

16-15-031 Potential Density Bonuses.

The County Commission may, upon recommendation of the Planning Commission and consistent with the Morgan County General Plan, grant density bonuses, which may allow the developer of a MPDR to exceed the maximum base density for the zone district.

1. Density bonuses shall be defined as an increase over the maximum base density for amenities and other community enhancements included in a Master Planned Development Reserve. Amenities and community enhancements for a particular project may vary from those of another project because of project type, existing natural features of the site, and market for which the project is being built. Types of amenities and community enhancements may include dense landscapes and vegetation, trails, recreation areas and parks, permanent open Space, common useable agricultural or farming open Spaces or other similar features. Such features may be an amenity and community enhancement for one project, but a liability for another. The County shall consider the total project and the proposed amenities and community enhancements, and determine the amount of density bonuses a project may receive. A density bonus may be based on any of the following:

- a. Environmental Enhancements.

These shall include, but are not limited to, programs and improvements that will enhance existing wildlife habitat, rehabilitating wetlands disturbed by previous land use practices, measures to protect air quality, water quality, establishing fisheries in local streams, landscaping beyond Code requirements, and other such features. Such enhancements must be compatible with the Morgan County General Plan and applicable area plans. Environmental enhancements must produce benefits for the enjoyment of all residents and visitors of Morgan County. Improvements that are provided largely for the enjoyment of the development and which produce only minor benefits for the general population may receive some density credit, but only to the extent that the general public benefits from the improvements.

- b. Exceeds Open Space Requirements for the Project. Density incentives will be granted by Morgan County when a development provides significant and meaningful open Space consistent with the goals, objectives and policies found in the General Plan, and when the amount of open Space provided exceeds the required open Space for the site established within in this Chapter.

- i. This shall mean the provision and protection of permanent common open Space or agricultural open Space which is distinguishable from a standard subdivision by its quantity or quality and which is readily accessible to the residents of the development and the community at large. Open Space placed in conservation or agricultural easements for perpetuity will be valued highly in the MPDR process.

- c. Restricted Affordable Housing. Higher densities will be permitted when restricted affordable housing is provided within the project. Restricted housing must be of a type that is compatible with the neighborhood within which it is proposed. Restrictions by deed or other desired mechanisms shall include appropriate sales and re-sales restrictions, rental rates restrictions, and other appropriate measures. These restrictions shall ensure that the dwelling units are oriented towards persons employed within Morgan County and remain affordable to those employed in Morgan County in perpetuity, including sales beyond the original owner. Affordable housing types and sizes, together with the percentage of such units provided must be compatible and deemed appropriate by Morgan County for the neighborhood in which it is proposed and meet the housing needs of the community. Before restricted affordable housing density increases are granted, the ability of the local community to absorb the number and type of units proposed must be demonstrated or a phasing plan (with financial guarantees) based on absorption will be required. It is not the intent of Morgan County to create neighborhoods comprised of restricted affordable housing only.

- d. Contribution to Community Trails and Parks. Contributions for community trails and parks shall be made according to the Morgan County Recreation and Trails Master Plan (when completed). Facilities required to meet specific neighborhood or project needs will not be considered as contributions to the community-wide system. Morgan County must consider improvements and/or contributions appropriate and desirable. The level of density incentive will relate to the value of the community benefit received from the contribution.

- e. Public Facilities and Amenities Exceeding Project Requirements. Unique community facilities and amenities shall be considered only when it has been demonstrated that the improvements or land contribution exceed the specific and identifiable impacts and/or needs of a project. The density shall be directly related to the value of the community benefit. Before a density incentive is granted, however, it must also be demonstrated that there is a need for the proposed improvements; that the improvements or land are needed or desired at the proposed location; that the land is appropriate in size and that the terrain is appropriate to accommodate the intended use; and the improvement is compatible with the surrounding neighborhood. Such benefits may include structured parking when it will result in the preservation of additional open Space; school sites; trail overpass/underpass; public buildings; the provision of alternative transportation facilities and systems; or other

such improvements that are deemed desirable under the General Plan.

2. Total Density.

- a. It is the intention of Morgan County, through Chapter 16-15, to allow densities in excess of the underlying zoning by allowing for a density determination process. The process and procedures are described within this chapter.