

Attachment E

Black—Assembly Committee and Planning Department agree

Green—Assembly Committee amendment

Red—Planning Department amendment

Further Amendments for Chapter 5

August 19, 2008

This document includes the Planning Department Amendments of July 29, 2008, which were not given an attachment letter.

Amendments Relating to Attachment A

1. Page 72, line 15

“...repair; [REPAIR OF SCIENTIFIC OR PROFESSIONAL INSTRUMENTS;] repair of heavy machinery;...”

2. Page 77, lines 12-13

“Loading, parking, and maneuvering space shall be entirely on private property, which includes private leasehold of public property.”

3. Page 90, lines 15-16

“An area used for the concentrated storage and disposal of snow transported to that site from other locations. For purposes of this section, an entire Airport Management District is considered a single location.”

4. Page 24, lines 16-26

“In zoning districts where a child care center requires conditional use approval, a minimum of 25 percent of the lot shall remain as planted open area, landscaped area, or natural vegetation area, to exclude buildings, driveways, parking areas, sidewalks, etc., unless the planning and zoning commission determines that retention of less than 25 percent allows for sufficient buffering of adjacent uses. In all other zoning districts where a child care center is allowed, [EXCEPT FOR THE R-1, R-1A, R-2A, R-2D, AND I-1], a minimum of 15 percent of the lot area shall remain as required above [PLANTED OPEN AREA, LANDSCAPED AREA, OR NATURAL VEGETATION AREA, TO EXCLUDE BUILDINGS, DRIVEWAYS, PARKING AREAS, SIDEWALKS, ETC.], unless the decision-making body [DIRECTOR] determines that retention of less than 15 percent allows for sufficient buffering of adjacent uses. [IN THE R-1, R-1A, R-2A, R-2D, AND I-1, A MINIMUM OF 25 PERCENT OF THE LOT SHALL REMAIN AS REQUIRED ABOVE, UNLESS THE PLANNING AND ZONING COMMISSION DETERMINES THAT RETENTION OF LESS THAN 25 PERCENT ALLOWS FOR SUFFICIENT BUFFERING OF ADJACENT USES.]”

5. Page 83, lines 25-30

“Any composting storage area of a c[C]omposting facility [IES] shall be set back at least 200 [660] feet from any lot line abutting a residential district, [OR AND] mixed-use district, or [AND] any residential use (except a residential use occupied by the owner, operator, or any employee of such composting facility) that [AS SUCH ZONE DISTRICTS OR RESIDENTIAL USES] exists at the time of the establishment of the composting facility.”

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6. Page 95

For the use “Drive-through service”, add an “S” in the CMU column.

7. Pages 109-110, lines 31-24 and 3-6

“On lots of 40,000 square feet or greater, structures for the outdoor keeping of animals shall not encroach into the setbacks of the zoning district[,] and [STRUCTURES AND ENCLOSURES] shall be at least 10 feet from any lot line.

...

Structures for the outdoor keeping of animals shall not encroach into the setbacks of the zoning district[,] and [STRUCTURES AND ENCLOSURES] shall be at least 10 feet from any lot line.”

Amendments Relating to Attachment B

8. Issue #3

“L3 buffer [L4 SCREENING] landscaping shall be planted along each boundary of the MHC, except for vehicular and pedestrian ingress and egress points. Where two MHCs share a common lot line, the L3 buffer landscaping shall be split, with seven and one half feet (of the total 15 foot requirement) on each lot. Along MHC lot lines abutting a dedicated park, the landscaping requirement shall be halved.”

9. Issue #28

“(A) L4 screening landscaping shall be planted along all lot lines where a[A] storage yard or impound yard abuts [SHALL NOT BE LOCATED WITHIN 300 FEET OF] any academic school, hospital, residential district, or government[AL] administration and civic building [FACILITY (EXCEPT GOVERNMENTAL SERVICE), OR ANY OTHER PLACE OF PUBLIC ASSEMBLY].”

