

Changes to the ZAP Drafts for the Consolidated Draft

ZAP

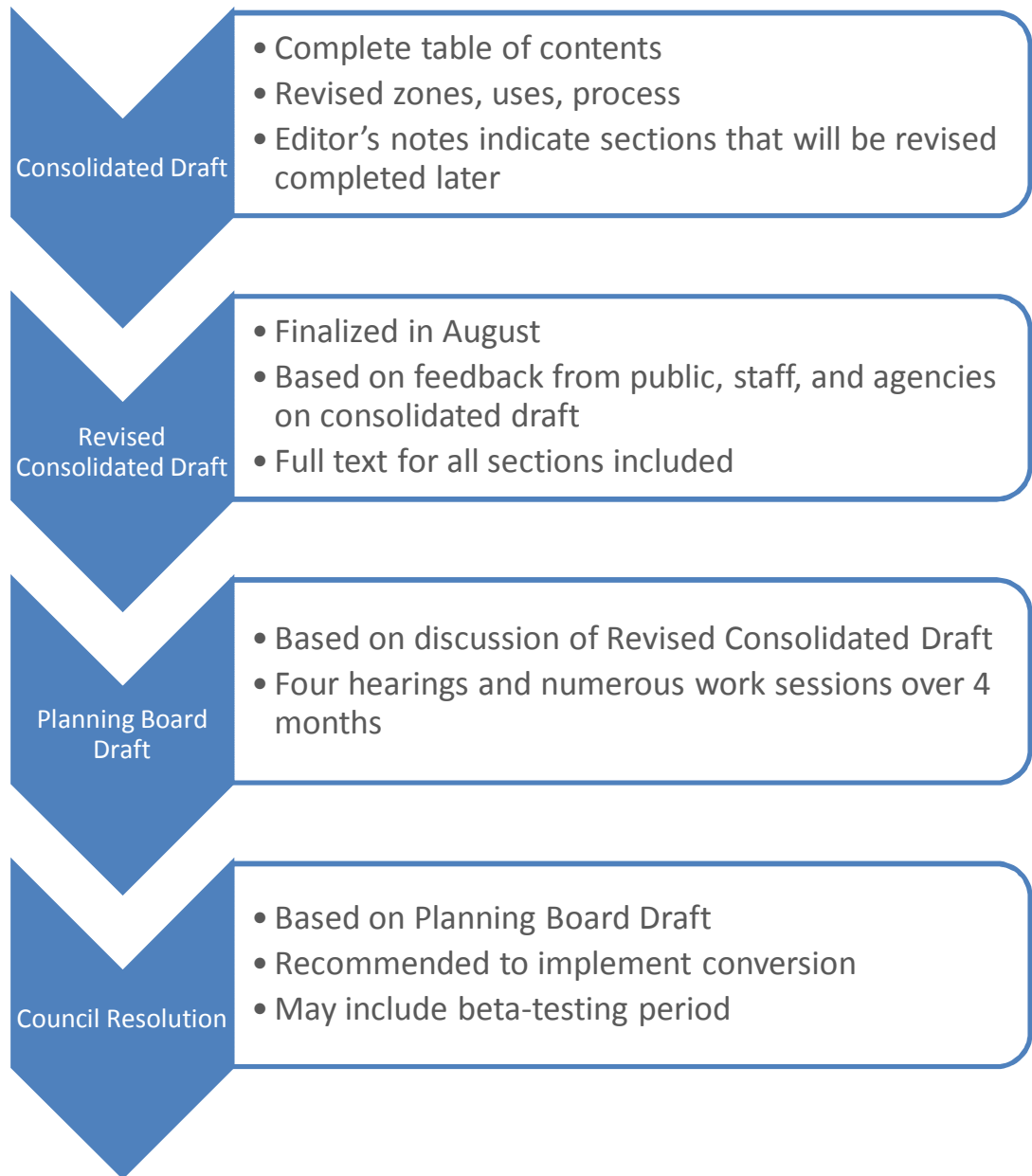
July 24, 2012

Intro

Highlighting significant additions, deletions, and modifications.

Not all changes are noted in this presentation.

Comparison of existing Ordinance to proposed Ordinance will be published the week of July 30, 1012.



