**LAND USE ELEMENT**
**Policy 2.2.3: [L]**

**RESIDENTIAL PRESERVATION** *(Effective 7/16/90; Revision Effective 7/26/06)*

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect and preserve existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Compatibility with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

1) Existing land use within the area is predominantly residential
2) Majority of traffic is local in nature

    a) Predominance of residential uses front on local street
    b) Relatively safe internal pedestrian mobility

3) Densities within the area generally of six units per acre or less
4) Existing residential type and density exhibits relatively homogeneous patterns
5) Assessment of stability of the residential area, including but not limited to:

    a) Degree of home ownership
    b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional

development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

c) Limitations on existing light industry adjoining residential preservation neighborhoods.

New, expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts by providing a transitional development area between the light industrial uses and the low and medium density residential uses. The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of adjoining light industrial uses shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial land uses shall not be designated next to a residential preservation area.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed

low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

There may be two distinct density patterns in the Residential Preservation land use category as shown below:

| Existing land use character of the subdivision | Gross residential density |
|---|---|
| Homogenous, very low density single family detached units (City Only) | 0-3.6 dwelling units per acre (generally consistent with density of the subdivision) |
| Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes) | 0-6.0 dwelling units per acre (generally consistent with density of the subdivision) |

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.