

Tier 1 Amendments

Tier 1 Amendments

The following Tier 1 Development Code Amendments are categorized into three distinct subcategories. The first subcategory addresses Scrivener errors, which are minor typographical or clerical mistakes. The second subcategory includes changes necessitated by recent state legislation, specifically under HB2660 and SB974. The final subcategory comprises minor amendments aimed at clarifying or providing missing information. Each amendment includes a reference to the Working Document designation, the Development Code Section, page number, the current existing text, track changes to the text staff is suggesting, and finally a clean version of the proposed amendment.

Scrivener Errors

Working Document A.1

Code Section: 34-4.3.2.B.1.a

Page Number: 4-10

Old Text:

...Administrator may allow once side of a block...

"Track Changes"

Version: ...Administrator may allow ~~once~~ one side of a block...

Clean Version:

...Administrator may allow one side of a block...

Working Document A.2

Code Section: 34-6.7.3.D.1.a.iii

Page Number: 6-15

Old Text:

See 5.2.7 Major Historic Review and 5.2.7 Major Historic Review.

"Track Changes" Version:

See ~~5.2.7 Major~~ 5.2.6. Minor Historic Review and 5.2.7 Major Historic Review.

Clean Version:

See 5.2.6 Minor Historic Review and 5.2.7 Major Historic Review.

Working Document A.18

Code Section: 34-2.10.2.B.2.b

Page Number: 2-104

Old Text:

...regardless of the width of the lot, provided, that all other requirements...

"Track Changes" Version:

...regardless of the width of the lot, provided, that all other requirements...

Clean Version:

...regardless of the width of the lot, provided that all other requirements...

Working Document A.48

Code Section: 34-5.2.15.C.1.c

Page Number: 5-55

Old Text:

When the property is within an ADC district, HC district, or an IPP, the Administrator will refer the application to the BAR for review as to whether the proposed exception will have an adverse impact on the district, and for recommendation reasonable conditions which, if imposed, would mitigate any such impacts. The BAR must submit a written report of its findings in support of its recommendation to City Council.

"Track Changes" Version:

When the property is within an ADC district, HC district, or an IPP, the Administrator will refer the application to the BAR for review as to whether the proposed exception will have an adverse impact on the district, and for recommendation ~~as the to~~ **as to the** reasonable conditions which, if imposed, would mitigate any such impacts. The BAR must submit a written report of its findings in support of its recommendation to City Council.

Clean Version:

When the property is within an ADC district, HC district, or an IPP, the Administrator will refer the application to the BAR for review as to whether the proposed exception will have an adverse impact on the district, and for recommendation as to the reasonable conditions which, if imposed, would mitigate any such impacts. The BAR must submit a written report of its findings in support of its recommendation to City Council.

Working Document A.49

Code Section: 34-5.2.16.C.1

Page Number: 5-57

Old Text:

Administrative Review

The Administrator will review the application for a Critical Slopes Special Exception and will provide a staff report and recommendation to Planning Commission in advance of the public. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

"Track Changes" Version:

Administrative Review

The Administrator will review the application for a Critical Slopes Special Exception and will provide a staff report and recommendation to Planning Commission in advance of the public ~~hearing meeting~~. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

Clean Version:

Administrative Review

The Administrator will review the application for a Critical Slopes Special Exception and will provide a staff report and recommendation to Planning Commission in advance of the public

Tier 1 Amendments

meeting. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

Working Document A.50

Code Section: 34-5.1.3.B.1

Page Number: 5-5

Old Text:

1. Review Authority

The Planning Commission is responsible for review and recommendation regarding:

- a. Comprehensive Plan adoption and amendments;
- b. Text amendments to this Development Code;
- c. Map amendments to the official zoning map (rezoning);
- d. Special Use Permits; and
- e. Critical Slopes Special Exceptions.

"Track Changes" Version:

1. Review Authority

The Planning Commission is responsible for review and recommendation regarding:

- a. Comprehensive Plan adoption and amendments;
- b. Text amendments to this Development Code;
- c. Map amendments to the official zoning map (rezoning);
- d. Special Use Permits;
- e. Special Exception Permits;** and
- f. Critical Slopes Special Exceptions.

Clean Version:

1. Review Authority

The Planning Commission is responsible for review and recommendation regarding:

- a. Comprehensive Plan adoption and amendments;
- b. Text amendments to this Development Code;
- c. Map amendments to the official zoning map (rezoning);
- d. Special Use Permits;
- e. Special Exception Permits; and
- f. Critical Slopes Special Exceptions.

Working Document A.52

Code Section: 34-5.3.3.B

Page Number: 5-62

Old Text:

Expansions

Expansions of a nonconforming structure must meet the requirements of this Development Code with the following exceptions:

- a. If the nonconforming structure does meet build-to width requirements of the zoning district, the expansion must meet the requirements of this Section.

