



LDR 2017-01 – RESIDENTIAL LAND DEVELOPMENT REGULATIONS (LDRs) CODE UPDATE

D.R.C. June 7, 2017

SECTION NO.	SECTION TITLE	COMPLEXITY	DESCRIPTION
1. 16.20.010.5.	Neighborhood Traditional Single-Family Districts Maximum development potential	Regulatory Change	Problem Statement: Concerns have been expressed regarding the size and bulk of new homes being built, particularly in the traditional neighborhoods, and their consistency with the surrounding neighborhood and development pattern. Many new homes have 2nd stories built close to or at the minimum required setbacks, creating a box-like, bulky appearance. Research on the average home size and FAR indicates significant increases for new construction Requested Action: Create standards to limit the size and bulk of new homes to be proportionate with the lot size by establishing a maximum building coverage standard and a maximum Floor Area Ratio. Establish standards for bonuses if the development incorporates design elements beneficial to the character of the neighborhood including providing greater second floor setbacks in the front or side and providing an extended front porch
2. 16.20.010.5.	Neighborhood Traditional Single-Family Districts Maximum development potential Minimum Lot Size	Regulatory Change	Problem Statement: Minimum Lot Area in NT-1 is not reflective of the existing development pattern, rendering many lots unbuildable without a variance, which puts an undue burden on the property owners and discourages redevelopment efforts Requested Action: Reduce the minimum lot size in the NT-1 zoning districts to 4,500 s.f.
3. 16.20.010.5.	Neighborhood Traditional Single-Family Districts Maximum development potential Maximum Intensity	Regulatory Change	Problem Statement: Code currently addresses Impervious Surface Ratio, but does not limit building coverage, which creates issues with allowing enough area for pools, decks and patios Requested Action: Establish a maximum building coverage limit of 0.50
4. 16.20.010.6	Neighborhood Traditional Single-Family Districts Building envelope: Maximum height and minimum setbacks.	Regulatory Change	Problem Statement: Interior side yard setback of 10% for lots less than 60-feet allows structures too close to the property line and is not consistent with the building code. Requested Action: Provide a minimum 5-foot setback for lots equal to or less than 50-feet
5. 16.20.010.6	Neighborhood Traditional Single-Family Districts Building envelope: Maximum height and minimum setbacks.	Regulatory Change	Problem Statement: Rear yard setback of 10-feet from alleys with less than 16-feet is too restrictive, and has resulted in numerous variance requests Requested Action: Provide a minimum rear yard setback of 10-feet or 22-feet including the alley, whichever is less. This provides the minimum turning radius needed for the garage
6. 16.20.010.6	Neighborhood Traditional Single-Family Districts Building envelope: Maximum height and minimum setbacks.	Regulatory Change	Problem Statement: Language is not clear that open porch setback applies to a one-story porch; a two-story covered porch is too great of a mass at the reduced porch setback Requested Action: Modify the footnote to clarify that a covered two-story porch is required to meet the principal structure setbacks
7. 16.20.010.7	Neighborhood Traditional Single-Family Districts Roof Lines & Slopes	Regulatory Change	Problem Statement: Application is limited to certain architectural styles and is in conflict with the goals to reduce height and bulk from the street Requested Action: Delete language
8. 16.20.010.10	Neighborhood Traditional Single-Family Districts Setbacks consistent with established neighborhood patterns.	Regulatory Change	Problem Statement: This section allows reduced front and side yard setbacks based on the neighborhood pattern. There is no practical way to get accurate measurements of existing side yard setbacks on the subject and adjacent blocks, and it is not appropriate to allow a reduction of side yards without such data. Requested Action: Eliminate the allowance for a side yard reduction based on neighborhood pattern
9. 16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design	Clarification	Problem Statement: This section addresses both building and site design, but section title only references building design Requested Action: Add "Site" to description
10. 16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Building and parking layout and orientation	Clarification	Problem Statement: NS includes language stating that accessory structures shall be located behind the front façade of the principal structure, but no such language exists for NT. Requested Action: Add same language to NT for consistency
11. 16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Vehicle connections. (1.c. & 1.d.)	Clarification	Problem Statement: Not clear that driveways are only allowed if the alley access is obstructed Requested Action: Add clarifying language

