

2026 Development Code Amendments – Tier 3 Summary

Purpose: Tier 3 amendments involve significant changes that may alter the intent of the Development Code. These require **community engagement and detailed analysis**. Planning Commission will **prioritize a handful** for the 2026/2027 NDS Work Plan and may move some items to Tier 2 for faster resolution.

Top Tier 3 Issues for Consideration

1. **Building Height & Massing (2.2.2.B.1 & 2.10.10)**
 - Clarify if bonus height applies to a **lot** or a **building** with multiple units.
 - Impacts townhouse configurations and property line interpretation.
 2. **Build-to & Setback Requirements (2.10.5 & 2.10.6)**
 - Heavy reliance on Build-to creates development challenges.
 - Consider relief for historic/contributing structures and Design Control Districts.
 3. **Active Depth & Parking Conflicts (2.10.10.B.2 & 4.5.7.C)**
 - Current rules prevent structured parking and conflict with screening requirements.
 - PC has expressed interest in revisiting active depth standards.
 4. **Special Exception Permits (5.2.15.A)**
 - Expand scope beyond “physical dimensional standards” to include **numerical standards**.
 - Clarify applicability for parking and other modifications.
 5. **Street Typology Map (4.4)**
 - Missing legend items and incorrect markings; map quality flagged as poor.
 6. **Definitions & Site Modification Rules (7.1.2.C.4 & 7.1.2.E)**
 - Current definitions may limit flexibility for small site changes.
 7. **Lighting for Athletic Fields (4.12)**
 - Current max fixture height (15’) is inadequate for ball fields.
 8. **Bicycle Parking Exemptions (4.5.2.B.2)**
 - Should some levels of development (like four and below units) be exempt?
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Stakeholder Input Highlights

- **Planning Commission:** Wants clarity on entries, active depth, driveway widths, and BAR review for existing buildings.
- **Tree Commission:** Incentives for tree preservation and bonding requirements.
- **EV Charging Plan:** Codify EV chargers as accessory uses; streamline permitting.

- **Builders & Developers:** Concerns about complexity, affordability, stormwater thresholds, and Build-to requirements.
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Suggested PC Actions

- **Prioritize 3–5 high-impact issues** for inclusion in the 2026/2027 Work Plan.
- **Identify Tier 3 items to move to Tier 2** for faster resolution.