Tier 1 Amendments

- b. In a Residential (R-) District, a nonconforming structure that encroaches into the setback may be expanded as long as the expansion will not result in an increase in the encroachment

"Track Changes" Version:

~~Expansions~~-Additions

~~Expansions of~~ **Additions to** a nonconforming structure must meet the requirements of this Development Code with the following exceptions:

- a. If the nonconforming structure does meet build-to width requirements of the zoning district, the ~~expansion~~ **addition** must meet the requirements of this Section.
- b. In a Residential (R-) District, a nonconforming structure that encroaches into the setback may be expanded as long as the ~~expansion~~ **addition** will not result in an increase in the encroachment

Clean Version:

Additions

Additions to a nonconforming structure must meet the requirements of this Development Code with the following exceptions:

- a. If the nonconforming structure does meet build-to width requirements of the zoning district, the addition must meet the requirements of this Section.
- b. In a Residential (R-) District, a nonconforming structure that encroaches into the setback may be expanded as long as the addition will not result in an increase in the encroachment

Working Document A.53

Code Section: 34-5.3.3.B.2

Page Number: 5-63

Old Text:

If the nonconforming structure to be expanded is also a contributing structure in an ADC District or HC District, or an Individually Protected Property, , then that structure is not required to meet any development standard that would require modification of the structure itself, and the Board of Architectural Review must approve a Certificate of Appropriateness for the proposed expansion.

"Track Changes" Version:

If the nonconforming structure to be expanded is also a contributing structure in an ADC District or HC District, or an Individually Protected Property~~7~~, then that structure is not required to meet any development standard that would require modification of the structure itself, and the Board of Architectural Review must approve a Certificate of Appropriateness for the proposed expansion.

Clean Version:

If the nonconforming structure to be expanded is also a contributing structure in an ADC District or HC District, or an Individually Protected Property, then that structure is not required to meet any development standard that would require modification of the structure itself, and the Board

Tier 1 Amendments

of Architectural Review must approve a Certificate of Appropriateness for the proposed expansion.

Working Document A.54

Code Section: 34-5.2.8.A

Page Number: 5-34

Old Text:

A Corridor Review for a Certificate of Appropriateness is required for the following project activities on any property located in the Entrance Corridor District:

"Track Changes" Version:

A Corridor Review for a Certificate of Appropriateness is required for the following project activities on any property located in the Entrance Corridor District:

Clean Version:

A Corridor Review for a Certificate of Appropriateness is required for the following project activities on any property located in the Entrance Corridor District:

Working Document A.55

Code Section: 34-5.2.9.D.1.a.iii

Page Number: 5-38

Old Text:

When the property is within an ADC District, HC District, or an Individually Protected Property, a Certificate of Appropriateness may also be required. See 5.2.7 *Minor Historic Review* and 5.2.7. *Major Historic Review*.

"Track Changes" Version:

When the property is within an ADC District, **Entrance Corridor**, HC District, or an Individually Protected Property, a Certificate of Appropriateness may also be required. See 5.2.7. **Major** *Minor Historic Review* and 5.2.7. *Major Historic Review*.

Clean Version:

When the property is within an ADC District, Entrance Corridor, HC District, or an Individually Protected Property, a Certificate of Appropriateness may also be required. See 5.2.6. *Minor Historic Review* and 5.2.7. *Major Historic Review*.

Working Document A.72

Code Section: 34-4.7.1.A.1

Page Number: 4-48

Old Text:

To protect and enhance the character and stability of neighborhoods the compatibility of new development with its surrounding context where the scale of development changes between lots of differing zoning districts; and

"Track Changes" Version:

Tier 1 Amendments

To protect and enhance the character and stability of neighborhoods **and** the compatibility of new development with its surrounding context where the scale of development changes between lots of differing zoning districts; and

Clean Version:

To protect and enhance the character and stability of neighborhoods and the compatibility of new development with its surrounding context where the scale of development changes between lots of differing zoning districts; and

Working Document A.73

Code Section: 34-2.10.1.B.1.e

Page Number: 2-95

Old Text:

For lots that abut multiple streets, the Administrator will determine primary streets using the following criteria listed from most important to less important:

- (i) The street or streets with the highest classification according to the Street Typology Map;
- (ii) The established orientation of the block;
- (iii) The street abutting the longest face of the block; and
- (iii) The street parallel to an alley within the block.

"Track Changes" Version:

For lots that abut multiple streets, the Administrator will determine primary streets using the following criteria listed from most important to less important:

- (i) The street or streets with the highest classification according to the Street Typology Map;
- (ii) The established orientation of the block;
- (iii) The street abutting the longest face of the block; and
- (iv) ~~(iii)~~ The street parallel to an alley within the block.

Clean Version:

For lots that abut multiple streets, the Administrator will determine primary streets using the following criteria listed from most important to less important:

- (i) The street or streets with the highest classification according to the Street Typology Map;
- (ii) The established orientation of the block;
- (iii) The street abutting the longest face of the block; and
- (iv) The street parallel to an alley within the block.

