

SUMMARY OF CHANGES TO ZONING AND LAND DEVELOPMENT REGULATIONS

This document summarizes all changes made to the zoning and land development regulations and is organized into two sections. Section One addresses changes that apply to the entire document such as unification and organization of articles, and format, and Section Two summarizes changes to each article.

Every attempt was made to track all changes in the Draft Working Code Document with the exception of grammatical and organizational edits. The proposed new language is Underlined and deleted language is shown with a ~~Strikethrough~~.

SECTION ONE

The most substantial change is the creation of a Unified Zoning and Development Code, which combines the current Zoning Ordinance and Land Development Regulations into one, streamlined, user-friendly code addressing all land use and development regulations and processes.

Articles in the new unified code have been reorganized and new articles and sections have been created where necessary. The new code is organized by topic into shorter, more concise articles and sections. The new organization is more intuitive, allowing the end-user to quickly navigate to the appropriate relevant topics, better understand approval processes, and understand all applicable regulations.

The new code has been completely reformatted to more easily digestible sections and renumbered. Every attempt was made to limit the number of subsection levels within each article. The document is formatted to be adopted by the governing body in its entirety. Once adopted, it should be codified accordingly by Municode.

SECTION TWO

ARTICLE I GENERAL PROVISIONS

- Changed Title to “GENERAL PROVISIONS”
- Added new enabling ordinance language establishing intent of unified code.
- Established new title of Code to a consolidated “Zoning and Development Code”.
- Added a “Purpose” Section.
- Updated the “Administration” Section to give Zoning Administrator administrative powers.
- Revised the “Applicability” Section.
- Added a “Relationship to Comprehensive Plan” Section.
- Added a “Minimum Requirements” Section.
- Added a “Conflicting Provisions” Section.
- Added an “Application of Private Deed Restrictions” Section.
- Added a “Continuation of Violations” Section.

- Added a “Nonconformities” Section.
- Added a “Severability” Section.
- Added a “Repeal of Conflicting Ordinances” Section.
- Added an “Effective Date” Section.

ARTICLE II DEFINITIONS

- Changed title of this article to “Definitions”.
- Amended Section 2:1 Interpretation to update NAICS Code Classification System.
- Amended, deleted, and added numerous definitions.
- Added 125 new terms and definitions.

ARTICLE III ZONING DISTRICTS AND OFFICIAL ZONING MAP

- Amended Section 3:1 Establishment of Districts Base Zoning Districts to add the term “Base” to differentiate between base districts and overlay districts.
- Amended table listing of districts to include new district names and newly created districts.
- New Districts added include: AG, Agricultural, RS, Suburban Residential, RSF, Single Family Residential, C2, General Commercial, and I-2, Light Industrial.
- Renamed Districts include: RP, Rural Preservation, RR, Rural Residential, RN, Rural Neighborhood, RM, Multi-Family Residential, C-3, Limited Commercial, I-1, Heavy Industrial.
- Eliminated the UD, Urban District and RU, Rural Undeveloped
- Amended and repurposed existing districts to fit within the new district hierarchy and better achieve goals of plan.
- Amended Section 3:2 to include new language about Official Zoning Map
- Amended Section 3:3 to include new language clarifying interpretation of zoning district boundaries
- All district sections have been reformatted into a user-friendly table format,
- R4, Rural Preservation District. This district was updated to better achieve stated intent. It allows for limited rural residential uses with an emphasis placed on rural preservation. “Minor Rural Residential Subdivisions” are permitted conditionally and mass grading for subdivisions is prohibited.
- R2, Rural Residential District. This is a new district that allows for rural residential uses with an emphasis placed on preserving rural character, “Minor Rural Residential Subdivisions” are permitted conditionally and mass grading for subdivisions is prohibited. and prohibits “Mass Grading” with an emphasis placed on preserving rural character
- R1, Rural Neighborhood. This district was updated to allow for rural residential development with an emphasis on rural rural and open space preservation. Major Subdivisions are permitted conditionally subject to all design standards and approval by the Planning Commission. Incentives are provided for conservation subdivision design with substantial open space.
- R25, Suburban Residential District. This is a new district that allows for single family residential development with minimum lot sizes set at 25,000 sf. Incentives are provided for conservation design and open space preservation.

- R15, Single Family Residential District. This is a new district that allows for single family development with minimum lot sizes set at 15,000 sf. Incentives are provided for conservation subdivision design and open space preservation.
- RM, Multi-family Residential. Changed name of District from formerly named Multi-use Residential
- C2, General Commercial District. This a new district that allows for general highway commercial uses.
- Updated PD, Planned Development District to add consistent terminology, clarify plan types, and include clear approval processes and procedures

ARTICLE IV. USE REGULATIONS

- Deleted Article IV in its entirety and moved some language in this section to other newly created sections in the revised document.
- Reorganized Sections on Use Conditions and Special Exceptions
- Created Use Conditions for Manufactured Homes on Individual Lots
- Created Use Conditions for Manufactured Home Parks
- Created Use Conditions for RVs and RV Parks
- Created Use Conditions for Rural Crossroads Business
- Created Use Conditions for Minor Utilities
- Updated Principal Use Table and added sections describing Principal Use Table
- Added/amended Principal Uses
- Updated uses approved by Special Exception
- Updated approval process for Communication Towers
- Created Section on Accessory Uses and included a specific Accessory Use Table
- Removed and consolidated all approval processes and procedures into new Article XIII.

