

## Leesburg Zoning Ordinance Update

### Annotated Outline

10.5.23

The following Annotated Outline proposes the overall organization of the revised Zoning Ordinance and shows how existing provisions relate to the proposed outline. The Zoning Ordinance is proposed to be part of Chapter 35, *Land Use and Development*, of the existing Town Code. This Chapter would also be the home of the revised Subdivision and Land Development Regulations.

The Zoning Ordinance controls how private property is developed in terms of land use, building placement, lot area, density, parking, landscaping, signs, and other aspects. The Ordinance also contains provisions related to development review procedures, including but not limited to, application submittal, common review criteria, and public notice. It also establishes or references development review bodies such as the Planning Commission, Board of Zoning Appeals, and Zoning Administrator.

The hierarchical structure of the updated Zoning Ordinance and content of this annotated outline will likely evolve throughout the project as new issues come to light. Note that just because existing provisions are shown as associated with the updated and new Ordinance outline, that does not mean that such provisions will be part of the final version of the updated Ordinance. The intent is, at minimum, to show similar or analogous provisions in the updated Ordinance.

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
<b>Article I</b>	<b>General Provisions</b>	
<b>Division 1</b>	<b>Jurisdiction and Authority</b>	
Sec. 1-1	Title	Sec. 1.1 Title
Sec. 1-2	Purposes	Sec. 1.5 Purpose; Sec. 1.6 Implementation of the Town Plan
Sec. 1-3	Authority, Jurisdiction, and Applicability	Sec. 1.2 Authority; Sec. 1.3 Jurisdiction; Sec. 4.3 Zoning Upon Annexation
Sec. 1-4	Enactment, Effective Date, Repeal	Sec. 1.4 Effective Date
<b>Division 2</b>	<b>Measurements and Allowances</b>	
Sec. 2-1	Measurements	Sec. 10.4, Measurements, Computations and Exceptions
Sec. 2-2	Allowances	Sec. 10.4, Measurements, Computations and Exceptions
<b>Article II</b>	<b>Zoning Districts and Dimensional Standards</b>	
<b>Division 3</b>	<b>General</b>	
Sec. 3-1	Purpose and Applicability	NEW

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
Sec. 3-2	Official Zoning Map	Sec. 4.4 Zoning Map
Sec. 3-3	Zoning Districts Established	Sec. 4.1 Establishment of Zoning Districts; Sec. 7.1, General; Sec. 4.2 Zoning District Hierarchy
Sec. 3-4	Legacy Districts	Sec. 3.11 Architectural Control Certificates of Appropriateness (H-2 Corridor Overlay District); Sec. 7.6 H-2, Historic Corridor Architectural Control Overlay District; Sec. 15.2.1 Overlay district regulations; Sec. 15.10 Signs in the H-2 Overlay District
<b>Division 4</b>	<b>Residential Districts</b>	
Sec. 4-1	General Provisions	Sec. 9.7 Dwelling Unit Occupancy
Sec. 4-2	Residential Zoning Districts <i>(will be updated with subsections for specific zoning districts)</i>	Sec. 5.1.1, Description, R-E, Single-Family Residential Estate District; 5.1.3, Density/Intensity and Dimensional Standards, R-E, Single-Family Residential Estate District; Sec. 5.2.1 Description, R-1 Single-Family Residential District; Sec. 5.2.3, Density/Intensity and Dimensional Standards, R-1 Single-Family Residential District; Sec. 5.3.1 Description, R-2 Single-Family Residential District; Sec. 5.3.3 Density/Intensity and Dimensional Standards, R-2 Single-Family Residential District; Sec. 5.4.1 Description, R-4, Single-Family Residential District; Sec. 5.4.3, Density/Intensity and Dimensional Standards, R-4 Single-Family Residential District; Sec. 5.5.1, Description, R-6 Moderate Density Residential District; Sec. 5.5.3, Density/Intensity and Dimensional Standards, R-6 Moderate Density Residential District; Sec. 5.6.1, Description R-HD Historic Residential District; Sec. 5.6.3, Density/Intensity and Dimensional Standards, R-HD Historic Residential District; Sec. 5.7.1 R-8 Medium-Density Attached Residential District; Sec. 5.7.3, Density/Intensity and Dimensional Standards, R-8, Medium-Density Attached Residential District; Sec. 5.7.4, Additional Standards, R-8 Medium-Density Attached Residential District; Sec. 5.8.1, Description R-16 Planned Housing Development District; Sec. 5.8.3 Density/Intensity and Dimensional Standards, R-16 Planned Housing Development District; Sec. 5.9.1 Description, R-22 Multi-Family Residential District; Sec. 5.9.3, Density/Intensity and