State Required Changes per HB2660 and SB974

HB2660: Shortens the timeframes for various local government approvals of subdivision plats and site plans. Additionally, the bill calls on the Virginia Code Commission to convene a work group consisting of various stakeholders to review existing provisions related to the submission, review, and approval of subdivision plats and site plans. The work group shall develop recommendations to (i) organize

Tier 1 Amendments

procedural steps in a clear, logical, and sequential order to enhance ease of reference; (ii) clarify the processes, requirements, and timelines applicable to each type of plat or plan; (iii) standardize terminology to ensure consistency, reduce ambiguity, and minimize misinterpretation; and (iv) identify and eliminate redundant or duplicative provisions to streamline the Code and improve its usability and shall submit a report to the General Assembly by November 1, 2025.

SB974: Removes planning commission and governing body approval authority for the administrative review process for plats and plans and assigns such authority solely to a designated agent, defined in the bill. However, the bill provides that the local planning commission may serve as the designated agent of any locality with a population of 5,000 or less. The bill also expedites the review process by shortening the timeframe for forwarding plats and plans to state agencies for review.

Working Document A.57

Code Section: 34-5.1.1

Page Number: 5-3

Old Text:

Summary of Review Authority Table giving Planning Commission Review and Appeal (A) Authority over Development Review.

"Track Changes" Version: NA

Clean Version:

Remove Planning Commission as the Appeal (A) Authority over Development Review.

Working Document A.58

Code Section: 34-5.1.3.B.2

Page Number: 5-6

Old Text:

Authority

2. Approval Authority

The Planning Commission is responsible for final action regarding:

- a. Review of Public Facilities;
- b. Preliminary Plats; and
- c. Appeals regarding Development Review, Subdivision Review, and Certificates of Appropriateness subject to Corridor Review.

"Track Changes" Version:

Authority

2. Approval Authority

The Planning Commission is responsible for final action regarding:

- a. Review of Public Facilities;
- b. ~~Preliminary Plats;~~ and
- c. Appeals regarding ~~Development Review, Subdivision Review, and~~ Certificates of Appropriateness subject to Corridor Review.

Clean Version:

Authority

Tier 1 Amendments

2. Approval Authority

The Planning Commission is responsible for final action regarding:

- a. Review of Public Facilities; and
- c. Appeals regarding Certificates of Appropriateness subject to Corridor Review.

Working Document A.63

Code Section: 34-6.7.3.D.1.a

Page Number: 6-15

Old Text:

Once the Subdivision Administrator determines the application is complete, the Subdivision Administrator will notify the Planning Commission of the application and review the application against the requirements of this Development Code and other applicable technical requirements of the City.

"Track Changes" Version:

Once the Subdivision Administrator determines the application is complete, the Subdivision Administrator will ~~notify the Planning Commission of the application and~~ review the application against the requirements of this Development Code and other applicable technical requirements of the City.

Clean Version:

Once the Subdivision Administrator determines the application is complete, the Subdivision Administrator will review the application against the requirements of this Development Code and other applicable technical requirements of the City.

Working Document A.64

Code Section: 34-6.7.3.D.1.b

Page Number: 6-15

Old Text:

Section b Planning Commission Decision

"Track Changes" Version: NA

Clean Version:

Section removed.

Working Document A.65

Code Section: 34-6.7.3.D.2.a

Page Number: 6-16

Old Text:

The applicant may appeal a decision of denial, or failure of the Subdivision Administrator or Planning Commission to approve or deny the application, to the Circuit Court in accordance with the *Code of Virginia § 15.2-2259*.

"Track Changes" Version:

The applicant may appeal a decision of denial, or failure of the Subdivision Administrator ~~or Planning Commission~~ to approve or deny the application, to the Circuit Court in accordance

Tier 1 Amendments

with the *Code of Virginia § 15.2-2259*.

Clean Version:

The applicant may appeal a decision of denial, or failure of the Subdivision Administrator to approve or deny the application, to the Circuit Court in accordance with the *Code of Virginia § 15.2-2259*.

Working Document A.66

Code Section: 34-6.7.4.A

Page Number: 6-19

Old Text:

Whenever this Article contains provisions for variation or exception to a requirement, the Subdivision Administrator or Planning Commission in considering a request for a variation or exception, will consider whether, because of unusual size, topography, shape of the property, location of the property or other unusual conditions (excluding the proprietary interests of the subdivider) the requirement that is proposed to be varied or excepted would result in substantial injustice or hardship and would not forward the purposes of this chapter or serve the public interest.

"Track Changes" Version:

Whenever this Article contains provisions for variation or exception to a requirement, the Subdivision Administrator ~~or Planning Commission~~ in considering a request for a variation or exception, will consider whether, because of unusual size, topography, shape of the property, location of the property or other unusual conditions (excluding the proprietary interests of the subdivider) the requirement that is proposed to be varied or excepted would result in substantial injustice or hardship and would not forward the purposes of this chapter or serve the public interest.

