

Exhibit B: PB&Z Recommendations

Note: PB&Z recommends approval of the amendments contained in Exhibit A, subject to the following modifications:

Substantive Amendments

Section 1: “Removing Regulatory Barriers” Amendments

Amendment #02 (Building & Engineering)

Summary: Codifies an existing interpretation regarding snow plowing as a customary accessory use to landscape contractors.

Amend Article 6, Subsection 6.3.27.9/ Use Regulations/ Use Standards/ Landscape Contractor’s Storage Yard (Industrial Sales and Service Category) (p. 6-19) to read as follows:

Landscape waste composting, wood-chipping, mulching and grinding activity, and whole-sale sales of landscape-related bulk materials shall be allowed as an accessory use only if expressly approved as part of the Conditional Use Permit application. ~~Snow removal operations, including the storage of plow blades, shall be allowed as an accessory use only if no additional vehicles are required to operate.~~ Noise abatement measures for any permitted mulching, chipping or grinding activity shall be addressed as part of the Conditional Use Permit. [Revised 03.11.08] Snow removal operations, including the storage of plow blades, shall be allowed as an accessory use.

Amendment #04 (Building & Engineering)

Summary: Accommodates the height maximum for fences located within a drainage easement and clarifies the visibility requirements for recreational uses.

Amend Article 6, Subsection 6.4.9/ Use Regulations/ Accessory Uses/ Fences and Walls (p. 6-45) to read as follows:

The maximum height of walls and fences shall be 6 feet, or 6'6" when the fence is required to be elevated due to drainage requirement. In instances when greater height is deemed necessary to provide adequate visual screening, buffering and security, the Planning, Building and Development Director shall be authorized to allow a maximum fence or wall height of 8 feet. However, an 8 foot high fence or wall may be allowed separating residential and nonresidential uses without the Planning, Building and Development Director's authorization. The finished/ornamental side of the fence shall face outward. Fences ~~at a maximum of 40% opacity~~ for tennis courts, volleyball courts or similar recreational purposes located at or beyond all required setback lines shall not exceed the maximum height provided in 6.4.3.1. [Revised 11.08.05, .3.11.08, 10.13.09] If a recreational fence is greater than 6 feet in height, it shall be a minimum of 90% open. Fences and walls shall be permitted in any required setback (except within required intersection visibility triangles, see Sec. 9.8 or within designated open space areas, unless otherwise permitted pursuant to Sec. 4.3.1.1).

Housekeeping Amendments

Amendment #11 (Building & Engineering)

Summary: Editorial change.

Amend Article 4, Subsection 4.3.1.1/ Site Capacity, Site Plan Review and Natural Resource Protection/ Open Space Requirements/ General/ Use (p. 4-29) to read as follows:

Land designated as open space shall be used and maintained as open space and may not be separately subdivided or developed except as provided herein. The Planning, Building and Development Director shall be authorized to allow development within designated open space areas for the maintenance or enhancement of the protected open space. [Revised 11.08.05] When open space areas are designated for specific uses that require the construction of improvement, such improvements shall be appropriately sized and designed to meet the needs of the development. The Planning, Building and Development Director shall specifically be authorized to allow fences, walls, signs and other structures within open space areas, if necessary to protect or enhance the function of such open space areas or when the Planning, Building and Development Director determines that such improvements or structures will not be detrimental to the function of the open space area being preserved. Fences ~~consisting of at least a 90% open no more than 10% opacity~~ shall also be allowed in designated open space ~~provided at least one of under~~ the following circumstances are present.

Amendment #20 (Planning & Development Services)

Summary: Clarifies features allowed within Conservation Development setbacks.

~~**Amend Article 7, Subsection 7.7.3.3/ Density and Dimensional Standards/ Measurements and Exceptions/ Setbacks/ Features Allowed Within Setbacks (p. 7-15) to read as follows:**~~

Amend Article 7, Subsection 7.7.3.3/ Density and Dimensional Standards/ Measurements and Exceptions/ Setbacks/ Features Allowed Within Setbacks (p. 7-15) to read as follows:

In Conservation Developments, terraces (above first floor, open), decks, swimming pool aprons, porches (non-enclosed, with no walls or screens, or roof) and at-grade patios or paved areas that function as decks, when proposed in conjunction with the Single Family Detached House Structure Type, may encroach into the required rear yard setback, provided they do not encroach more than 10 feet in to the required setback, ~~provided that the structure's area within the required setback does not exceed 200 square feet the total terrace, deck, swimming pool aprons, porches, or patio size does not exceed 200 square feet,~~ and the lot abuts permanent open space to the rear (no other exceptions shall be allowed for terraces, decks, swimming pool aprons, porches, at-grade patios in Conservation Developments).

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