12.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Vehicle connections. (2.)	Clarification	Problem Statement: Not clear that an additional driveway apron is allowed only if a driveway on the front is allowed Requested Action: Add clarifying language
13.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Pedestrian connections.	Clarification	Problem Statement: This section also speaks to porches, in addition to pedestrian connections Requested Action: Add "Porches" to description
14.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Pedestrian connections.	Regulatory Change	Problem Statement: Requiring pedestrian connection from the sidewalk to the curb on a major street with no on-street parking is a safety hazard and requiring a separate walkway for homes with front driveways is not necessary as pedestrians can access the public sidewalk and street via the drive. This adds to both cost and additional impervious surface in the front yard Requested Action: Add an exemption for such major streets and add a new subsection exempting separate walkway when there is a driveway in the front
15.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Pedestrian connections.	Clarification	Problem Statement: It is not clear that the walkway through the front entry does not count towards the required 48-square feet of usable porch area, and that columns and railings are not to be included in this calculation Requested Action: Add clarifying language and graphics
16.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Building Style	Clarification/ Regulatory Change	Problem Statement: Description of the district notes that the intent is to support the appearance and character of neighborhoods developed over time, but code does not provide a clear, measurable standard to regulate repetitive design Requested Action: Create new Repetitive Design Standard: Design of homes located on the same block face or within three lots on an adjacent block face with similar design shall be varied, such that a substantially similar design cannot be replicated. Variation shall include at least three of the following elements: architectural style, roof form, materials, and details (doors, windows, columns); Add graphic
17.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Building Form	Clarification/ Regulatory Change	Problem Statement: Requirement for height to width ratio needs clarification Requested Action: Add clarifying language stating that height to width ratio is for front façade only
18.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Wall Composition (1.)	Clarification	Problem Statement: Language regarding blank façade on multi-story buildings is confusing Requested Action: Modify to state that there shall not be blank areas greater than 16-feet in width for both first and second stories, except for one-story garage in the rear third of the building, in the interior side yards
19.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Wall Composition (2.)	Regulatory Change	Problem Statement: The percentage of fenestration and glazing is excessive for all architectural styles and has caused the need for frequent design variances Requested Action: Reduce minimum percentages to be reflective of typical architectural styles; limit side requirement to front 2/3, eliminate rear requirement unless on corner lot; clarify through lots
20.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Wall Composition	Regulatory Change	Problem Statement: Requires windows on street-side façade to be evenly distributed, however this is not appropriate for certain architectural styles; and need clarification on window design standards Requested Action: Modify subsection, to allow a variation based on architectural style and clarify window design requirements
21.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Wall Composition	Regulatory Change	Problem Statement: New homes in the flood plain can be required to be significantly higher than existing grade, which results in a greater expanse of wall area below the first floor Requested Action: Add new standard: Where design elevation is equal to or greater than 48" above existing grade, an articulated base is required to delineate the first floor level. The base may consist of a different material or decorative band, depending on the architectural style
22.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Garage Doors	Clarification	Problem Statement: Not clear what constitutes a decorative garage door and not clear that garage doors be 10-feet behind the main structure, includes the front porch. Concerns have been raised in certain neighborhoods regarding the location of the garage Requested Action: Add additional language to clarify. Change NT-3 to require 10-feet behind the main structure, not including the front porch.