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
		Dimensional Standards, R-22 Multi-Family Residential District; Sec. 5.9.3, Density/Intensity and Dimensional Standards, R-22, Multi-Family Residential District; Sec. 10.1 Residential Zoning Districts
<b>Division 5</b>	<b>Non-Residential and Mixed Use Districts</b>	
Sec. 5-1	Non-Residential and Mixed Use Districts <i>(will be updated with subsections for specific zoning districts)</i>	Sec. 6.1.1, Description, O-1 General Office District; Sec. 6-1-3 Density/Intensity and Dimensional Standards, O-1 General Office District; Sec. 6.3.1, Description, B-1 Community (Downtown) Business District; Sec. 6.3.3 Density/Intensity and Dimensional Standards, B-1 Community (Downtown) Business District; Sec. 6.4.1 Description, B-2 Established Corridor Commercial District; Sec. 6.4.3, Density/Intensity and Dimensional Standards, B-2 Established Corridor Commercial District; Sec. 6.5.1 Description, B-3 Community Retail/Commercial District; Sec. 6.5.3 Density/Intensity and Dimensional Standards, B-3 Community Retail/Commercial District; Sec. 6.6.1 Description, B-4 Mixed-Use Business District; Sec. 6.6.3 Density/Intensity and Dimensional Standards, B-4, Mixed-Use Business District; Sec. 6.6.4 Additional Standards, B-4 Mixed-Use Business District; Sec. 6.7.1 Description, Industrial/Research Park District; Sec. 6.7.3, Density/Intensity and Dimensional Standards I-1 Industrial/Research Park District; Sec. 9.8 Flex Industrial/Business Park
Sec. 5-2	Crescent Design District	Sec. 7.10.1, Description; Sec. 7.10.2, Applicability; Sec. 7.10.3, Overview of Crescent Design District Regulations; Sec. 7.10.4, Siting Specifications; Sec. 7.10.5, Site Requirements; Sec. 7.10.8, Height Zones; Sec. 7.10.9, Use Regulations and Density/Intensity and Dimensional Standards; 7.10.12, Modifications
<b>Division 6</b>	<b>Special Purpose Districts</b>	
Sec. 6-1	Medical Hospital Center District	Sec. 7.2.1, Description, MC Medical-Hospital Center (Special Purpose) District; Sec. 7.2.3 Density/Intensity and Dimensional Standards, MC Medical-Hospital Center (Special Purpose) District
Sec. 6-2	Government Center District	Sec. 7.3.1, Description; Sec. 7.3.3, Density/Intensity

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
		and Dimensional Standards
<b>Division 7</b>	<b>Planned Development Districts</b>	
Sec. 7-1	General Provisions	Sec. 8.1 General; Sec. 8.2, Applicability; Sec. 8.3, General Development Standards; ;
Sec. 7-2	PRN, Planned Residential Neighborhood	Sec. 8.4, PRN Planned Residential Neighborhood District; Sec. 8.5, PRC Planned Residential Community District;
Sec. 7-3	PEC, Planned Employment Center District	Sec. 8.6 PEC, Planned Employment Center District
Sec. 7-4	PD-CC-SC Planned Development-Commercial Center-Small Regional Center	Sec. 8.7, PD-CC-SC Planned Development-Commercial Center-Small Regional Center
Sec. 7-5	PD-IP, Planned Development-Industrial Park	Sec. 8.8, PD-IP, Planned Development-Industrial Park
<b>Division 8</b>	<b>Overlay Districts</b>	
Sec. 8-1	Old and Historic Overlay District	Sec. 7.5.1, Description; Sec. 7.5.2, Applicability; Sec. 7.5.3, Historic District Created, Established; Sec. 7.5.10, Designation of Historic Districts and Landmarks; Sec. 15.2.1 Overlay district regulations; Sec. 15.2.1 Comprehensive Sign Plans; Sec. 15.9 Signs in the H-1 Overlay District
Sec. 8-2	Gateway Overlay District	Sec. 7.12.1, Purpose; Sec. 7.12.2, District Created; Sec. 7.12.3, District Applicability; Sec. 7.12.4, Design Guidelines; Sec. 7.12.5, Architectural Style to be in Accordance with Design Guidelines; 7.12.6, Design Criteria; Sec. 7.12.24, Universal Gateway District Standards; Sec. 15.11 Signs in Gateway District (Overlay); Sec. 7.12.23, Work Must Conform to the Certificate of Appropriateness Issued
Sec. 8-3	Airport Overlay District	Sec. 7.7.1 Description; Sec. 7.7.2, Applicability; Sec. 7.7.4 Airport Safety Zones; Sec. 7.7.5 Airport Safety Zone Height Limitations; Sec. 7.7.6 Use Regulations; 7.7.9 Airport Noise Overlay District Boundaries; 7.7.10 Disclosure Statements; 7.7.11 Airport Noise Overlay Use Limitations; Sec. 7.4.1, Description; Sec. 7.4.3, Density/Intensity and Dimensional Standards
Sec. 8-4	Noise Abatement Corridor	7.8.1, Description; Sec. 7.8.2 Applicability; Sec. 7.8.3