Clean Version:

Whenever this Article contains provisions for variation or exception to a requirement, the Subdivision Administrator in considering a request for a variation or exception, will consider whether, because of unusual size, topography, shape of the property, location of the property or other unusual conditions (excluding the proprietary interests of the subdivider) the requirement that is proposed to be varied or excepted would result in substantial injustice or hardship and would not forward the purposes of this chapter or serve the public interest.

Working Document A.67

Code Section: 34-6.7.4.A.4

Page Number: 6-19

Old Text:

A subdivider may appeal the Subdivision Administrator's decision to deny a variation or exception request to the Planning Commission. In reviewing the request, the Planning Commission may approve or disapprove the request based on the applicable findings set forth in this Section.

"Track Changes" Version:

Tier 1 Amendments

A subdivider may appeal the Subdivision Administrator's decision to deny a variation or exception request to the ~~Planning Commission~~ **Circuit Court in accordance with the Code of Virginia § 15.2-2259**. In reviewing the request, the ~~Planning Commission~~ **Circuit Court** may approve or disapprove the request based on the applicable findings set forth in this Section.

Clean Version:

A subdivider may appeal the Subdivision Administrator's decision to deny a variation or exception request to the Circuit Court in accordance with the Code of Virginia § 15.2-2259. In reviewing the request, the Circuit Court may approve or disapprove the request based on the applicable findings set forth in this Section.

Working Document A.69

Code Section: 34-5.2.1.C.4.a

Page Number: 5-12

Old Text:

All applications must be complete before the City is required to review the application. Once an application is received, the Administrator has 10 days to review and determine the completeness of an application. An applicant will be notified of an incomplete application, and the application will not proceed for review or decision.

"Track Changes" Version:

All applications must be complete before the City is required to review the application. Once an application is received, the Administrator has ~~10~~ **5** days to review and determine the completeness of an application. An applicant will be notified of an incomplete application, and the application will not proceed for review or decision.

Clean Version:

All applications must be complete before the City is required to review the application. Once an application is received, the Administrator has 5 days to review and determine the completeness of an application. An applicant will be notified of an incomplete application, and the application will not proceed for review or decision.

Minor amendments aimed at clarifying or providing missing information

Working Document A.3

Code Section: 34-4.7.1.B.1

Page Number: 4-48

Old Text:

The Applicability table is missing the RN-A district.

"Track Changes"

Version: **NA**

Clean Version:

Add RN-A to the District of Lot Column after R-A and to the Abutting District Row after R-A.

Working Document A.4

Code Section: 34-2.3.2.B.1

Page Number: 2-19

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ **Affordable Dwelling Unit Bonus**

Clean Version:

Bonus: Affordable Dwelling Unit

Working Document A.5

Code Section: 34-2.3.3.B.1

Page Number: 2-21

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ **Affordable Dwelling Unit Bonus**

Clean Version:

Bonus: Affordable Dwelling Unit

Working Document A.6

Code Section: 34-2.4.2.B.1

Page Number: 2-25

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ **Affordable Dwelling Unit Bonus**

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.7

Code Section: 34-2.4.3.B.1

Page Number: 2-27

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ **Affordable Dwelling Unit Bonus**

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.8

Code Section: 34-2.4.4.B.1

Tier 1 Amendments

Page Number: 2-29

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ **Affordable Dwelling Unit Bonus**

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.9

Code Section: 34-2.5.2.B.1

Page Number: 2-33

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ **Affordable Dwelling Unit Bonus**

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.10

Code Section: 34-2.5.3.B.1

Page Number: 2-35

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ **Affordable Dwelling Unit Bonus**

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.11

Code Section: 34-2.5.4.B.1

Page Number: 2-37

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ **Affordable Dwelling Unit Bonus**

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.12

Code Section: 34-2.5.5.B.1

Page Number: 2-39

Old Text: With bonus

Tier 1 Amendments

"Track Changes" Version:

With ~~bonus~~ Affordable Dwelling Unit Bonus

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.13

Code Section: 34-2.5.6.B.1

Page Number: 2-41

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ Affordable Dwelling Unit Bonus

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.14

Code Section: 34-2.6.2.B.1

Page Number: 2-45

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ Affordable Dwelling Unit Bonus

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.15

Code Section: 34-2.6.3.B.1

Page Number: 2-47

Old Text:

With bonus

"Track Changes" Version:

With ~~bonus~~ Affordable Dwelling Unit Bonus

Clean Version:

With Affordable Dwelling Unit Bonus

Working Document A.16

Code Section: 34-2.5.6.A.6.

Page Number: 2-40

Old Text:

Type X

"Track Changes" Version:

Type ~~X~~ B, D

Tier 1 Amendments

Clean Version:

Type B, D

Working Document A.19

Code Section: 34-3.4.4.A

Page Number: 3-32

Old Text:

In a RX- District, commercial uses must not exceed 25% of the floor area on a lot.

