying a fee in lieu of dedicating or constructing, or by a combination of these methods. This fee is due at recordation of the plat with which it is associated. Amenities in Tier I include Regional Parks and Public Buildings. The City will determine the Tier I amenities that will be created with the developer contribution based on the priority of the community's needs and the suitability of each development to accommodate such an amenity. All Tier I amenities shall be

constructed in a location that will serve the residents of the proposed development.

6.7.1.1 Regional Park Description and Purpose.

Completed Regional parks are improved tracts of land that are thirty (30) to fifty (50) acres in size. The purpose of Regional Parks is to provide recreational benefits sufficient to meet the needs of twenty thousand five hundred (20,500) residents or five thousand (5,000) dwelling units. Regional Parks are intended to provide adequate facilities for organized sports and recreational activities as outlined in the City's Capital Facilities and Parks Plans. Regional Parks are to be centrally located with good automobile and pedestrian access.

6.7.1.2 Improvements. Regional Parks shall comply with the adopted standards of the Park and Recreational Plan. Regional Parks will include at a minimum the following: land, water rights, baseball and/or softball diamonds, soccer/football fields, concession areas, restroom facilities, parking areas, pedestrian walkways and trails, lighting, landscaping with irrigation systems, turf, trees, shrubs, and landscaping.

6.7.1.3 Public Buildings Description and Purpose. Public Buildings include all improvements associated with the construction of the following types of buildings: fire stations, public works buildings, libraries, city administration offices, amphitheaters, stadiums, and community/recreation centers. These buildings will improve the level of services to residents in and around the development project. Providing a completed, builder constructed amenity to the City requires that the amenity be completed in compliance with all published and approved standards and schedules for the type of improvement or construction and in accordance with a completion schedule as set forth in the Development Agreement.

6.7.1.4 Completion. A completion schedule for amenities to be improved

by the developer, or for transfers of land, or any other timing of contributions toward community amenities shall be defined in each Development Agreement

6.7.2 Open Space. The developer shall configure four (4) percent of the project's Buildable Land to be dedicated as Improved Open Space. The Planning Commission may recommend and the City Council may approve that Open Space requirements are satisfied by the developer paying a fee in lieu. The City Engineer will recommend the fee for the City Council to approve. Parks and trails must be improved as required by the standards set forth Title 2, Chapter 7.

6.7.3 Landscaped Entryways and Monument Signage. Entryways to projects and subdivisions shall be landscaped and shall include a monument entry sign as part of the Tier I required improvements. The purpose of these improvements is to create a unique identity for subdivisions through signage or a notable landmark, to help people find subdivisions, and to create a gateway into the subdivision or project. Landscaped entryways shall not be counted towards the Improved Open Space Requirement.

6.7.3.1 Improvements. A landscaped entryway with a monument sign shall be located at each entry to the development or subdivision. There shall be a prominent monument at the principal entry to the development that may consist of a water feature, sculpture, or monument sign that bears the name of the project. Entryway landscaping shall be designed and stamped by a licensed landscape architect. The approved plan shall have an irrigation system adequate to support the plantings selected, which may include drought tolerant plants and native rock. The Landscape Architect shall select a variety of species that have color, blossoms, and foliage throughout the seasons. The ongoing maintenance of the landscaped entryway shall be by a Homeowners Association organized and authorized to conduct such maintenance.

6.7.3.2 Completion. The construction of the landscaped entryway and monument shall be completed before the first Certificate of Occupancy is issued in the subdivision. The landscape entryway and monument shall be bonded for with the subdivision improvements.

6.7.3.3 Supporting Materials. Landscaped entryway and monument plans (including elevations).

6.7.3.4 Evaluation. Monument signage shall not be governed by the sign ordinance but shall be approved by the City Council upon receiving a recommendation from the Planning Commission prior to the development agreement being executed.