59-1. Purpose, Applicability, and Use of the Code

” All new text

Citation

Effective Date

Repeal of Existing Zoning Regulations

Authority

Severability

Purpose

Applicability

Nonapplicability (Municipalities)

Annexations

Use of Code

Approach

Coordination

Tables, Illustrations, Examples

Organization

Step-by-step Guide

59-2. Zoning Districts

Zones Established

Euclidean Zone Intent Statements

Floating Zone Statements

Zoning Map

- “ The name of the agricultural zone, AC (Agricultural Conservation) has been changed to AR (Agricultural Reserve) per recommendation by the Agricultural Preservation Board
- “ The zone RE-2C added back as an individual zone as the standards for development of RE-2C varied too much from RE-2.
- “ The RMD-4 (current R-40) zone was added back as an individual zone. Although the current R-40 can be developed as a detached house on a 6,000 square foot lot, research of the building types indicates that approximately 80 percent of the zone has been developed as duplexes. In addition, retaining a predominantly duplex zone retains flexibility in the options for planning residential development.
- “ Clear distinction made between Euclidean and Floating zones.
- “ Split up the Agricultural zone from the Rural zones and created further distinctive groups among the Residential zones so that we could refer to specific zone groups throughout the code instead of listing out every zone.

59-3. Uses and Use Standards

Use Table

Agricultural Uses

Residential Uses

Civic and Institutional Uses

Commercial Uses

Industrial Uses

Miscellaneous Uses

- “ Changes in CR, CRN, CRT uses based on ZAP working group discussion and research into uses and footnotes in the current code – mainly eliminating proposed uses that are not currently allowed in certain commercial/mixed-use zones. Further research into use compatibility and zone conversion is ongoing.
- “ Revised the uses allowed in Employment (EG, ELS & EOF) to be more consistent with uses currently allowed in those zones. A further review of uses in the EG and EOF zones is underway to see if the revisions (to be as compatible as possible with the current code) are too restrictive.
- “ Several uses introduced into the Industrial (IL, IH) zones in the last draft have been removed to preserve the limited amount of industrial land in the County for mainly industrial uses.
- “ New uses added to the Use Table: *Medical/ Scientific Manufacturing* (for consistency with current code), *Dormitory* (for ELS), *Animal Research Facility* (for ELS), *Mineral Storage* (for consistency with current code), *Accessory Buildings, Structures and Uses* (for consistency with current code), *Agricultural Education/ Tourism Use* (per request of agricultural community).
- “ Also added Div. 3.7, Miscellaneous Uses, which includes Accessory Buildings, Structures, and Uses (for consistency with current code). This change includes the addition of the footnotes attached to accessory structures in the Agricultural, Rural, and Residential zones about the footprint size.

59-3. Uses and Use Standards

Use Table

Agricultural Uses

Residential Uses

Civic and Institutional Uses

Commercial Uses

Industrial Uses

Miscellaneous Uses

- “ The *Animal Care (indoor/outdoor)* use introduced by Code Studio has been changed back to *Animal Boarding and Care* and *Veterinary Office/ Hospital* to be more consistent with current code. It caused too many inconsistencies with the commercial zones.
- “ The term *Tenants* has been changed to *Retail Sales and Service*.
- “ The use, *Utilities Minor and Major*, has been changed to *Pipeline (above ground & below ground)*, *Transmission Lines (above ground & below ground)*.
- “ Removed the use standards related to a use not being allowed in the reserved area/open space in the RC and RNC zone. This information was moved to 59-7 and included in the information about the Rural Open Space.
- “ Cleaned up the Farming language per advice from Jane Seigler and the Agricultural Preservation Board.
- “ Home Occupation and Home Health Practitioner now in text form (removed the table formatting).

