
Sec. 158.187. Standards for District Establishment.

In reaching recommendations and decisions as to rezoning land to MPUD classification, the Planning and Zoning Board and the City Council shall apply the following standards in addition to the standards and procedures of sections 158.315 through 158.322 applicable to the rezoning of land generally:

- (A) **Area Requirement.** The City shall allow the establishment of a MPUD zoning district for land within the New Community Development (NCD) Future Land Use designation and under a specific NCD sub-district to be consistent with those minimum size requirements established for each sub-district; except the establishment of a MPUD for the Residential sub-district shall require a minimum area of fifty (50) acres. Boundaries of the area shall be identified and established.
- (B) **Relation to Major Transportation Facilities.** MPUD districts shall be so located with respect to arterial or major streets, highways, collector streets, or other transportation facilities as to provide suitable access to those districts.

(1) The minimum number of residential development access points are outlined below, or as determined by a traffic study, or the Fire Marshall, whichever is more stringent. Additional access points may be required as determined by the Site Plan Review Committee.

- a. One to 99 units. Site must provide a minimum of two access points. One access may operate as an emergency only and may utilize a stabilized, pervious surface approved by the City Engineer and Fire Marshall. The secondary access point shall be located on different public roadway than the primary access and on different sides of the development where feasible. Installation of a secondary access point shall be completed prior to 50 percent of building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.
- b. 100 or more units. Site must provide a minimum of two access points with impervious surfaces suitable for all users and shall be located on public roadways independent of one another and on different sides of the development where feasible. Installation of the secondary access point shall be completed prior to the 75th building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

- (C) **Relation to Utilities, Public Facilities, and Services.** MPUD districts shall be required to obtain developers agreements regarding provision of utilities, public facilities and services as applicable.
- (D) **Development of Regional Impact (DRI).** The proposed MPUD district shall be located within an approved DRI and be consistent with all applicable conditions of the approved DRI development order.
- (E) **Consistency with the City Comprehensive Plan.** To be eligible for consideration, a MPUD rezoning proposal must be found to be consistent with all applicable elements of the City's adopted Comprehensive Plan with respect to both its proposed internal design and its relationship to adjacent areas and the City as a whole.

(Ord. No. 10-62, § 2, 8-9-10; Ord. No. 15-85, § 1, 12-7-15; Ord. No. 19-35, § 2, 6-24-19; Ord. No. 22-22, § 2, 4-11-22)