23.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building Design Building Materials	Regulatory Change/ Clarification	Problem Statement: Standards do not articulate the architectural design practice which dictates that heavier materials such as brick or stone should be place below lighter materials such as stucco or siding on a wall face Requested Action: Add additional language to clarify
24.	16.20.010.11	Neighborhood Traditional Single-Family Districts Accessory Structures	Consistency	Problem Statement: Accessory structure design requirements are located in multiple sections of the code and need to be consolidated for clarity Requested Action: Reformat for clarity

25.	16.20.010.11	Neighborhood Traditional Single-Family Districts Accessory Structures	Regulatory Change	Problem Statement: Not clear that design standards apply to garage apartments Requested Action: Add garage apartments
26.	16.20.020.6	Neighborhood Suburban Single-Family Districts Maximum development potential	Regulatory Change	Problem Statement: Concerns have been expressed regarding the size and bulk of new homes being built, particularly in the traditional neighborhoods, and their consistency with the surrounding neighborhood and development pattern. Many new homes have 2nd stories built close to or at the minimum required setbacks, creating a box-like, bulky appearance. Research on the average home size and FAR indicates significant increases for new construction Requested Action: Create standards to limit the size and bulk of new homes to be proportionate with the lot size by establishing a maximum building coverage standard and a maximum Floor Area Ratio. Establish standards for bonuses if the development incorporates design elements beneficial to the character of the neighborhood including providing greater second floor setbacks in the front or side and providing an extended front porch
27.	16.20.020.6	Neighborhood Traditional Single-Family Districts Maximum development potential Maximum Intensity	Regulatory Change	Problem Statement: Code currently addresses Impervious Surface Ratio, but does not limit building coverage, which creates issues with allowing enough area for pools, decks and patios Requested Action: Establish a maximum building coverage limit of 0.50
28.	16.20.020.7	Neighborhood Suburban Single-Family Districts Building envelope: Maximum height and minimum setbacks.	Regulatory Change and Clarification	Problem Statement: Language is not clear that open porch setback applies to a one-story porch Requested Action: Modify the footnote to clarify that a covered two-story porch is required to meet the principal structure setbacks
29.	16.20.020.11	Neighborhood Suburban Single-Family Districts Setbacks consistent with established neighborhood patterns.	Clarification	Problem Statement: This section allows reduced front and side yard setbacks based on the neighborhood pattern. There is no practical way to get accurate measurements of existing side yard setbacks on the subject and adjacent blocks, and it is not appropriate to allow a reduction of side yards without such data. In addition, this section has a procedure for approval that is inconsistent with language in NT and also references the incorrect commission Requested Action: Eliminate the allowance for a side yard reduction based on neighborhood pattern and revise language to be consistent with NT section
30.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building Design	Clarification	Problem Statement: This section addresses both building and site design, but section title only references building design; Accessory structure placement not clear Requested Action: Add "Site" to description and add language clarifying that accessory structures/sheds shall be located behind the front facade
31.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building Design	Clarification/ Regulatory Change	Problem Statement: Description of the district notes that the intent is to support the appearance and character of neighborhoods developed over time, but code does not provide a clear, measurable standard to regulate repetitive design Requested Action: Create new Repetitive Design Standard: Design of homes located on the same block face or within three lots on an adjacent block face with similar design shall be varied, such that a substantially similar design cannot be replicated. Variation shall include at least three of the following elements: architectural style, roof form, materials, and details (doors, windows, columns); Add graphic
32.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building Design Wall Composition (1.)	Regulatory Change	Problem Statement: Limits blank walls to no more than 16 linear feet; difficult and impractical to design to this standard for garages, which typically are at least 20-feet Requested Action: Add language to exempt garages up to 15-feet in height from this requirement, if the garage is located in the rear third of the building. Clarify that 16-foot blank façade limit applies to each story
33.	16.20.020.12	Districts Building Design Wall Composition (3.)	Regulatory Change	Problem Statement: New homes in the flood plain can be required to be significantly higher than existing grade, which results in a greater expanse of wall area below the first floor Requested Action: Add new standard: "Where design elevation is equal to or greater than 48" above existing grade, an articulated base is required." The base may consist of a different material or decorative band, depending upon on the architectural style