59-4. Euclidean Zoning District Regulations

Rules for all Zones

Agricultural Zone

Rural Zones

Residential Zones

Commercial/Residential Zones

Employment Zones

Industrial Zones

Overlay Zones

- “ Removed the Community Building because it had all of the same standards as the General Building.
- “ Removed all references to a layout plan as it is no longer being proposed.
- “ Added TDR Overlay to the Building Types Allowed by Zone table (Sec. 4.1.3).
- “ Added a description of FAR and Build-to-Zone to the Measurements and Exceptions (Sec. 4.1.4). Also added language from current code regarding corner lots.
- “ Deleted the Sloped Lots provision for a detached house, duplex, and townhouse building types.
- “ Residential Infill Compatibility changed back to the way it’s currently done after several meetings with homebuilders who worked on the Infill Task Force.
- “ Method of measuring height in residential zones changed back to match current code – ZAP draft simplified measurement of height as one number measured either to the mean, between the ridge and eave of a pitched roof, or to the top of a flat roof. The simplification had the potential to add a modest amount of height to detached houses thus it was removed.

59-4. Euclidean Zoning District Regulations

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Rural Zones

Residential Zones

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Employment Zones

Industrial Zones

Overlay Zones

- “ Method of measuring height in residential zones changed back to match current code – ZAP draft simplified measurement of height as one number measured either to the mean, between the ridge and eave of a pitched roof, or to the top of a flat roof. The simplification had the potential to add a modest amount of height to detached houses thus it was removed.
- “ Added additional introductory information to the Agricultural, Rural, and Residential zones before getting into the specific development standards for each building type. In the Agricultural section (Sec. 4.2.1) this includes special regulations for child lots and special regulations for scenic setbacks (which also apply to the rural zones).
- “ Added density for child lots to the detached house building type in the AR.
- “ Added the information about coverage allowed to go to 40% where agricultural products are grown primarily in greenhouses.
- “ Changed the minimum lot area for a General Building in the AR from 5 acres to 3 acres to be consistent with the minimum and maximum lot size requirements for certain uses in the current code.
- “ Added a description about how to interpret the “ 4’ or 20’ “ standard.
- “ Removed the Cluster Alternative in the RC and RNC zones and placed this in Article 59-6, Optional Method Regulations and put back in that RNC under standard method requires 60% of the area to be reserved for Rural Open Space to match current code.
- “ Created development standards for the Townhouse building type in the RNC since this building type is currently allowed by right in this zone.

59-4. Euclidean Zoning District Regulations

Rules for all Zones

Agricultural Zone

Rural Zones

Residential Zones

Commercial/Residential Zones

Employment Zones

Industrial Zones

Overlay Zones

- “ Created development standards for the Townhouse building type in the RNC since this building type is currently allowed by right in this zone.
- “ Added the additional setback requirements for apartment/condo buildings over 30’ in height in the RHD zones to match current code.
- “ Added language about confronting properties to Neighborhood Compatibility in the Commercial/Residential, Employment, and Industrial zones.
- “ Broke out CRN from the CRT and CR zones for the townhouse building type to require common outdoor area for townhouses in the CRN.
- “ Removed references to Optional Method for the IL zone as optional method development in this zone is no longer being proposed. In the current code, Optional Method in the Industrial zones only gets you additional height, not density. Therefore, it was decided that because the proposed code has any development over 40’ or more than 10,000 square feet going through a site plan, which now requires master plan compliance, the optional method was redundant. Instead, the height maximums in standard method now reflect the maximum heights allowed currently, and master plan compliance will be captured during the site plan process.
- “ Added Overlay Zones (not all of the current overlay zones have been retained – if the current overlay was created to limit height and/or uses, where possible, these limitations have been incorporated into the zone conversion through new zones which specify height and commercial/residential mix.) A further review of the current overlay zones and conversion is ongoing.