6.7.4 Valuation of Land Involved in Tier I Transactions. In the event the City and Developer agree that value toward community amenities will be contributed in the form of a land dedication to the City, the value of the land for purposes of Bonus Density entitlements is the appraised value at the time of Bonus Density vesting. In the event of a land sale to the City for a Community Amenity the City will pay that appraised amount at vesting for the desired acreage. In the event of a dedication of land to the City, the Developer will receive credit towards the per acre contribution up to that appraised amount. The City and the Developer may agree to satisfy all or part of the Tier I contribution of value with dedication of land. Land offered to the City by developers for the purposes of this section may be located outside the land proposed for development, but community amenities constructed on the land must serve the development in which bonus density is vested. For example, a developer might purchase land for a fire station not within the proposed development benefiting from the bonus density entitlement but the fire station would have to be within a service area that would service the vested land.

6.8 Tier II Residential Bonus Density Entitlements (Optional).

Developers who have participated in the Tier I Bonus Density entitlement, and thereby achieved an overall density of 1.6 units per

acre, may participate in Tier II to earn additional density entitlements. Tier II consists of development improvements that are designed to offer an upgraded residential product to City residents. Developers may choose from one or more of these options to increase the overall density of the proposed subdivision or Master Plan. Tier II density requires eight (8) percent of the project's Buildable Land to be dedicated to the City as Improved Open Space. The Planning Commission may recommend and the City Council may approve that Open Space requirements are satisfied by the developer paying a fee in lieu. The City Engineer will recommend the fee for the City Council to approve. Parks and trails shall be improved as required by the standards set forth Title 2, Chapter 7.

6.8.1 Architectural & Landscape Design Guidelines, Covenants Conditions and Restrictions, and Design Review Committee. Development Density Areas participating in the professionally prepared architectural design guidelines option shall be eligible for a Bonus Density of an additional 0.5 dwelling units per acre.

6.8.1.1 Description and Purpose.

Professionally prepared Architectural & Landscape Design Guidelines shall identify elements of design, construction, layout or premium features that enhance the residential experience. Professionally Prepared Design Guidelines are expected to establish a coherent design concept and standards to be consistently applied throughout a project. The Developer shall record Covenants Conditions and Restrictions (CC&Rs) reciting the Architectural & Landscape Design Guidelines and requiring compliance with the guidelines by future property owners. The CC&Rs shall also establish a private regulatory board such as an Architectural Review Committee that reviews and approves site plans, building plans, landscaping plans, and subdivision plans prior to approval by the City. The private regulatory board shall be responsible for compliance with their architectural and landscape design guidelines.

6.8.1.2 Requirements and Standards. A licensed architect and landscape architect shall prepare and stamp the architectural & landscape design guidelines. Architectural & landscape design guidelines shall establish a design concept and specific elements that are explicit and binding upon the project. The text of the guidelines shall have regulatory language such as “shall” for requirements. The design guidelines shall have diagrams and typical standards that illustrate the design theme. Bonus Density Entitlements are subject to review and recommendation by the Planning Commission and final approval by the City Council. Each body may negotiate changes in architectural & landscape guidelines with the developer before granting this bonus density entitlement.

6.8.1.3 Completion. Professionally Prepared Design Guidelines shall be prepared and approved prior to Bonus Density Entitlement vesting in a Master Development Plan Agreement or a Preliminary Plat Approval.

6.8.1.4 Supporting Materials. Professionally Prepared Design Guidelines (prepared by a licensed architect and landscape architect) and a template of the covenants, conditions, and restrictions to be recorded with future subdivisions shall be submitted with the bonus density application.

6.8.1.5 Evaluation. Professionally Prepared Design Guidelines shall be approved by the City Council upon receiving a recommendation from the Planning Commission prior to the Development Agreement being executed. Upon review and approval, these guidelines shall be made an exhibit to the Development Agreement granting a bonus density entitlement. The Bonus Density offered for Architectural & Landscape Design Guidelines, Covenants Conditions and Restrictions, and Design Review Committee is set to require an additional cost of roughly forty thousand to sixty thousand (\$40,000-60,000) dollars.

6.8.2 Street Trees, Enlarged Park Strips, Fencing, and Street Signposts. Development Density Areas participating in the Street Trees, Enlarged Park Strips, Fencing, and Street Signposts option shall be eligible for an additional 0.7 dwelling units per acre Bonus Density Entitlement.

