

## Draft amendments to First reading Draft - January 13, 2014

| #  | Page      | Section           | Comment  | Response | Resolution |
|----|-----------|-------------------|--|----------|------------|
| 1  | pg. 2-6   | 2.2.6             | add the word "not" before considered   |          |            |
| 2  | pg. 2-6   | 2.2.7 B 5 a and b | Ground level - add "common area"; Upper level - add "common area".   |          |            |
| 3  | pg. 2-7   | 2.2.8 B 5         | Change the word "must" to the word "may".  |          |            |
| 4  | pg. 2-7   | 2.2.8.B 6         | Change the word "must" to the word "may".  |          |            |
| 5  | pg. 2-7   | 2.2.9             | drive-thru - build to zone   |          |            |
| 6  | pg. 2-12  | 2.2.18            | Building Elements - B.4 and C.3  |          |            |
| 7  | pg. 2-14  | 2.2.18 F.1.       | Change 6 feet to 4 feet  |          |            |
| 8  | pg. 2-14  | 2.2.18 G. 6       | depth cannot exceed the general width  |          |            |
| 9  | pg. 4-20  | 4.3.9             | SH Build to zone measure 5' to 10'   |          |            |
| 10 | pg. 9-7   | 9.4.1 E 1 a       | "social services"  |          |            |
| 11 | pg. 9-10  | 9.5.1 B 1         | Remove aging   |          |            |
| 12 | pg. 9-10  | 9.5.7             | Parking - add number 3. Guest parking  |          |            |
| 13 | pg. 10-12 | 10.2.1 C 1 & 2    | Remove use   |          |            |
| 14 | pg. 10-13 | 10.2.5 A 4        | Change "outside" to "inside"   |          |            |
| 15 | pg. 10-16 | 10.2.8 number 3   | Remove Glass block   |          |            |
| 16 | pg. 10-18 | 10.2.10 number 8  | "does not" exceed  |          |            |
| 17 | pg. 10-23 | 10.3.7            | excluding "neon window sign"   |          |            |
| 18 | pg. 11-3  | 11.2.6 B 2 E      | remove - Landscaped stormwater management facilities: and  |          |            |
| 19 | pg. 11-3  | 11.2.6 B number 2 | Easements for "underground" drainage   |          |            |
| 20 | pg 11-26  | 11.5.3 c          | Need to amend at the end of this section - add "detention ponds, retention ponds, and water quality features shall be located outside any required buffers". |          |            |
| 1  | pg 3-5    | Article 3         | Add "Suburban Residential" back into the intent statements for RS-6 and RS-4   |          |            |
| 2  | pg 3-12   | 3.2.4             | RS-9 - Common open space   |          |            |
| 3  | pg. 3-16  | 3.2.8             | Cottage court - building coverage 60%  |          |            |
| 4  | pg 3-26   | Use table         | Institutional - remove from R-TH and make it conditional in RM-2 and RM-3  |          |            |
| 5  | pg. 4-12  | 4.3.5             | Townhouses - building coverage - 75% in all districts  |          |            |
| 6  | pg 4-18   | 4.3.8             | Commercial House - should front setback be the same across building type (General Building and Mixed Use Building)   |          |            |
| 7  | pg.4-29   | 4.3.13            | PV approvals should be processed like a rezoning change section to 13.4  |          |            |
| 8  | pg. 5-10  | 5.3.6             | Cottage court - building coverage 60%  |          |            |