59-5. Floating Zoning District Regulations

Residential Floating Zones

Zones

Applicability

Purposes

Land Uses

Building Types

Development Standards

C/R Floating Zones

Zones

Applicability

Purposes

Land Uses

Building Types

Development Standards

Employment Floating Zones

Zones

Applicability

Purposes

Land Uses

Building Types

Development Standards

- “ All New Text
- “ Establishment of zones
 - . RDF-#, TF-#, AF-#
 - . CRNF/CRTF/CRF# C# R# H#
 - . EOFF/ELSF/EGF# H#
- “ Applicability
 - . Area plan recommendation
 - . Requirements and standards of the Division
- “ Purposes
 - . Comprehensive planning
 - . Compatibility
 - . Flexibility
 - . Responsiveness
- “ Land Uses
 - . Based on equivalent Euclidean zone or density
 - . Particular limits and allowances in RDF, TF, & AF zones
- “ Building Types
 - . Established by zone
- “ Development Standards
 - . Maximum density based on pre-existing Euclidean Zone and tract size
 - . Maximum height subject to master plan recommendations and angular plane; total limits established through review process
 - . Minimum lot size established through review process
 - . Minimum open space based on density and/or building type
 - . Minimum setbacks based on adjacent development and may be further restricted through review process
 - . General regulations apply based on equivalent Euclidean zone under the allowed land uses
 - . Public benefits apply at threshold for optional method development under equivalent Euclidean zone under the allowed land uses

59-6. Optional Method Regulations

MPDU Development in Rural and Residential Zones

Cluster Development in Rural and Residential Zones

TDR

C/R Zones

Employment Zones

Optional Method Public Benefits

- “ Generally cleaned up the tables, formatting, and language to be more consistent with other Articles.
- “ Modified usable area definition – received a request from one ZAP member to eliminate the deductions from usable area for certain roadway dedications and floodplains. Retained the deduction related to master planned right-of-ways, modified the floodplain deduction to refer instead to environmental buffers and clarified deduction based on a percentage of tract within the buffer rather than the subjective standard in the current code.
- “ Requirement for Public Benefit Points under cluster developments has been removed.
- “ Added in the information for Lots Fronting on Private Cul-de-Sacs in RE-2C zone under Optional Method Cluster Development to match current code.
- “ Modified the development standards for a detached house and duplex in the Optional Method Cluster Development to better match current code.
- “ TDR overlay zones added.
- “ Public Benefit Points for use of TDRs added to the CRT zone (to accommodate TDRs in the current TOMX zone and any other mixed-use zone).
- “ Added definition for transit proximity level 1 and level 2 in the public benefits.
- “ Added language to the affordable housing public benefits to match current code.
- “ Added the BLT language for the C/R zones from current code. Still need to add in the BLT language specific to the ELS zone.
- “ The Light Industrial zone was removed from optional method, site plan requirement replaces optional method for increase in height above 40 feet.

59-7. General Development Regulations

Site Access

Parking, Queuing, and Loading

Open Space

Recreation Facilities

Landscaping and Outdoor Lighting

Signs

Outdoor Storage and Display

- “ Cross-Access section deleted.
- “ Alternative Compliance language added.
- “ Modified some of the language in the Parking Design Standards, including adding additional language to Electric Plug-In Spaces, adding language about parking setbacks, and removing language about facilities within or adjoining a Residential zone. Added language to the Loading Design Standards.
- “ Modified the Summary of Open Space Requirements table in Open Space Division to provide additional detail
- “ Open Space ownership and management section deleted.
- “ Added table about allowed and prohibited uses in Open Space.
- “ Added a table about specific uses from the use table prohibited in the Rural Open Space.
- “ Added Dog Parks to the list of Recreation Facilities and removed Basic Services and Private gym/health facility.
- “ Added Sec. 7.4.6, Fee in Lieu of Recreation Space and Sec. 7.4.7, Maintenance of Recreation Space.
- “ Deleted Tree Protection from General Landscaping Requirement

59-8. Administration and Procedures

Review Authority and Approvals Required

District Council Approvals

Regulatory Approvals

Administrative Approvals

Nonconformities

Violations, Penalties, and Enforcement

Noticing Standards

Special Provisions

- “ Schematic Plan changed to Floating Zone Map Amendment .
- “ Combined Use & Occupancy and Temporary Use Permit.
- “ Deleted the Review Bodies overview. The information providing legal authority to the Board of Appeals and Sign Review Board was moved to the Special Provisions section at the end.
- “ Modified the time frame for the Hearing Examiner hearing on a Floating Zone Map Amendment or a Change or Mistake Map Amendment to within 90 days instead of 75 days.
- “ Modified the time frame for the Conditional Use Plan hearing to within 120 days instead of 75 days.
- “ Site Plan Applicability table modified to reflect the removal of Optional Method in the IL zone and to clarify other information.
- “ Added information on registering Home Occupations and Home Health Practitioners.
- “ Administrative Approvals section is new.