

**First Round of Amendments to the Land Development Code Relating to Land Use/Zoning**

PROPOSED CODE AMENDMENT	Code Sections Affected	Description of Proposed Changes	Explanation
<b>Streamlining development review and removing barriers to quality development</b>			
1) Revised site and development plan review thresholds, and incentives for streamlining development review.	Revising §10-7.402 – 10-7.406	Revising site and development plan application review levels & providing incentives for quicker review; putting info in chart form.	Satisfies the main thrust of the Blue Ribbon Panel's recommendations to streamline the development review process, to provide for quicker reviews, by increasing the limits of threshold levels. Thresholds are increased significantly for the most urban districts, where infrastructure is more likely to be present and greater intensity more appropriate. Also provides design-related incentives for increasing thresholds.
2) Revised landscape buffering between low density residential uses.	§10-7.522	Revising standards to eliminate the requirement to provide buffering between single-family developments, except retaining this requirement in RP zoning district; relaxing buffering standards for other residential-residential adjacencies.	Eliminates the requirement to provide landscape buffering between developments consisting of detached single-family units, except in the monolithic large-lot RP zoning district. Reduces the buffering required between other new low density residential developments. The need to buffer single family homes from other single family homes is considered to be minimal, given the sameness in use, and similarity of development intensity.
3) Revised parking standards to provide for more flexibility in the number of spaces associated with non-residential land uses.	§10-7.545	Revising standards to provide greater flexibility for development, especially, non-residential development to provide fewer spaces, by right, in urbanized zoning districts.	Present parking standards do not provide sufficient flexibility to allow larger developments to have fewer parking spaces, precluding the developer from utilizing their site more efficiently, reducing attractiveness, inhibiting pedestrian mobility, and contributing to such environmental problems as stormwater runoff, thermal pollution. The degree of flexibility provided is greatest in the most intensive zoning districts and limited in low intensity districts, to preclude impacts to neighborhoods.
4) Expanded eligibility to pay fee in-lieu of sidewalk construction.	§10-7.529	Revising the section to clarify that the DRC shall determine if fee in-lieu of sidewalk	The revisions are limited to two infrequently encountered scenarios wherein the

		construction is appropriate; to expand criteria for eligibility to pay fee in-lieu when: off-site hazard or environmental limitation would preclude extension of sidewalk to the site; and, for new developments within subdivisions platted prior to 2006 and sidewalks are not present.	construction of sidewalks is not advisable.
5) Revising "Accessory Uses" to provide for detached accessory dwelling units.	§10-6.803(b)	Revising provisions for "Accessory apartments;" changing the nomenclature to "Accessory dwelling units" ("ADUs") providing for detached ADUs; establishing the Administrative Streamlined Approval Process ("ASAP") as the appropriate level of review for new detached ADUs; establishing standards and regulations for detached ADUs.	This approach would expand housing affordability options to both the ADU occupant and the owner of the principal residence. Accompanying regulations would promote compatibility with neighboring properties and minimize impacts.

PROPOSED CODE AMENDMENT	Code Sections Affected	Description of Proposed Changes	Explanation
<b>Addressing existing deficiencies in the Code</b>			
1) Providing standards for approval of 2.1.9 subdivision applications.	§10-7.202	Revising the section to provide a criteria for approval/approval with conditions/denial of applications.	This revision cures an existing problem of having a development review/approval process wherein no basis for approval is established.
2) Restricting limited partition subdivisions to locations outside of the urban services area and revising standards for approval.	§10-7.201	Revising the section to limit this exception to standard site and development plan and subdivision review to locations outside of the urban services area; revising the criteria for approval/approval with conditions/denial of applications – using criteria similar to those used for other applications.	Limited partition subdivision does not require platting nor a sufficient level of review to ensure that the design and infrastructure necessary for subdivision of urban land; this revision would limit the use of limited partition subdivision to areas where these factors are not of issue.
3) Providing for a 1 lot into 2 lots "split" subdivision process.	Division 2 of Article VII	Revising the division to add a provision to allow the splitting of a single lot located within the urban services area into two lots when urban-level infrastructure is present; excepting such subdivision from platting; and establishing criteria for approval/approval with conditions/denial of applications.	This revision establishes a simple and quick process for someone wishing to split a lot, where new infrastructure would not be required, into two.
4) Type B or "greater" level of site and development plan application no longer required prior to platting.	§10-7.203	Revising the section to delete the requirement that at a minimum, a type B site and	This modification would allow subdivisions requiring Type A site and development plan

		development plan approval is a prerequisite to obtain plat approval; does not alleviate requirements for platting new subdivisions.	review to be platted.
<b>Related New Code Definitions</b>		<p>Adding the following new entries are needed in support of revisions to other Code sections:</p> <ol style="list-style-type: none"> <li>1) Accessory dwelling unit</li> <li>2) Administrative Streamlined Approval Process</li> <li>3) Building façade line</li> <li>4) Density of connectivity</li> <li>5) Green roof</li> <li>6) Gum Road Target Planning Area</li> <li>7) Index of interconnectivity</li> <li>8) Rear-loaded garage</li> <li>9) Side-loaded garage</li> </ol>	The terms cited to the left are used in proposed Code revisions and require definition to be useful.