6.8.2.1 Description and Purpose.

Developers may participate in Eagle Mountain City’s effort to plant trees in residential areas. A significant component of this effort is the planting of street trees in park strips along road rights of way (ROW). The purposes of street trees are to mitigate winds, create shade, and improve the streetscapes of neighborhoods. Participation in this Bonus Density entitlement requires the developer to install enlarged park strips along roads that require curb and gutter and are within the Development Density Area covered by the Bonus Density Entitlement. Any fees associated with this option shall be made when fifty (50) percent of building permits in the development project or phase have been issued. Decorative open space fencing and street signposts may be installed throughout a development. The purpose of such fencing is to create a consistent design concept throughout the development. The decorative fencing is intended to create an improved streetscape and to create a visual and limited physical barrier directs ingress and egress from parks trails, open space and other community features to safe entry and exit points. Signposts are to be constructed with upgraded materials (not typical metal posts) and are intended to create an improved streetscape.

6.8.2.2 Improvements. In all Development Density Areas participating in the street tree bonus density entitlement, the park strip width shall be increased from the City’s standard of four (4) feet to a minimum width of six (6) feet along all rights of way that require curb, gutter and sidewalk. This is required to accommodate trees’ roots at maturity and thereby protect curb, gutter,

sidewalk and road from root damage. The developer shall also install a sleeve large enough to accommodate one (1), one (1) inch irrigation pipe under the sidewalk in front of each residential lot at a location that will allow for irrigation pipe to be easily run from the water meter into the park strip. The location of the sleeve shall be indicated by mark in the concrete on each side of the sidewalk. The sidewalk, curb, and gutter will be under warranty with the subdivision improvements.

Decorative fencing shall include, but not be limited to, materials such as cedar (or other durable or treated wood), vinyl, and masonry, and should be of consistent type and color throughout the development or subdivision. The surrounding uses and building materials may indicate, in part, the type of fencing materials. Decorative fencing (not privacy fencing) shall be installed around all dedicated and non-dedicated open spaces, Unbuildable Lands, and parks, with periodic breaks in the fence to allow convenient and safe public access to these spaces. Decorative fencing shall be of such design as to not interfere with the view into or out of the open space it serves. Maintenance of decorative fencing shall be the responsibility of the Homeowners' Association organized and empowered for such a purpose. Street signposts shall be constructed from upgraded materials (not metal posts).

6.8.2.3 Completion. Enlarged park strips shall be constructed with the subdivision improvements. The City will determine the species of trees suited for planting and the appropriate location for planting of trees. The City will arrange for purchase and planting of the trees (and for the installation of irrigation when necessary). The City, at its discretion, shall install trees. Park strip tree planting may be done at the time a lot is landscaped or at any time when adequate irrigation is assured and when seasonal considerations permit. There is no guarantee or suggestion that any

particular lot will or will not have a street tree or trees.

Street signs and decorative fencing shall be installed with the subdivision improvements, unless such fencing would interfere with completion of other construction in which case decorative fencing shall be installed at the earliest time it would not so interfere.

6.8.2.4 Supporting Materials.

Developers participating in this Bonus Density Entitlement opportunity will show the required widened park strips on all plat submissions, for Planning Commission review and recommendation and for City Council approval, and shall thereby be made part of the Development Agreement.

Fencing and street post typical drawings prepared and stamped by the appropriate professionals, along with an improvement estimate shall be submitted with the bonus density application.

A template of the Covenants, Conditions, and Restrictions to be recorded on the property shall also be submitted. The CC&Rs shall provide for a Homeowners' Association that can perform entryway maintenance, shall specify decorative fencing types and shall set forth a schedule for installation of street signposts.

6.8.2.5 Evaluation. Street Trees, Enlarged Park Strips, Decorative Fencing and upgraded Street Signposts shall be approved by the City Council upon receiving a recommendation from the Planning Commission prior to the development agreement being executed. Developers shall pay a fee to cover the purchase and planting of the trees in the amount of six hundred (\$600) per residential unit contained within the Development Density Area covered by this Bonus Density option. Upon review and approval these guidelines shall be made an exhibit to the Development Agreement documents granting Bonus Density entitlements.