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
Overlay District		Standards
Sec. 8-5	Floodplain Overlay District	7.11.1 Applicability; 7.11.3 Density Calculations; 7.11.4, Overlay District Established; 7.11.5 Official Floodplain Overlay District Map; Sec. 7.11.6 Interpretation of Floodplain Overlay District Boundaries; Sec. 7.11.7 Prohibited Activities; Sec. 7.11.8 Permitted Uses; Sec. 7.11.8 Special Exception Uses; Sec. 7.11.10 Standards for a Special Exception; Sec. 7.11.11 Factors to be Satisfied for a Variance; Sec. 7.11.12 Referral for Technical Assistance; Sec. 7.11.13 Hardship Relief Funding; Sec. 7.11.14 Required Notification to Applicant; Sec. 7.11.15 Records; Sec. 7.11.16 Existing Structures
<b>Division 9</b>	<b>Community Amenities</b>	
Sec. 9-1	Community Amenity and Open Space Standards	Sec. 7.10.5.G, Useable Open Space/Amenity Area, Crescent Design District; Sec. 12.10 Open Space
<b>Article III</b>	<b>Use Regulations</b>	
<b>Division 10</b>	<b>Use Categories</b>	
Sec. 10-1	Establishment of Use Categories	Sec. 9.1.1, Establishment of Use Categories; Sec. 9.1.2, Permitted Uses; Sec. 9.1.3 Special Exception Uses; Sec. 9.1.5 Prohibited Uses
<b>Division 11</b>	<b>Use Table</b>	
Sec. 11-1	Use Table Legend	Sec. 9.2.1 Permitted Uses; Sec. 9.2.2, Special Exception Uses; Sec. 9.2.3, Minor Special Exception Uses; Sec. 9.2.4 Uses Not Allowed
Sec. 11-2	Use Table	Table 9.2 Use Table; Sec. 5.1.2, Use Regulations, R-E Single-Family Residential Estate District; Sec. 5.2.2 Use Regulations, R-1 Single-Family Residential District; Sec. 5.3.2, Use Regulations, R-2 Single-Family Residential District; Sec. 5.4.2, Use Regulations, R-4 Single-Family Residential District, Sec. 5.5.2 Use Regulations, R-6 Moderate Density Residential District; Sec. 5.6.2, Use Regulations, R-HD Historic Residential District; Sec. 5.7.2 Use Regulations, R-8 Medium-Density Attached Residential District; Sec. 5.8.2, Use Regulations, R-16 Planned Housing Development District; Sec. 5.9.2, Use Regulations, R-22, Multi-Family Residential District; Sec. 6.1.2, Use