**Amendments to the Land Development Code Relating to Environmental Compliance**

Page	Section	Purpose	Effect
1	10-4.202(a)(1)	Remove altered wetland from conservation area to comply with the Comp. Plan.	Prohibits construction of stormwater management facilities in degraded wetlands.
3	10-4.202(a)(2)a.4.	Provides location for additional severe slope code requirements.	Ensures that additional severe slope requirements will not be overlooked.
3	10-4.202(a)(2)b.1.	Remove altered wetland from conservation area to comply with the Comp. Plan.	Prohibits construction of stormwater management facilities in degraded wetlands.
4	10-4.202(a)(2)b.6.	Provides location for significant grade code requirements.	Provides a reference to ensure code compliance.
6	10-4.202(a)(2)c.	Provides location for significant and severe grade code requirements.	Provides a reference to ensure code compliance.
7	10-4.202(a)(3)c.	Provides option of identifying all trees or just the 36-inch DBH or greater and dogwoods 4-inch DBH or greater.	Provides flexibility to allow either the tree/debit credit option or reforestation of development area at 40 trees per acre. Should reduce tree surveying costs significantly and speed up the permit process.
9	10-4.206(c)(1)	Revises tree removal application to provide the option of identifying all trees or just the 36-inch DBH or greater and dogwoods 4-inch DBH or greater.	Provides flexibility to allow either the tree/debit credit option or reforestation of development area at 40 trees per acre. Should reduce tree surveying costs significantly and speed up the permit process.
11	10-4.301(3)(c)	Provides an alternative to requiring onsite stormwater facilities that must meet volume	Could significantly reduce stormwater engineering and design costs for small

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		control requirements for small subdivisions (no more than 3 lots). Criteria was provided to ensure no adverse impacts.	subdivisions in closed basins.
12	10-4.322(c) and (f)	This is the only portion of the ordinance not covered by the Permit Process Improvement Focus Group, but was necessary to make the land development regulations consistent with the Comp. Plan.	Stormwater facilities or water bodies will no longer be allowed to be constructed in degraded wetlands. The wetlands will rely on natural restoration processes to occur over time.
15	10-4.327(2)c.	Provide additional flexibility in mitigating significant and severe slopes. Provides compliance with the Comp. Plan and consistency with City regulations.	Will allow more development to occur in significant slope areas in the urban services area. Higher standards for stormwater treatment are being proposed to mitigate the additional disturbance.
18	10-4.345(a)	To reduce administrative paperwork associated with conservation easements for natural areas with no environmental constraints.	Saves developer surveying costs and recording fees and saves staff time for document review and agenda item preparation. The areas are still protected on the site plan by a "conservation area" designation.
19	10-4.345.1	To provide more flexibility in site design by allowing more impervious area with mitigation. The mitigation includes 40 feet (twice the current requirement) of natural area or landscaping between the road and site's vehicular use area, increased interior landscape islands and more stringent stormwater requirements.	Allows more development to occur within a site by optimizing the use of greenspace to provide a more aesthetically pleasing view from the street. Increased stormwater protection is required as a part of the mitigation to provide better downstream water quality protection.
20	10-4.362(b)(1) and (6)	Provide consistency with the City on the size of protected trees and increased protection for dogwood trees.	Increases the protected tree size from 12-inches DBH to 18-inches DBH which will provide less protection if the tree debit/credit system is used. However, it is anticipated that the 40 trees per acre reforestation option will be primarily used which will not make this change as substantial. This increases the protection dogwoods by reducing the protected tree size from 8-inch DBH to 4-inch DBH.
23	10-4.364(b)(1)	Provides option of allowing reforestation of development area at 40 trees per acre instead of the tree debit/credit system which can lengthen the permitting process. Currently, each tree is surveyed on the property and the trees removed must equal the trees remaining on the property or additional plantings are required. The intended incentive to preserve trees by this tree debit/credit system is not being utilized by the development community. The developer simply clear cuts the development site and provides the replantings and/or payment if necessary into the tree bank.	Provides flexibility to allow either the tree/debit credit option or reforestation of development area at 40 trees per acre. Should reduce tree surveying costs significantly and speed up the permit process. This will result in less tree bank money. The tree bank will be primarily supported by violation cases. Emphasis was placed on protecting patriarch trees 36-inches DBH or greater. The tree debit/credit system was proposed for these patriarch trees if the replacement tree credits exceed the 40 trees per acre reforestation requirement.