34.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building Design Accessory structures	Consistency	Problem Statement: Accessory structure design requirements are located in multiple sections of the code and need to be consolidated for clarity Requested Action: Reformat for consistency
35.	16.20.120.8	Downtown Center Districts Building Design	Consistency	Problem Statement: DC section does not clearly state that sidewalks need to be improved to current subdivision standards, current language is in the non-conforming lot section of code Requested Action: Add language to this section
36.	16.40.020.1.	Architecture and Building Design Architectural Styles	Regulatory Change	Problem Statement: Photos and descriptions of architectural styles need updating. Descriptions are very limited and most photos are not from the City Requested Action: Eliminate detail in this section and refer to design guidelines for historic properties; anticipated adoption 06-01-17
37.	16.40.030.4	Drainage and Surface Water management Applicability	Clarification	Problem Statement: No definition of "common place of development" Requested Action: Replace with "unified plan of development" and add definition in definition section of code

38.	16.40.030.6	Drainage and Surface Water management Rules and Regulations (C.1.c. and C.2.c.)	Clarification	Problem Statement: Exemption language needs to be revised per practice and interpretation Requested Action: Replace “single-family home, duplex, triplex or quadraplex” with “development of up to four dwelling units” and change “common plan of development” to “unified plan of development”
39.	16.40.040.3.2	Fence, Wall and Hedge Regulations Waterfront yards (all uses). Maximum Height	Clarification/ Regulatory Change	Problem Statement: Height of solid fences, walls and hedges are limited to 3-feet in height in the waterfront yard. There are many types of plant material other than hedges that can block waterfront views Requested Action: Change “hedge” to “landscape materials, other than trees”
40.	16.40.040.3.2 16.40.040.5.C.12.	Fence, Wall and Hedge Regulations Waterfront Yards	Regulatory Change	Problem Statement: Gates and fencing for docks on non-contiguous water lots (Coffee Pot Boulevard, Sunrise Dr. S., Sunset Drive N. and S.) are not separately regulated, and specific standards for materials, height and width, are needed to protect the public view of these water lots from the adjacent streets Requested Action: Add regulations to limit the height to 5-feet, with a maximum gate height of 6-feet and a maximum arch structure of 7.5-feet. Any fencing projecting beyond the limits of the dock shall be limited to 5-feet in height and 3 feet in width. Add language requiring materials to be decorative wrought iron, aluminum, masonry, concrete, stone, vinyl, or composite. Wood fences and gates may be repaired but not replaced; Update graphic for clarity
41.	16.40.060.2.1.2.	Landscaping/Fencing Additional requirements for new and existing one- and two-unit residential properties	Consistency	Problem Statement: Fence code references landscaping required for 6-foot high fences over 150 linear feet in length, but landscape section of the code does not include a standard for residential Requested Action: Add standard, same as commercial
42.	16.40.090.3.3	Development standards for private one- and two-family properties. Parking	Clarification	Problem Statement: Driveway standards and size of parking space need updating & surface materials for required parking spaces need clarification Requested Action: Update standards, add language to Surface materials (9.) clarifying that all required parking spaces must be on an improved surface
43.	16.40.090.3.4	Development standards for all other uses.	Clarification	Problem Statement: Code is not clear as to maintenance responsibilities for aprons, driveways and parking areas Requested Action: Add clarifying language (section 7. And new subsection 13)
44.	16.40.100.5	Parking, Enforcement Domestic equipment parked, place, or stored on neighborhood zoned property.	Clarification	Problem Statement: Need to revise to be enforceable based on court case Requested Action: Add clarification regarding number (2) and location (on private property)
45.	16.40.140.2.4.D.	Subdivisions Lot line adjustments and lot splits	Clarification	Problem Statement: Need clarifying language to reference when platting is required for lot splits under common ownership or part of unified plan of development Requested Action: Add new section with clarifying language
46.	16.40.140.3	Subdivisions Plats, preliminary and final	Clarification	Problem Statement: Need clarification language regarding timing of permits during the platting process, and actions that trigger platting Requested Action: Allow permits to be issued after preliminary plat approval and clarify when platting is required for lots under common ownership or part of a unified plan of development
47.	16.40.140.4.7	Subdivisions Excavation, fill, and tree removal	Clarification	Problem Statement: Restricts permit issuance for land clearing to approval of final plat which is unduly restrictive Requested Action: Amend language to allow issuance of permits after preliminary plat is approved
48.	16.50.010.2	Accessory Dwelling and Accessory Living Space Generally	Clarification	Problem Statement: Accessory dwelling units and accessory living space are treated the same, and there should be more flexibility for accessory living space Requested Action: Provide separate code sections for accessory dwelling units and accessory living space