“(A) A storage yard or impound yard shall not be located within 200 [300] feet of any [ACADEMIC SCHOOL,] hospital, GOVERNMENTAL FACILITY (EXCEPT GOVERNMENTAL SERVICE),] or residential district. [ANY OTHER PLACE OF PUBLIC ASSEMBLY.] L4 screening landscaping shall be planted along all lots lines where a storage yard or impound yard abuts any academic school or government administration and civic building.”

Amendments Relating to Attachment C

10. Page 2

Remove all C’s from the Type 2 tower line, for all residential districts. In current code, Type 2 towers are not allowed in residential districts.

11. Page 8

For the use “Rail yard”, add a “P” in the I-1 column.

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12. Page 11

For the use “Food and beverage kiosk”, delete the “S” from the NMU column.

For the use “Building materials store”, change the “C” to an “M” in the RMU column.

Amendments Relating to Attachment D

13. #9, page 3

“(2) Any structure or portion of structure equal to or less than 15 feet high and equal to or less than 50 feet in length shall be setback at least 15 feet from any side or rear lot line. Any portion of such structure longer than 50 feet in length shall be setback at least 20 feet from any side or rear lot line.

(3) Any structure or portion of structure that is greater than 15 feet [OR GREATER] in height shall be setback at least 25 feet from any side or rear lot line.

...

iv. Outdoor Play Space for Elementary and Middle Schools

(A) Elementary and middle schools with capacity for 50 [25] or more students, where students remain for more than four consecutive hours, shall provide two square feet of outdoor open space play area for every one square foot of total combined classroom space.”

14. #13, pages 7-8

“[NOTWITHSTANDING THE SETBACKS OF THE UNDERLYING ZONING DISTRICT,] Uncovered enclosures [COVERED STRUCTURES] associated with a large domestic animal facility[, SUCH AS A STABLE OR BARN,] shall be set back at least [TWENTY-FIVE(]25[)] feet from any abutting lot line, not including interior lot lines between lots in common ownership. [UNCOVERED ENCLOSURES SHALL MEET ONE OF THE FOLLOWING SETBACK OPTIONS:

- (A) SEVENTY-FIVE (75) FEET FROM RESIDENCES EXISTING ON FEBRUARY 28, 1006, NOT INCLUDING ANY RESIDENCE IN COMMON OWNERSHIP WITH THE LARGE DOMESTIC ANIMAL FACILITY; OR
- (B) TEN (10) FEET FROM ANY ABUTTING LOT LINE, NOT INCLUDING INTERIOR LOT LINES BETWEEN LOTS IN COMMON OWNERSHIP, IF THE SEPARATION AREA IS VEGETATED WITH LEVEL 3 BUFFER LANDSCAPING.]”

15. #21, pages 11-12

“[NOTWITHSTANDING THE SETBACKS OF THE UNDERLYING ZONING DISTRICT,] Uncovered enclosures [COVERED STRUCTURES] associated with a large domestic animal facility[, SUCH AS A STABLE OR BARN,] shall be set back at least [TWENTY-FIVE(]25[)] feet from any abutting lot line, not including interior lot lines between lots in common ownership. [UNCOVERED ENCLOSURES SHALL MEET ONE OF THE FOLLOWING SETBACK OPTIONS:

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16. #11

Page 18, section b.ii.—change “iv.(A)” to “b.i.” in last line.

Page 20, section e.iii.—change “d.i. or d.ii.” to “e.i. or e.ii.” in first line.

Page 25, section l.vii.—uncapitalize “A decision” in first line, and change “of” to “or” in fourth line.

Page 26, section p.i.(A).—“If the community interest or local interest tower or antenna fails to meet the conditions of subsections 2.a. through 2.c. and/or 2.e. through 2.o. above,…”

Technical Amendment

-Page 95 of Attachment A, remove “[1]” from Drive-through service row of accessory use table.

-Page 7 of Attachment C, amend “Elementary school” and “High school or middle school” to “Elementary or middle school” and “High school”