

Land Development Code Draft 3 - Environmental Review, Major Changes and Unresolved Issues
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23-2A: Residential Development Regulations

- New Article for one to six residential units requiring engineer's certification of no adverse impact to adjacent property; needs concurrence letter prior to obtaining a certificate of occupancy

23-2F: Alternative Equivalent Compliance

- 2040(a) Types of Alternative Equivalent Compliance - issue with allowing for decreases in Common Open Space, in particular decrease in open space adjacent to bus rapid transit stations

23-3B: Parkland Dedication

- 3010 Fee in Lieu - authorized for less than six acres - issue with allowing fee in lieu when we need pocket parks of .25 acres in the urban core

23-3C: Urban Forest Protection and Replenishment - a revised version will be posted as an Addendum

- 1030 Adds new regulations for Young Public Trees 2-7.9", and Keystone Trees 8-18.9"

23-3D: Water Quality

- 3040 Impervious Cover Calculation - excludes ground level rainwater harvesting cisterns
- 4050 Critical Water Quality Zone Street, Driveway, and Trail Crossings - ok to cross if necessary for Street Design
- 6010 Threshold for Water Quality not reduced from 8,000 s.f. to 5,000 s.f. as recommended
- 6030 Water Quality Control and Green Stormwater Infrastructure Standards - required to use green stormwater control measures yet fee in lieu option in ECM may negate the beneficial impacts
- 7050 Erosion and Sedimentation Control - decompaction of pervious soils post-development

23-4C: Common and Civic Open Space

- 1030 Common Open Space - requires site one acre or more to provide 5% of the gross site area; carries over the commercial design standards amenities with addition of stormwater control measures and transit plazas; issue with requiring lawn or asphalt for designated recreation areas - need to reference zone tables for personal, common, and civic open space, yet tables do not reflect the one acre change; also there appear to be unresolved issues of inconsistencies with the zones, needs community wide presentation and vetting
- 1040 Civic Open Space - requires sites over 4 acres to provide 10% of the net development acreage as civic open space, (yet if less than 8 acres and less than 1/4 mile of existing 1 acre park does not apply); new category with various typologies and impervious cover maximums in open spaces such as Neighborhood Park, Greenbelt, Stormwater Amenity, Linear Park, Green, Square, Plaza, Pocket Plaza, Pocket Park, Nature Space, and Community Garden; can be doubled up with Parkland Dedication requirements, if publicly accessible

23-4D: Conservation Land, Park, and PUD Zones

- 8070 Conservation Lands Zone - New zone free from development, except parking, trails, educational facilities, and restrooms
- 8100 Park Zone - New zone for parks, playgrounds, recreation and open spaces
- 8110 PUD Zone - Initial environmental requirements for superiority need to be updated to be superior to the proposed new code

23-4D: Specific to Zones - Need for flexible setbacks to preserve trees under Alternative Compliance

- Residential House Scale Zones - concern with new Front Yard Impervious Cover impacting existing trees

23-4E-4: Landscape - needs to be located in 23-3 General Planning Requirements along with Parkland Dedication, Urban Forest Protection, and Water Quality

- 4040-4080 Adds new categories for commercial and multi-family urban sites of Front Yard Planting, Foundation Buffer, Surface Parking Tree Islands, Landscape Medians, and Lot Perimeter Landscape
- 4090-4110 Adds landscape compatibility buffers; need to reference zones for compatibility, issue with reduction of Intermittent Visual Obstruction Buffer from 15' wide to 8' wide - in compatibility presentations to council and planning commission the graphics show 15' wide buffer which is preferable
- 4120 Adds Functional Green for sites over 80% impervious cover - not in Draft 3, but recently presented at Environmental Commission; need to clarify that the compatibility buffers still remain
- 4130 Adds Planting and Soil Standards - issues with planting distances from overhead and underground utilities, needs vetting

23-5C: Trees for Residential Subdivision

- New Division - information will be moved to other locations in the code; required number, caliper, species and quantity needs further vetting

23-6A: Site Plan Exemptions

- 2010(A) Construction and change less than 1,000 s.f. and limits of construction is less than 3,000 s.f. - does not allow for or incentivize disturbance beyond 3,000 s.f. for removal of asphalt outside of required parking stalls to install trees and green infrastructure on commercial remodels

23-9E-6: Sidewalks, Urban Trails, and Street Trees

- 6040 - Planting area for street trees deleted from private property requirement in Draft 2

23-10E: Drainage

- 3010 Criteria for Approval - post-development peak runoff does not exceed undeveloped peak runoff only on commercial and multi-family sites
- Existing impervious cover associated with COA roadway redevelopment projects will not be considered

Proposed Map

- Issue with proposing increased density in localized flood problem areas