49.	16.50.010.2	Accessory Dwelling and Accessory Living Space Purpose and Intent (1.)	Regulatory Change	Problem Statement: Prohibits variance to any standards related to accessory dwelling units and accessory living space. Given the very limited number of accessory dwelling units constructed in the last ten years, this provision seems unduly restrictive Requested Action: Delete subsection in its entirety
50.	16.50.010.3	Accessory Dwelling and Accessory Living Space Purpose and Intent (2.)	Consistency	Problem Statement: Language references reinstatement process for grandfathered accessory dwelling units, which is not consistent with those sections of code related to grandfathered use and reinstatements Requested Action: Delete subsection in its entirety
51.	16.50.010.4	Accessory Dwelling and Accessory Living Space Establishment	Clarification	Problem Statement: Reference to accessory dwelling use vs. unit is confusing Requested Action: Change “use” to “unit” throughout subsection

52.	16.50.010.4.	Accessory Dwelling and Accessory Living Space Establishment (3.)	Regulatory Change	Problem Statement: Accessory dwelling use is required to be subordinate in height to the principal structure. This does not allow a 2-story garage structure when there is a one story home on a property. It is very typical in traditional neighborhoods for there to be a 2-story garage structure with a one story house Requested Action: Delete "height"
53.	16.50.010.5.1	Accessory Dwelling and Accessory Living Space Lot requirements	Clarification	Problem Statement: Prohibits ADU for lots that have been refaced, which is unnecessarily restrictive Requested Action: Change "use" to "unit" throughout subsection; eliminate limitation for lots that have been refaced; allow division if all LDRs are met
54.	16.50.010.5.2	Accessory Dwelling and Accessory Living Space Building Requirements	Clarification	Problem Statement: Intro language is confusing. Should reference building and site requirements for accessory dwelling units (new and redeveloped) Requested Action: Amend language
55.	16.50.010.5.2	Accessory Dwelling and Accessory Living Space Building Requirements (1.)	Regulatory Change	Problem Statement: Minimum size of units specified as 375-square feet. Building code allows smaller units, and there is a desire for "Tiny" units Requested Action: Delete required minimum; allow building code to regulate
56.	16.50.010.5.2	Accessory Dwelling and Accessory Living Space Building Requirements (3.)	Clarification	Problem Statement: Incorrect reference to living space rather than unit Requested Action: Change "space" to "unit"
57.	16.50.010.5.2	Accessory Dwelling and Accessory Living Space Building Requirements (5.)	Regulatory Change	Problem Statement: Requires a pedestrian connection to parking and to public sidewalk. Units are often on an alley, rendering connection to public sidewalk impractical. Requested Action: Delete required connection to public sidewalk, if there is direct access to the alley
58.	16.50.010.5.3	Accessory Dwelling and Accessory Living Space Visual Buffering (1.)	Clarification	Problem Statement: Requirement to orient outdoor living areas to the interior of the property is confusing Requested Action: Add language to clarify that all areas in the rear yard with a minimum of 10-foot setback are considered to be interior
59.	16.50.010.5.3	Accessory Dwelling and Accessory Living Space Visual Buffering (2.)	Clarification	Problem Statement: Requires minimum 48" sill height, which conflicts with the building code Requested Action: Eliminate sill height requirement
60.	16.50.010.5.4	Accessory Dwelling and Accessory Living Space Parking and accessibility	Regulatory Change/ Clarification	Problem Statement: Prohibits variances, which is unduly restrictive; requires parking in rear, which is not always possible; requires decorative parking pads, requires storage area for solid waste container in alley Requested Action: Modify subsection
61.	16.50.010.5.5	Accessory Dwelling and Accessory Living Space Accessory Living Spaces	Regulatory Change/ Clarification	Problem Statement: Requires accessory living space to meet all requirements for accessory dwelling unit, which is unduly restrictive Requested Action: Re-write this section of code to separate accessory dwelling unit and accessory living space
62.	16.50.020.4.1	Accessory Storage structure	Clarification	Problem Statement: Accessory structures 200 square feet and over are required to be consistent with style, materials and color of the principal structure. Restrictions on open carports in the rear yard not visible from a City street do not support the purpose of this section of code related to the pedestrian experience, and create an undue financial burden on residents desiring to construct two-car carport structures. In addition, metal carports along alleys are very typical to the districts; Clarification on location on through lots Requested Action: Allow exemption for open carports up to 440 s.f. feet up to 15 feet in height in the rear 1/3 of the yard, behind the principal structure, meeting principal structure side setbacks, not visible from the street and add clarification on through lots
63.	16.50.130.9.4	Docks Roof or canopy structures	Regulatory Change	Problem Statement: Concerns expressed about roof structures over docks along Coffee Pot Boulevard Requested Action: Prohibit roof or canopy structures over docks on non-contiguous water lots on any street with a public sidewalk abutting the seawall
64.	16.60.010.5.	Dimensional Regulations and Lot Characteristics Floor Area Ratio (E)	Clarification	Problem Statement: This section of the Code refers to existing regulations for non-residential F.A.R. Requested Action: Add a statement clarifying that this section does not apply to Neighborhood Traditional or Neighborhood Suburban Single-Family zoning districts.