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| 9  | pg.5-12     | 5.3.7                               | Townhouses - building coverage - 75% in all districts   |          |            |
| 10 | pg 5-14     | 5.3.8                               | Why are front setbacks varied?  |          |            |
| 11 | pg. 7-9     | Use table                           | Park, Recreation field (up to 2 acres) - conditional  |          |            |
| 12 | pg. 9-14    | 9.5.8 D 2                           | 5,000 to 7,500  |          |            |
| 13 | pg. 9-14    | 9.5.9 C 2                           | 5,000 to 7,500  |          |            |
| 14 | pg. 9-15    | 9.5.10 C                            | Gas to Fuel - 5,000 SF to 7,500 SF  |          |            |
| 15 | pg. 9-16    | 9.5.10 D 1& 2 B                     | Gas to Fuel - 5,000 SF to 7,500 SF  |          |            |
| 16 | pg. 9-16    | 9.5.10 F 1                          | Remove PV - required in all retail districts  |          |            |
| 17 | pg. 10-2    | 10.1.3 b 2                          | Change 20 to 10   |          |            |
| 18 | pg. 10-9    | 10.1.13 I                           | Push building and parking around - review   |          |            |
| 19 | pg. 10-15   | 10.2.6                              | Parking lot standard - island - 200 SF should be 150 SF   |          |            |
| 20 | pg. 10-15   | 10.2.6                              | Landscape strips  |          |            |
| 21 | pg. 10-15   | 10.2.6                              | Perimeter screening that is not next to a public streets  |          |            |
| 22 | pg 11-3     | 11.2.6                              | Change 20 units to 10 units for Common open space requirement   |          |            |
| 23 | pg. 11-3    | 11.2.6                              | Add RS-9 and R-TH   |          |            |
| 24 | pg 14-9     | Article 14                          | Add a definition of Multi-family  |          |            |
| 25 | pg 5-32     | Use Table                           | Add "Carriage Houses" P- Permitted into DX  |          |            |
| 26 | pg 14-4     | Article 14                          | Add a definition of Carriage House  |          |            |
| 27 | pg 4-2, 4-3 | Article 4 and 5 - Intent statements | Add statement from the CX intent statement related to mixed use into the NX and DX intent statements  |          |            |
| 28 | pg. 11-26   | 11.5.3. c                           | Add a "d" - All development or redevelopment that requires detention ponds, retention ponds, water quality features; such features shall be located outside any required buffer.  |          |            |
| 29 | pg.13-19    | 13.7.4                              | Remove Q - parking lots   |          |            |
| 30 | pg. 7-11    | Use table                           | Add: to be normally incidental to one or more permitted principal uses:   |          |            |
| 31 | pg 13-10    | 13.4.8                              | <b>13.4.8 What If I Need a Concurrent Variance?</b>   |          |            |
|    |             |                                     | The City Council shall not approve a concurrent variance unless there are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other properties in the same zoning district. In making this determination, the City Council shall also consider all of the following criteria: |          |            |

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|           |                 |                | A. A literal interpretation of the provisions of this UDC would effectively deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which the property is located;  |          |            |
|           |                 |                | B. Granting the requested variance will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the property is located;  |          |            |
|           |                 |                | C. The requested variance will be in harmony with the purpose and intent of this UDC and will not be injurious to the neighborhood or to the general welfare;  |          |            |
|           |                 |                | D. The special circumstances are not the result of the actions of the applicant;   |          |            |
|           |                 |                | E. The variance requested is the minimum variance that will make possible the proposed use of the land, building or structure;   |          |            |
|           |                 |                | F. The variance does not permit a use of land, buildings or structures, which are not permitted by right in the zoning district; and   |          |            |
|           |                 |                | G. The variance does not reduce the lot size below the minimum lot size allowed in the zoning district; and  |          |            |
|           |                 |                | H. The variance does not increase the maximum allocation of sign area or the maximum area of an allowed sign type.   |          |            |
| <b>32</b> | <b>pg 13-31</b> | <b>13.11.7</b> | <b>13.11.7 What Approval Criteria Are Used?</b>  |          |            |
|           |                 |                | The Board of Zoning Appeals shall not approve a variance unless there are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other properties in the same zoning district. In making this determination, the Board of Zoning Appeals shall also consider all of the following criteria: |          |            |
|           |                 |                | A. A literal interpretation of the provisions of this UDC would effectively deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which the property is located;  |          |            |
|           |                 |                | B. Granting the requested variance will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the property is located;  |          |            |
|           |                 |                | C. The requested variance will be in harmony with the purpose and intent of this UDC and will not be injurious to the neighborhood or to the general welfare;  |          |            |
|           |                 |                | D. The special circumstances are not the result of the actions of the applicant;   |          |            |
|           |                 |                | E. The variance requested is the minimum variance that will make possible the proposed use of the land, building or structure;   |          |            |
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|    |      |         | G. The variance does not reduce the lot size below the minimum lot size allowed in the zoning district; and |          |            |
| 1  |      | Map     | Goulding Place R-2/HR - DR or DX/DH   |          |            |
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