"Track Changes

Version: This information needs to be within the RX- district pages in Division 2.

Clean Version:

2.3.2.B.7 Commercial Uses Section 3.4.4.A: (First Column) Commercial Uses per floor area per lot (Second Column) max 25%

2.3.3.B.7 Commercial Uses Section 3.4.4.A: (First Column) Commercial Uses per floor area per lot (Second Column) max 25%

Working Document A.20

Code Section: 34-4.2.1.B.1

Page Number: 4-5

Old Text:

The existing structure bonus applies to any project within Residential A (R-A) or Residential B (R-B) zoning districts where a developer chooses to meet all of the standards of this Section in order to receive a density bonus to the maximum allowed dwelling units per lot.

"Track Changes" Version:

The existing structure bonus applies to any project within Residential A (R-A), **Residential Core Neighborhood A (RN-A)**, Residential B (R-B), or **Residential C (R-C)** zoning districts where a developer chooses to meet all of the standards of this Section in order to receive a density bonus to the maximum allowed dwelling units per lot.

Clean Version:

The existing structure bonus applies to any project within Residential A (R-A), Residential B (R-B), Residential C (R-C), or Residential Core Neighborhood A (RN-A) zoning districts where a developer chooses to meet all of the standards of this Section in order to receive a density bonus to the maximum allowed dwelling units per lot.

Working Document A.21

Code Section: 34-4.5.1.B.1.

Page Number: 4-22

Old Text:

The Applicability table is Missing RN-A

"Track Changes" Version:

NA

Clean Version:

Tier 1 Amendments

All R- and RN- Districts

Type 2

Working Document A.22

Code Section: 34-2.8.4.B

Page Number: 2-57

Old Text:

When allowed in Residential (R-) districts, the following principal uses may follow the Shopfront House Form standards:

"Track Changes" Version:

When allowed in Residential (R-) **and (RN-)** districts, the following principal uses may follow the Shopfront House Form standards:

Clean Version:

When allowed in Residential (R-) and (RN-) districts, the following principal uses may follow the Shopfront House Form standards:

Working Document A.23

Code Section: 34-2.10.4.A.3.b

Page Number: 2-106

Old Text:

In Residential A (R-A), Residential B (R-B), and Residential C (R-C), the building coverage cannot exceed the maximum allowed based on the number of units provided on the lot.

"Track Changes" Version:

In Residential A (R-A), **Residential Core Neighborhood A (RN-A)**, Residential B (R-B), and Residential C (R-C), the building coverage cannot exceed the maximum allowed based on the number of units provided on the lot.

Clean Version:

In Residential A (R-A), Residential Core Neighborhood (RN-A), Residential B (R-B), and Residential C (R-C), the building coverage cannot exceed the maximum allowed based on the number of units provided on the lot.

Working Document A.24

Code Section: 34-2.10.9.B.2

Page Number: 2-130

Old Text:

Side wall height limitations apply to all lots in Residential A (R-A), and Residential B (R-B) zoning districts.

"Track Changes" Version:

Side wall height limitations apply to all lots in Residential A (R-A), **Residential Core Neighborhood A (RN-A)**, and Residential B (R-B) zoning districts.

Clean Version:

Side wall height limitations apply to all lots in Residential A (R-A), Residential Core Neighborhood (RN-A), and Residential B (R-B) zoning districts.

Tier 1 Amendments

Working Document A.25

Code Section: 34-3.4.2.B

Page Number: 3-20

Old Text:

Residential treatment facilities for sex offender treatment services are not allowed in Residential (R-)and Residential Mixed Use (RX-) districts.

"Track Changes" Version:

Residential treatment facilities for sex offender treatment services are not allowed in Residential (R-), **Residential Core Neighborhood (RN-)**, and Residential Mixed Use (RX-) districts.

Clean Version:

Residential treatment facilities for sex offender treatment services are not allowed in Residential (R-), Residential Core Neighborhood (RN-), and Residential Mixed Use (RX-) districts.

Working Document A.26

Code Section: 34-3.4.4.B.1

Page Number: 3-32

Old Text:

When abutting a common lot line of any R-₂ or RX- District, a Low Impact Transition Screen is required.

"Track Changes" Version:

When abutting a common lot line of any R-, **RN-**, or RX- District, a Low Impact Transition Screen is required.

Clean Version:

When abutting a common lot line of any R-, RN-, or RX- District, a Low Impact Transition Screen is required.

Working Document A.27

Code Section: 34-3.4.5.A.1.a

Page Number: 3-32

Old Text:

When abutting a common lot line or across an alley of a R-or RX- District, a Transition Type E is required.

"Track Changes" Version:

When abutting a common lot line or across an alley of a R-, **RN-**, or RX- District, a Transition Type E is required.