65.	16.60.10.6	Dimensional Regulations and Lot Characteristics Height Measurement	Clarification	Problem Statement: Language related to measurement of height in a special flood hazard area (flood zone) is not clear Requested Action: Add clarifying language to delete as measured to the finished floor

66.	16.60.010.8.3	Dimensional Regulations and Lot Characteristics Yards, rear (c)	Clarification	Problem Statement: Language for through lots needs clarification to allow one side to be considered the rear for setbacks where such pattern is predominant Requested Action: Add clarifying language
67.	16.60.10.9	Dimensional Regulations and Lot Characteristics Nonrectangular lots (B.) & Measurements in the waterfront yard (C)	Clarification	Problem Statement: Nonrectangular lot graphic needs updating; Where there is no seawall or where property lines extend into the water (above submerged lands), it is not clear where the setback is measured from Requested Action: Replace nonrectangular lot graphic; Add clarifying language to specify the mean high water line
68.	16.60.030.2.B.3	Non-conforming Lots Nonconforming lots in common ownership.	Regulatory Change	Problem Statement: Minimum Lot Dimensions are often not consistent with underlying subdivision plat and the existing development pattern, rendering many lots unbuildable without a variance, which puts an undue burden on the property owners and discourages redevelopment efforts Requested Action: Amend non-conforming lot section of code to allow administrative approval for non-conforming platted lots of record if lots 80% or more of parcels in the subject block face and within 500-feet on the surrounding block faces are also substandard or if the non-conformity is equal to or less than 5% of the required width and area
69.	16.60.050	Setbacks, allowable encroachments Arbor	Clarification	Problem Statement: Need to clarify that arbors have open roof structure Requested Action: Amend language to clarify that at least 50% of the roof structure be open
70.	16.60.050	Setbacks, allowable encroachments Garages, residential side-loading	Clarification	Problem Statement: Garages facing an alley in Neighborhood Suburban zoning should have the same allowable encroachment as garages facing alleys in Neighborhood Traditional zoning. Requested Action: Amend language to clarify
71.	16.60.050	Setbacks, allowable encroachments Sheds	Clarification	Problem Statement: Current size limit is 10 feet by 10 feet, which doesn't allow for other small sheds of equal square footage, such as 8 feet by 12 feet; additionally, a recent code change to allow sheds in the side yard inadvertently changed the allowance for a shed anywhere in the rear third; needs to be behind principal structure Requested Action: Change to 100 square feet and located behind the principal structure
72.	16.60.050	Setbacks, allowable encroachments Patios & Screen enclosures	Clarification	Problem Statement: Current setbacks are 8-feet, but side yard for house is 7.5-feet, and needs clarification on leading edge and height of patio from grade Requested Action: Change to 7.5 feet, add "leading edge"; encroachment for patios are limited to patios that are no more than 12 inches from existing grade
73.	16.60.050	Setbacks, allowable encroachments Porches, open	Clarification	Problem Statement: Need to clarify that if the height of the porch exceeds 30", principal structure setbacks apply, clarify that eaves cannot project beyond these encroachments and add allowable encroachments for additional situations Requested Action: Add language specifying that encroachment is only for an open porch less than 30" above existing grade or the seawall; Allow 10-foot encroachment into the rear yard on suburban districts and 5-foot water yard encroachment in traditional districts; add "leading edge" to preclude eave overhang
74.	16.70.040.1.14.D.	Reinstatement of abandoned uses. Procedure	Regulatory Change	Problem Statement: Administrative approvals are limited to one residential unit, requiring streamline and/or commission review, regardless if a variance is needed for reinstatement of additional residential units. This adds to cost and time for the applicant and creates additional work for staff. In review of cases over last ten years, all reinstatements without variances have been approved. Requested Action: Change language to allow staff to process residential reinstatements administratively, provided no variances are requested.