6.8.3 Masonry Materials. Use of masonry material on building exteriors

shall make a project eligible for an additional one (1.0) unit per acre Bonus Density Entitlement increase.

6.8.3.1 Description and Purpose.

Masonry materials include rock, stucco, and brick, and are intended to add an upgraded architectural feature to buildings within the project.

6.8.3.2 Improvements. To qualify for masonry materials bonus density, seventy-five (75) percent of the exterior materials for residential structures shall be masonry materials, including accessory buildings such as garages. For the purposes of this section masonry materials are rock, stucco, and brick.

6.8.3.3 Completion. The use of masonry materials shall occur with the construction of each phase of the development.

6.8.3.4 Submittal. This requirement shall be defined in the project's Development Agreement and CC&Rs.

6.8.3.5 Evaluation. The Planning Commission and City Council shall review and approve the masonry materials during the Preliminary Plat review process.

6.8.4 Residential Lot Landscaping.

Development Density Areas participating in the Residential Lot Landscaping option shall be eligible for up to an additional 1.5 dwelling units per acre bonus density entitlement within the Area.

6.8.4.1 Description and Purpose.

Residential Lot Landscaping includes sod or successful hydro seed, irrigation, and planting of required trees on residential lots. The intent of Residential Lot Landscaping is to improve the streetscape and reduce storm water runoff and erosion onto adjacent properties or into the storm drainage system.

6.8.4.2 Improvements. Residential Full Lot Landscaping includes landscape improvements on the lot area (with priority being given to landscaping in the front yard first, then side yards, and then rear yards) that is not developed with a structure, driveway, and/or sidewalk. Front

and side yard landscaping vests the project with a Bonus Density Entitlement of 1.0 unit per acre. Rear yard landscaping vests the project with an additional 0.5 unit per acre Bonus Density Entitlement. Specifically, these landscape improvements shall include, but are not limited to, sod (or successful hydro-seed), required trees, and irrigation systems. Xeriscaping shall not be allowed unless a licensed landscape architect designs the landscape plan to prevent harmful runoff and erosion. Xeriscaping shall in no case cover more than seventy-five (75) percent of landscaped area.

6.8.4.3 Completion. Lot Landscaping improvements shall be constructed prior to occupancy of each home within the subdivision. The builder shall post a four thousand (\$4,000) bond per unit for lot landscaping. In cases of inclement weather landscaping shall be completed no later than six (6) months after the issuance of a Certificate of Occupancy

6.8.4.4 Supporting Materials. Typical landscaping plans shall be prepared and stamped by a landscape architect along with an improvement estimate shall be submitted. The final landscape plan shall be submitted with the building permit.

6.8.4.5 Evaluation. Typical landscaping plans shall be approved by the City Council upon receiving a recommendation from the Planning Commission, prior to the Development Agreement being executed.

6.8.5 Recreational Amenities.

Development Density Areas participating in the Recreational Amenities option are entitled to an additional 0.1-0.6 dwelling units per acre Bonus Density Entitlement within the Development Density Area, depending upon the amenity chosen.

6.8.5.1 Description and Purpose.

Recreational Amenities may include volleyball courts, tennis courts, baseball or softball backstops and fields, skate parks, pavilions or other recreational amenities, and restroom facilities at the location of such

amenities in public parks, dedicated open spaces or on Unbuildable Lands. The purpose of these amenities is to improve the residential experience by providing accessible recreational facilities, thereby increasing recreational opportunities for residents, and to enhance the value of homes within the Development Density Area covered by this Bonus Density Entitlement.

6.8.5.2 Improvements. Developer installed recreational amenities may include basketball courts, volleyball courts, tennis courts, baseball or softball backstops and fields, skate parks, pavilions, fitness trails, etc along with supporting restroom facilities or other necessary service facilities above and beyond those amenities otherwise required for improved parks and trails. Recreational Amenities may be constructed in improved or landscaped areas such as along trail ways, open spaces, or neighborhood parks. Recreational amenities may also be placed on Unbuildable Lands. Amenities on Unbuildable Lands shall include adequate pedestrian access. All Recreational Amenities shall include facilities to fully utilize the amenity (including restrooms and drinking fountains) and shall be designed to minimize overall maintenance and operation costs. The developer may dedicate Unbuildable Lands containing amenities to the City or may retain ownership. If a developer desires to dedicate Unbuildable Land containing developer-installed recreational amenities to the City, the City will accept the land but the developer will receive credit towards this bonus density entitlement only for the value of the improvements that make up the amenity, not the value of the Unbuildable Land dedicated to the City.