ZONING ADMINISTRATION AND PROCEDURES

- Created Temporary Use Requirements
- Updated Nonconforming Uses Section to provide for administrative waiver for single family residential
- Removed all Special Purpose Districts and Overlay Districts and replaced them with base zone districts where needed.
- Converted LD Limited Development District to the C3, Limited Commercial District. Recommend amending zoning map eliminating “Split Zoned” parcels.

ARTICLE V. New Article: PARKING REGULATIONS

- Deleted “Supplemental Regulations and Standards” Article and reorganized this entire section into new topic specific Articles, such as “Parking Regulations”, “Signage Regulations”, “Commercial Design Standards”, “Street Design Standards”

ARTICLE VI. New Article: SIGNAGE REGULATIONS

John Gardner had already updated this section.

ARTICLE VII. New Article: COMMERCIAL DESIGN STANDARDS

- Consolidated all relevant/applicable commercial requirements from “Supplemental Regulations and Standards” into one Article.
- Amended “Intent” Section
- This section applies to commercial, industrial, and multi-family development
- Consolidated all commercial design standards such as bufferyards, landscaping, openspace, screening, outdoor storage, access
- Removed and relocated all language pertaining to single family subdivisions and “Common Open Space” to “Subdivision Design Standards” Section
- Amended section addressing “Berms” to not allow road frontage berms as a buffer substitution in Commercial Development as this is not appropriate in commercial areas - creates visual obstruction, limits pedestrian facilities, and accessibility.
- Created new bufferyard and landscaping standards

ARTICLE VIII. New Article: SUBDIVISION DESIGN STANDARDS

- Consolidated all relevant requirements from “Supplemental Regulations and Standards” Article into one Article.
- Added Purpose, Applicability and General Design Standards Subsections
- Added “Sites and Lots” Subsection with new language addressing “Lot Requirements”
- Created “Major Subdivision”, “Minor Subdivision”, “Simple Plat” subsections with each section
- Major Subdivision Section provides General Design Standards for all Major Subdivisions - See Definition. It also establishes two basic Subtypes of Major Subdivisions - “Standard Subdivision” and “Conservation Subdivision” with a section dedicated to each subtype.
- Created Sidewalk and Multi-Use Trail requirements for all Major Subdivisions
- Conservation Subdivision Section:
 - Established Design Standards and Requires 50% Common Open Space
 - Allows for flexibility and 50% reduction in lot size required by the district. NOTE: Conservation Subdivisions are allowed in R1, Rural Neighborhood, and R20, Single Family Residential Districts. This means that it will allow lots to be reduced to half-acre (21,780sf) and 10,000sf respectively. This reduction is the incentive for Conservation of 50% of predevelopment gross acreage.
 - Common Open Space Provisions are basically the same except for clarifying purpose, and distinguishing between “Preserved” and “Conserved for Recreation of Residents”
 - Amended “Ownership and Maintenance of Open Space” Section to clarify options for ownership and further clarify responsibilities of HOA
- Created new Subdivision Design and Performance Incentives Section that are available for all Major Subdivisions. This is to encourage innovative design, and facilities. The incentive is reduction in lot size/increase in lot density.

ARTICLE IX. New Article: STREET DESIGN STANDARDS

- Consolidates all street design into one section

- Kept most of the current regulations
- Added Section on “Shared Private Drives” and “Unpaved Shared Private Drives”
- Added Sidewalk Section
- Allow Administrative approval of unpaved private drives

ARTICLE X. New Article: RECREATION VEHICLE PARK REGULATIONS

- This new Article address the development of RV Parks

ARTICLE XI. New Article: ZONING ADMINISTRATION AND PROCEDURES

- This new Article consolidates all zoning approval processes and procedures into one article.
- It provides more administrative approval authority for certain permits
- It provides clear roles, responsibilities for PC, and BZA

ARTICLE XII. New Section Article: LAND DEVELOPMENT AND SUBDIVISION PROCEDURES

- This new Article consolidates all land development and subdivision approval processes and procedures into one article.
- It defines specific approval processes, plan requirements and procedures for each development and subdivision subtype: Major Subdivisions, Minor Subdivisions, Simple Plats, Group Developments.
- It provides for administrative approval of Minor Subdivisions and certain Group Developments that do not propose new streets.
- Updated Financial Security Requirements

ARTICLE XIII. New Article: UTILITIES AND INFRASTRUCTURE

- This new Article consolidates all Utilities and Infrastructure requirements into one article.
- Updated Stormwater Management Section
- Clarified requirement for Traffic Impact Study for certain land uses and projects.