Clean Version:

When abutting a common lot line or across an alley of a R-, RN-, or RX- District, a Transition Type E is required.

Working Document A.28

Code Section: 34-3.4.5.A.3.c

Tier 1 Amendments

Page Number: 3-33

Old Text:

When abutting a common lot line or across an alley of a R-or RX- District, a Transition Type E is required.

"Track Changes" Version:

When abutting a common lot line or across an alley of a R-, ~~RN-~~, or RX- District, a Transition Type E is required.

Clean Version:

When abutting a common lot line or across an alley of a R-, RN-, or RX- District, a Transition Type E is required.

Working Document A.29

Code Section: 34-3.4.5.A.4.a

Page Number: 3-33

Old Text:

When abutting a common lot line or across an alley of a R-or RX- District, a Transition Type E is required.

"Track Changes" Version:

When abutting a common lot line or across an alley of a R-, ~~RN-~~, or RX- District, a Transition Type E is required.

Clean Version:

When abutting a common lot line or across an alley of a R-, RN-, or RX- District, a Transition Type E is required.

Working Document A.30

Code Section: 34-3.5.2.H.1

Page Number: 3-38

Old Text:

Outdoor entertainment areas must be a minimum of 150 feet from a R- District

"Track Changes" Version:

Outdoor entertainment areas must be a minimum of 150 feet from a R- District ~~or RN- District.~~

Clean Version:

Outdoor entertainment areas must be a minimum of 150 feet from a R- District or RN- District.

Working Document A.31

Code Section: 34-3.5.2.I.3

Page Number: 3-39

Old Text:

When abutting a common lot line of a R-or RX- District, a Fence Type X is required.

"Track Changes" Version:

When abutting a common lot line of a R-, ~~RN-~~, or RX- District, a ~~Fence Type X High Impact Transition Screen~~ is required.

Tier 1 Amendments

Clean Version:

When abutting a common lot line of a R-, RN-, or RX- District, a High Impact Transition Screen is required.

Working Document A.32

Code Section: 34-3.6.2.C.3

Page Number: 3-42

Old Text:

Must not be approved to take place within 300 feet of a R- District.

"Track Changes" Version:

Must not be approved to take place within 300 feet of a R- **or RN-** District.

Clean Version:

Must not be approved to take place within 300 feet of a R- or RN- District.

Working Document A.33

Code Section: 34-3.6.2.F.3.c

Page Number: 3-45

Old Text:

All lighting associated with the site must meet the requirements of Div. 4.12. Outdoor Lighting and must be screened from view from any rights-of-way, or Residential (R-) zoning district.

"Track Changes" Version:

All lighting associated with the site must meet the requirements of Div. 4.12. Outdoor Lighting and must be screened from view from any rights-of-way, or Residential (R-) **or Residential Core Neighborhood (RN-)** zoning district.

Clean Version:

All lighting associated with the site must meet the requirements of Div. 4.12. Outdoor Lighting and must be screened from view from any rights-of-way, or Residential (R-) or Residential Core Neighborhood (RN-) zoning district.

Working Document A.34

Code Section: 34-4.4.5.D.3

Page Number: 4-20

Old Text:

In Residential (R-) zoning districts, when the project fronts on an existing street and adjacent property on either side of the project does not have an existing streetscape, the Administrator may allow the project developer to contribute to a streetscape fund, maintained and administered by the City, an amount equivalent to the cost of the dedication of land for and the construction of the streetscape on the property.

"Track Changes" Version:

In Residential (R-) **or Residential Core Neighborhood (RN-)** zoning districts, when the project fronts on an existing street and adjacent property on either side of the project does not have an existing streetscape, the Administrator may allow the project developer to contribute to a

Tier 1 Amendments

streetscape fund, maintained and administered by the City, an amount equivalent to the cost of the dedication of land for and the construction of the streetscape on the property.

Clean Version:

In Residential (R-) or Residential Core Neighborhood (RN-) zoning districts, when the project fronts on an existing street and adjacent property on either side of the project does not have an existing streetscape, the Administrator may allow the project developer to contribute to a streetscape fund, maintained and administered by the City, an amount equivalent to the cost of the dedication of land for and the construction of the streetscape on the property.

Working Document A.35

Code Section: 34-4.5.5.C.7

Page Number: 4-37

Old Text:

Where a parking structure is visible from a street or a Residential (R-) district, the entire visible portion must be screened with a permanent structure that meets the following standards:

"Track Changes" Version:

Where a parking structure is visible from a street, ~~or~~ a Residential (R-) district, **or a Residential Core Neighborhood (RN-)** district, the entire visible portion must be screened with a permanent structure that meets the following standards:

Clean Version:

Where a parking structure is visible from a street, a Residential (R-) district, or Residential Core Neighborhood (RN-) district, the entire visible portion must be screened with a permanent structure that meets the following standards:

Working Document A.36

Code Section: 34-4.5.7.C.2

Page Number: 4-43

Old Text:

The following requirements apply to a project in a Residential (R-) zoning district with a front- or side-accessed driveway.