6.8.5.3 Completion. Recreational Amenities construction shall commence upon fifty (50) percent of the building permits being issued in the project or the phase containing the Amenity and shall be completed upon

seventy-five (75) percent of building permits being issued for the project or phase. Notwithstanding this schedule the City may require the improvements to be constructed at an earlier time based on the size of the development if specified in the Development Agreement.

6.8.5.4 Supporting Materials. The site plan and elevations as applicable of the improvements shall be prepared by the appropriate licensed professional along with an improvement estimate which shall also be submitted with the bonus density application. Large construction plans prepared by the appropriate licensed professional shall be prepared prior to the construction of these improvements.

6.8.5.5 Evaluation. Recreational Amenities shall be approved by the City Council upon receiving a recommendation from the Planning Commission, prior to the Development Agreement being executed. Upon review and approval, the Site Plan and improvement estimates shall be made an exhibit to the Development Agreement granting bonus density. Recreational Amenities are estimated to constitute an additional ten thousand to one hundred thousand (\$10,000-100,000) dollars.

6.9 Tier III Residential Bonus Density Entitlements (Required).

A development is designated Tier III Residential when the project density is between 5.2 and 12.2 dwelling units per acre. Participants in Tier III Residential Bonus Density Entitlements shall receive an additional seven (7) units per acre. All Tier III Residential developments are required to provide the Tier III Clubhouse. Tier III Residential developments of more than one hundred fifty (150) per pod shall include a swimming pool in addition to the Clubhouse facility. The maximum number of units in a single Tier III development is two hundred fifty (250).

6.9.1 Clubhouse.

6.9.1.1 Description and Purpose. A clubhouse that is centrally located in

the development is intended to provide a recreational and social amenity to residents. No clubhouse shall serve more than two hundred fifty (250) residential units. Multi-Family developments may therefore require multiple clubhouses.

6.9.1.2 Improvements. A clubhouse shall be constructed at a minimum of twelve hundred (1,200) square feet in size. The clubhouse shall include food serving facilities, large gathering areas suited to community meetings and events and restroom facilities. The clubhouse shall be constructed from upgraded materials as compared to those typically used for residential structures in the development. The clubhouse shall be adjacent to the pool. To fulfill the required Tier III amenity assessment, developers may include and install in the clubhouse any amenities they determine will be of greatest use to the residents and will add greatest value to their development. These amenities may include exercise equipment, facilities to accommodate the arts, multi media equipment, upgraded food preparation or service facilities, outdoor facilities including sport courts and tot lots adjacent to the clubhouse.

6.9.1.3 Completion. The construction of the clubhouse shall commence no later than upon the sale of ten (10) percent of number of units at project buildout. The clubhouse shall be bonded for with the subdivision improvements. Applicants shall submit a building permit application prior to constructing this improvement.

6.9.1.4 Submittal. Clubhouse elevations and a floor plan stamped by a licensed architect along with an improvement estimate shall be submitted.

6.9.1.5 Evaluation. The Planning Commission and City Council shall review and approve the clubhouse structure during the Site Plan review process. Tier III amenity improvements shall constitute no less than an additional one thousand (\$1,000) dollars per unit cost.

6.9.2 Swimming Pool.

6.9.2.1 Description and Purpose.

An in ground swimming pool that is centrally located in the development is intended to provide a recreational and social amenity to residents. No pool shall serve more than two hundred fifty (250) units; Multi-Family developments may therefore require multiple pools.

6.9.2.2 Improvements. An in ground swimming pool that is a minimum of one thousand (1,000) square feet in size, as well as other approved water recreation facilities. Depending upon the number of units in the project, the Planning Commission may recommend that the size requirement of the pool be adjusted so that it accommodates thirty five (35) percent of the residents in the pool at any given time. A non sight-obscuring fence shall surround the pool and other provisions contained in the Supplementary Land Use Regulations of Title 1. A concrete patio and patio furniture shall surround the swimming pool.