75.	16.70.040.1.14.E.6.	Reinstatement of abandoned uses. Standards for review	Consistency	Problem Statement: Conversion of dwelling units references one or more bedroom sizes Requested Action: Change reference to building code
76.	16.70.040.1.14.E.7 & 8.	Reinstatement of abandoned uses. Standards for review	Regulatory Change	Problem Statement: Minimum size of units are specified, and a minimum of 375 square feet is required. Requirements for windows and egress are specified in the building code. This unduly restricts reinstatements of smaller units that may meet building code. Requested Action: Modify to remove minimum sizes of units and refer to compliance with the building code.
77.	16.70.040.1.14.E.9.	Reinstatement of abandoned uses. Standards for review	Regulatory Change	Problem Statement: Specifies that units 220 square feet or less may not request a parking variance. Unduly restrictive to not allow an applicant with a small unit to apply for a variance Requested Action: Delete subsection

78.	16.70.040.15.B.4.	Redevelopment of Grandfathered uses. Application	Regulatory Change	Problem Statement: Requires submittal of a financing plan with cost estimates, evidence of financing, and timetable for work. This type of requirement is not found in any other part of the code and seems unnecessary to the review and approval process for a redevelopment plan Requested Action: Delete subsection in its entirety
79.	16.70.040.15.C.1.e.	Redevelopment of Grandfathered uses. Conditions and requirements	Regulatory Change	Problem Statement: Specifies that redevelopment plans not propose to place structures on vacated public right-of-way. If a project was not subject to redevelopment, this restriction would not be in place. No public purpose related to such prohibition solely for a redevelopment project, which should be subject to the same setback parameters of any structure Requested Action: Delete subsection in its entirety
80.	16.70.040.15.C.2.a.	Redevelopment of Grandfathered uses. Conditions and requirements	Consistency	Problem Statement: References minimum unit size of reinstatement section of the code, which is proposed to be eliminated Requested Action: Delete subsection in its entirety
81.	16.70.040.15.D.1.	Redevelopment of Grandfathered uses. Procedure	Regulatory Change	Problem Statement: All redevelopment projects currently require a public hearing before DRC. This seems unduly burdensome for an applicant wanting to demolish a garage apartment and rebuild. Redevelopment of an existing accessory dwelling unit should be allowed to be processed as an administrative application, if no variances are requested. Requested Action: Add new subsection allowing one accessory dwelling unit to be reviewed as administrative application, at the discretion of the POD, provided no variances are requested
82.	16.70.040.15.E.1.	Redevelopment of Grandfathered uses. Standards for review. Building Height (3.)	Consistency	Problem Statement: Requirement is based on zoning district Requested Action: Delete subsection in its entirety
83.	16.70.040.15.E.1	Redevelopment of Grandfathered uses. Standards for review. Non-traditional roadway network (2.)	Clarification	Problem Statement: Requires sidewalk connections to surrounding streets, "homes and businesses". Unclear what is meant by surrounding homes and businesses, difficult to regulate, and seems unnecessary to the purpose and intent of the redevelopment provisions Requested Action: Delete "homes and businesses"
84.	16.70.040.15.E.3.	Redevelopment of Grandfathered uses. Standards for review. Floor area ratio bonus.	Regulatory Change	Problem Statement: Allows FAR bonuses up to .85, which is out of scale in any neighborhood Requested Action: Reduce bonus for traditional style from 0.20 to 0.10 and eliminate 0.10 bonus for front porch, which is already required by the design standards in the Neighborhood Traditional zoning district. Reduces total bonus allowed from 0.35 to 0.15 or allow development consistent with FAR as specified in the zoning district Requested Action: Revise language to clarify
85.	16.90.020.3	Definitions	Clarification	Problem Statement: Many definitions need updating and there is a need for some additional definitions Requested Action: Add definitions for Roof Line, Cooking Facilities and Unified Plan of Development; Revise definition of impervious surface to specifically include pavers and pools and 50% decks; update graphic for Stoop; revise Domestic Equipment to include barbeque grills