"Track Changes" Version:

The following requirements apply to a project in a Residential (R-) **or Residential Core Neighborhood (RN-)** zoning district with a front- or side-accessed driveway.

Clean Version:

The following requirements apply to a project in a Residential (R-) or Residential Core Neighborhood (RN-) zoning district with a front- or side-accessed driveway.

Working Document A.37

Code Section: 34-4.5.7.C.3

Page Number: 4-43

Old Text:

Tier 1 Amendments

The following requirements apply to a project in a Residential (R-) zoning district with a rear-accessed driveway.

"Track Changes" Version:

The following requirements apply to a project in a Residential (R-) or Residential Core Neighborhood (RN-) zoning district with a rear-accessed driveway.

Clean Version:

The following requirements apply to a project in a Residential (R-) or Residential Core Neighborhood (RN-) zoning district with a rear-accessed driveway.

Working Document A.39

Code Section: 34-4.11.3.B.2.e.ii

Page Number: 4-83

Old Text:

ii. Residential (R-) Districts, ADC Districts, and IPPs

In a R- District, ADC District, and IPPs, small temporary signs must meet the following standards:

"Track Changes" Version:

ii. Residential (R-) Districts, Residential Core Neighborhood (RN-), ADC Districts, and IPPs

In a R- District, RN- District, ADC District, and IPPs, small temporary signs must meet the following standards:

Clean Version:

ii. Residential (R-) Districts, Residential Core Neighborhood (RN-), ADC Districts, and IPPs

In a R- District, RN- District, ADC District, and IPPs, small temporary signs must meet the following standards:

Working Document A.40

Code Section: 34-4.11.6.A.2

Page Number: 4-86

Old Text:

Large temporary signs are not permitted in Residential (R-) Districts.

"Track Changes" Version:

Large temporary signs are not permitted in Residential (R-) or Residential Core Neighborhood (RN-) Districts.

Clean Version:

Large temporary signs are not permitted in Residential (R-) or Residential Core Neighborhood (RN-) Districts.

Working Document A.41

Code Section: 34-4.11.9.A

Page Number: 4-89

Old Text:

RN-A is missing from District Permissions

"Track Changes" Version: NA

Tier 1 Amendments

Clean Version:

Under the zoning district row
Residential (R-) and (RN-)

Working Document A.42

Code Section: 34-4.11.9.C

Page Number: 4-90

Old Text: Maximum Sign Area is missing RN-A under the Residential Zoning Districts table.

"Track Changes" Version: NA

Clean Version:

Zoning Districts

Residential

All R- and RN- districts

Working Document A.43

Code Section: 34-4.11.11.B

Page Number: 4-101

Old Text:

Each outside lighting installation and each illuminated sign must be controlled by a time switch or externally operable switch which will open all underground conductors and must be suitable for conditions of installation, such as exposure to the weather. Illumination for any sign cannot be directed toward any Residential (R-) or Residential Mixed Use (RX-) district or toward any adjacent street.

"Track Changes" Version:

Each outside lighting installation and each illuminated sign must be controlled by a time switch or externally operable switch which will open all underground conductors and must be suitable for conditions of installation, such as exposure to the weather. Illumination for any sign cannot be directed toward any Residential (R-), **Residential Core Neighborhood (RN-)**, or Residential Mixed Use (RX-) district or toward any adjacent street.

Clean Version:

Each outside lighting installation and each illuminated sign must be controlled by a time switch or externally operable switch which will open all underground conductors and must be suitable for conditions of installation, such as exposure to the weather. Illumination for any sign cannot be directed toward any Residential (R-), Residential Core Neighborhood (RN-), or Residential Mixed Use (RX-) district or toward any adjacent street.

Working Document A.44

Code Section: 34-4.12.2.C.4

Page Number: 4-103

Old Text:

Tier 1 Amendments

Security lighting controlled by sensors, generating a maximum of 6,000 lumens per fixture, and which provides illumination for 15 minutes or less. In Residential (R-) districts, security lighting must not generate more than 3,000 lumens per fixture.

"Track Changes" Version:

Security lighting controlled by sensors, generating a maximum of 6,000 lumens per fixture, and which provides illumination for 15 minutes or less. In Residential (R-) **and Residential Core Neighborhood (RN-)** districts, security lighting must not generate more than 3,000 lumens per fixture.

Clean Version:

Security lighting controlled by sensors, generating a maximum of 6,000 lumens per fixture, and which provides illumination for 15 minutes or less. In Residential (R-) and Residential Core Neighborhood (RN-) districts, security lighting must not generate more than 3,000 lumens per fixture.

Working Document A.45

Code Section: 34-4.12.3.C.3

Page Number: 4-104

Old Text:

Light fixtures within 30 feet of any R-A, R-B or R-C District may be no higher than 12 feet.