6.9.2.3 Completion. The construction of the pool shall commence no later than upon the sale of ten (10) percent of number of units at project buildout. The swimming pool shall be completed by the time fifty (50) percent of units in project or phase have been sold. The swimming pool shall be bonded for with the subdivision improvements. Applicants shall submit a building permit application prior to constructing this improvement.

6.9.2.4 Submittal. The swimming pool facility plans stamped by the appropriate professionals along with an improvement estimate shall be submitted.

6.9.2.5 Evaluation. The Planning Commission and City Council shall review and approve the swimming pool facility during the Site Plan review process. Tier III amenity improvements shall constitute no less than an additional one thousand (\$1,000) dollars per unit cost.

6.10 Tier IV Residential Bonus Density Entitlements (Optional).

Tier IV Residential developments may choose to qualify for additional Bonus Density entitlements for the following improvements features and upgrades. Tier IV options (listed in table 6.4) are available only to developments that have fulfilled required Tier I, II and Tier III project amenity improvements for Bonus Density entitlement. Tier IV projects may be developed in pods of no more than two hundred fifty (250) units served by one clubhouse and buffered from other residential or commercial uses, including other multi-family pods, as required by this Title

6.10.1 Covered Parking. Covered parking shall be eligible for a 1.5 unit bonus density increase above the base density.

6.10.1.1 Description and Purpose.

An assigned covered parking stall per unit shall be located in close proximity to the dwelling. Covered parking stalls are meant to provide convenient off street parking stalls for the residents.

6.10.1.2 Improvements. One (1) covered parking stall shall be required for each unit. The parking structure shall completely cover the City's standard parking stall dimension of nine (9) feet by twenty (20) feet. The parking structure shall be constructed of colors that are of similar quality to the residential structures in the project.

6.10.1.3 Completion. The construction of covered parking for each unit shall occur with the construction of each phase of the development. The covered parking shall be bonded for with the subdivision improvements. Applicants shall submit a building permit application prior to constructing this improvement.

6.10.1.4 Submittal. The covered parking stall structure, including elevations, improvement estimates, and construction plans stamped by a licensed engineer shall be submitted.

6.10.1.5 Evaluation. The Planning Commission and City Council shall review and approve covered parking

structures during the site plan review process.

6.10.2 Garages. Garages providing space for parking one (1) car per residential unit shall be eligible for an additional 3.5 units per acre bonus density entitlement increase.

6.10.2.1 Description and Purpose.

One (1) garaged parking space per unit shall be located in close proximity to the dwelling and is intended to provide convenient and secure off street parking for the residents.

6.10.2.3 Improvements. One (1) parking stall per unit shall be in an enclosed garage. A separate single garage may be constructed for each unit or a common enclosed garage to accommodate all units in a building may be constructed. The garage doors shall be automated. Other entrances shall be accessed by key. Enclosed garages may be either detached or attached to the residential structure. Garage doors on separate, single car garages serving one (1) unit shall have a minimum garage door opening width of ten (10) feet and seven (7) feet in height. The depth of single car garages shall be twenty (20) feet. Common enclosed garages provided to accommodate multiple units shall offer stalls that comply with other City wide parking standards.

6.10.2.4 Completion. The construction of garage parking for each unit shall occur with the construction of each phase of the development. The garage parking shall be bonded for with the subdivision improvements. Applicants shall submit a building permit application prior to constructing this improvement.

6.10.2.5 Submittal. The garage elevations, improvement estimates, and construction plans stamped by a licensed engineer shall be submitted.

6.10.2.6 Evaluation. The Planning Commission and City Council shall review and approve garage parking structures during the site plan review process.

6.10.3 Masonry Materials. Use of masonry material on building exteriors shall make a project eligible for an additional 3.5 units per acre bonus density entitlement increase.

6.10.3.1 Description and Purpose. Masonry materials include rock, stucco, and brick and are intended to add an upgraded architectural feature to buildings within the project.