"Track Changes" Version:

Light fixtures within 30 feet of any R-A, **RN-A**, R-B or R-C District may be no higher than 12 feet.

Clean Version:

Light fixtures within 30 feet of any R-A, RN-A, R-B or R-C District may be no higher than 12 feet.

Working Document A.46

Code Section: 5-62

Page Number: 34-5.3.3.B.1.b

Old Text:

In a Residential (R-) District, a nonconforming structure that encroaches into the setback may be expanded as long as the expansion will not result in an increase in the encroachment.

"Track Changes" Version:

In a Residential (R-) **or Residential Core Neighborhood (RN-)** district, a nonconforming structure that encroaches into the setback may be expanded as long as the expansion will not result in an increase in the encroachment.

Clean Version:

In a Residential (R-) or Residential Core Neighborhood (RN-) district, a nonconforming structure that encroaches into the setback may be expanded as long as the expansion will not result in an increase in the encroachment.

Working Document A.47

Code Section: 34-7.1.2.E.3.a

Page Number: 7-9

Tier 1 Amendments

Old Text:

Sublots are only permitted in Residential (R-) districts.

"Track Changes" Version:

Sublots are only permitted in Residential (R-) and Residential Core Neighborhood (RN-) districts.

Clean Version:

Sublots are only permitted in Residential (R-) and Residential Core Neighborhood (RN-) districts.

Working Document A.51

Code Section: 34-5.2.7.C.2.c

Page Number: 5-29

Old Text:

The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition is compatible with the scale and character of the Architecture Design Control District, Individually Protected Property, or Historic Conservation District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions as well as the goals of the Comprehensive Plan. Conditions may require a reduction in height or massing, consistent with the City's design guidelines and subject to the following limitations:

- i. Along the Downtown Mall, the BAR may limit story height to within 2 stories of the prevailing story height of the block;
- ii. In all other areas subject to review, the BAR may reduce the allowed height by no more than 2 stories; and
- iii. The BAR may require upper story stepbacks of up to 25'.

"Track Changes" Version:

~~The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition is compatible with the scale and character of the Architecture Design Control District, Individually Protected Property, or Historic Conservation District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions as well as the goals of the Comprehensive Plan. Conditions may require a reduction in height or massing, consistent with the City's design guidelines and subject to the following limitations:~~

- ~~i. Along the Downtown Mall, the BAR may limit story height to within 2 stories of the prevailing story height of the block;~~
- ~~ii. In all other areas subject to review, the BAR may reduce the allowed height by no more than 2 stories; and~~
- ~~iii. The BAR may require upper story stepbacks of up to 25'.~~

Clean Version:

(This section is moved to) 2.9.2.D. ADC Certificate of Appropriateness

- a. A Certificate of Appropriateness is required for certain projects in ADC Districts in accordance with 5.2.6. *Minor Historic Review* and 5.2.7. *Major Historic Review*.
- b. The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition is compatible with the

Tier 1 Amendments

scale and character of the Architecture Design Control District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions as well as the goals of the Comprehensive Plan. Conditions may require a reduction in height or massing, consistent with the City's design guidelines and subject to the following limitations:

- i. Along the Downtown Mall, the BAR may limit story height to within 2 stories of the prevailing story height of the block;
- ii. In all other areas subject to review, the BAR may reduce the allowed height by no more than 2 stories; and
- iii. The BAR may require upper story setbacks of up to 25'.

2.9.3.D. IPP Certificate of Appropriateness

- a. A Certificate of Appropriateness is required for certain projects on Individually Protected Properties in accordance with 5.2.6. *Minor Historic Review* and 5.2.7. *Major Historic Review*.
- b. The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition is compatible with the scale and character of the Individually Protected Property. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions as well as the goals of the Comprehensive Plan. Conditions may require a reduction in height or massing, consistent with the City's design guidelines and subject to the following limitations:
 - a. Along the Downtown Mall, the BAR may limit story height to within 2 stories of the prevailing story height of the block;
 - b. In all other areas subject to review, the BAR may reduce the allowed height by no more than 2 stories; and
 - c. The BAR may require upper story setbacks of up to 25'.

2.9.4.F. HC Certificate of Appropriateness

- a. A Certificate of Appropriateness is required for certain projects in the HC Districts in accordance with 5.2.6. *Minor Historic Review* and 5.2.7. *Major Historic Review*.
- b. The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition is compatible with the scale and character of the Historic Conservation (-HC) District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions as well as the goals of the Comprehensive Plan. Conditions may require a reduction in height or massing, consistent with the City's design guidelines and subject to the following limitations:
 - iv. Along the Downtown Mall, the BAR may limit story height to within 2 stories of the prevailing story height of the block;
 - v. In all other areas subject to review, the BAR may reduce the allowed height by no more than 2 stories; and
 - vi. The BAR may require upper story setbacks of up to 25'.