6.10.3.2 Improvements. To qualify for masonry materials bonus density, seventy-five (75) percent of the exterior materials for Multi-Family structures shall be masonry materials including all accessory buildings such as garages and a clubhouse. For the purposes of this section masonry materials are rock, stucco, and brick.

6.10.3.3 Completion. The use of masonry materials shall occur with the construction of each phase of the development.

6.10.3.4 Submittal. All building elevations, showing the masonry materials and stamped by a licensed architect shall be submitted.

6.10.3.5 Evaluation. The Planning Commission and City Council shall review and approve the masonry materials and elevations during the site plan review process.

6.10.4 Storage Units. Provision of individual storage units for each residential unit in a Multi-Family development shall be eligible for an additional 3.5 units per acre bonus density entitlement increase.

6.10.4.1 Description and Purpose. Secured storage units are intended to provide residents with a space to secure personal items.

6.10.4.2 Improvements. A secured storage unit with no less than one hundred (100) square feet of contiguous floor area shall be provided for each unit. The storage units may be incorporated into garages or covered parking, provided that it meets the requirement of one hundred (100) square feet of contiguous floor area.

6.10.4.3 Completion. The construction of the storage space for

each unit shall occur with the construction of each phase of the development.

6.10.4.5 Submittal. Floor plans showing the storage areas, stamped by a licensed engineer, shall be submitted.

6.10.4.6 Evaluation. The Planning Commission and City Council shall review and approve the storage units during the site plan review process.

Table 6.1 Tier I Residential Bonus Density Entitlements (Required)

Bonus Density	Improvement	Required/Optional
0.8	<i>Base Density Improvements</i>	<i>Required</i>
0.8	Fund or Construct Community Improvements/Amenities	Required
	4% Improved Open Space as Parks and Trails	Required
	Entryways and Monuments	Required
	Professional Land Planning	Required
1.6	Total Density Granted Required To Do All Improvements Noted Above	

0.81 to 1.6 Dwelling Units Per Acre- Tier I

Table 6.2 Tier II Residential Bonus Density Entitlements (Optional)

Bonus Density	Improvement	Required/Optional
0.8	<i>Base Density Improvements</i>	<i>Required</i>
0.8	<i>Tier I Improvements and 8% Improved Open Space</i>	<i>Required</i>
0.5	Architectural & Landscape Guidelines/CC&R's/ Design Review Committee	Optional
0.7	Street Trees, Enlarged Parkstrips, Fencing, & Street Signposts	Optional
1.0	Masonry Materials (seventy-five percent of the exterior)	Optional
Up to 1.5	Residential Lot Landscaping (1 front and sides, 0.5 rear)	Optional
0.1-0.6	Recreational Amenities	Optional
5.9	Total Available (Cannot Exceed 5.2 Dwelling Units Per Acre)	

1.61 to 5.2 Dwelling Units Per Acre- Tier II

Table 6.3 Tier III Residential Bonus Density Entitlements (Required)

Bonus Density	Improvement	Required/Optional
0.8	<i>Base Density Improvements</i>	<i>Required</i>
0.8	<i>Tier I Improvements</i>	<i>Required</i>
3.6	<i>Tier II Improvements</i>	<i>Required</i>
7.0	10% Improved Open Space as Parks and Trails	Required
	Clubhouse (all Multi-Family development)	Required
	Swimming Pool	Required
12.2	Total Density Granted Required To Do All Improvements Noted Above	

5.21 to 12.2 Dwelling Units Per Acre- Tier III

Table 6.4 Tier IV Residential Bonus Density Entitlements (Optional)

Bonus Density	Improvement	Required/Optional
0.8	<i>Base Density Improvements</i>	<i>Required</i>
0.8	<i>Tier I Improvements</i>	<i>Required</i>
3.6	<i>Tier II Improvements</i>	<i>Required</i>
7.0	<i>Tier III Improvements</i>	<i>Required</i>
1.5	Covered Parking	Optional
3.5	Garages	Optional
3.5	Masonry Materials (75 Percent)	Optional
3.5	Storage Units (100 Square Feet)	Optional
24.2	Total Available (Cannot Exceed 22.7 Dwelling Units Per Acre)	

12.21 to 22.7 Dwelling Units Per Acre- Tier IV