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
		Regulations, O-1 General Office District; Sec. 6.3.2, Use Regulations, B-1 Community (Downtown) Business District; Sec. 6.4.2, Use Regulations, B-2 Established Corridor Commercial District; Sec. 6.5.2, Use Regulations, B-3 Community Retail/Commercial District; Sec. 6.6.2, Use Regulations, B-4 Mixed-Use Business District; Sec. 6.7.2, Use Regulations, I-1 Industrial/Research Park District; Sec. 7.2.2 Use Regulations, MC Medical Hospital Center Special Purpose District; Sec. 7.3.2, Use Regulations, GC Government Center Special Purpose District; Sec. 7.4.2, Use Regulations
<b>Division 12</b>	<b>Limited Use Standards</b>	
Sec. 12-1	Residential	Sec. 9.3 Use Standards; Sec. 5.10 Residential Zoning District Regulations for the Provision of ADUs;
Sec. 12-2	Non-Residential	Sec. 9.3 Use Standards
<b>Division 13</b>	<b>Special Exception Standards</b>	
Sec. 13-1	Residential	Sec. 9.3 Use Standards
Sec. 13-2	Non-Residential	Sec. 9.3 Use Standards; Sec. 9.8 Flex Industrial/Business Park
<b>Division 14</b>	<b>Accessory Uses and Structures</b>	
Sec. 14-1	General Provisions	NEW
Sec. 14-2	Residential Standards	Sec. 9.4 Accessory Uses
Sec. 14-3	Non-Residential and Mixed Use Standards	Sec. 9.4 Accessory Uses; Sec. 7.10.6.M, Accessory Building Design Specifications
<b>Division 15</b>	<b>Temporary Uses and Structures</b>	
Sec. 15-1	General Provisions	Sec. 9.5.1 Purpose and Intent
Sec. 15-2	Applicability	Sec. 9.6.3, Permit Required
Sec. 15-3	Temporary Use Table	Sec. 9.5.2 Permitted Temporary Uses; Sec. 9.6.2, Permitted Business Special Events
Sec. 15-4	Temporary Use Standards	Sec. 9.5.3, General Standards for Permitting Temporary Uses; Sec. 9.5.4 Standards for Specific Temporary Uses; Sec. 9.5.5 Temporary Portable Storage Unit; Sec. 9.6.4 Duration; Sec. 9.6.5, Location; Sec. 9.6.6 Off-Street Parking and Access; Sec. 9.6.7 Hours of Operation; Sec. 9.6.8 Illumination; Sec. 9.6.10, Tents

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
<b>Division 16</b>	<b>New and Unlisted Uses</b>	
Sec. 16-1	Purpose	Sec. 9.1.4 Unlisted Uses
Sec. 16-2	Applicability	NEW
Sec. 16-3	Standards	NEW
<b>Article IV</b>	<b>Development Standards</b>	
<b>Division 17</b>	<b>Purpose and Applicability</b>	
Sec. 17-1	Purpose	Sec. 12.1.1 Purpose and Intent
Sec. 17-2	Applicability	Sec. 12.1.2, General Applicability
<b>Division 18</b>	<b>Building Design</b>	
Sec. 18-1	General Provisions	NEW; Sec. 7.10.6.A-F, Crescent Design District
Sec. 18-2	Residential	NEW; Sec. 7.10.6.G, Residential Building Design Specifications, Crescent Design District; Sec. 10.3.3 Traditional Design Option; Sec. 10.3.1 Residential Cluster Development; Sec. 10.3.2 Zero Lot Line Development
Sec. 18-3	Non-Residential and Mixed Use	NEW; Sec. 7.10.6.H, Commercial Building Design Specifications, Crescent Design District; Sec. 7.10.6.I, Mixed Use Commercial Building Design Specifications, Crescent Design District; Sec. 7.10.6.J, Drive-Through Window Building Design Specifications, Crescent Design District; Sec. 7.10.6.K, Service Station Building Design Specifications; Sec. 7.10.6.L, Parking Structures Building Design Specifications; Sec. 7.10.6.N, Mechanical Equipment; Sec. 7.10.7, Building Materials and Other Requirements
<b>Division 19</b>	<b>Parking, Loading, Stacking, and Access</b>	
Sec. 19-1	General Provisions	Sec. 11.1, General; Sec. 11.5, Use of Parking and Loading Areas; Sec. 11.6.1.I, Setbacks, Screening and Landscaping; Sec. 11.6.1.J, Emergency and Public Vehicle Access; Sec. 11.6.1.K, Front Yard Parking Areas; Sec. 11.7, Maintenance; Sec. 11.11, Sight Distance; Sec. 11.12, Administration
Sec. 19-2	Required Off-Street Parking	Sec. 7.10.5.A, Parking, Crescent Design District; Sec. 11.3, Number of Parking Spaces Required; Sec. 11.4, Alternative Parking Provisions
Sec. 19-3	Parking Lot and Parking Space Design	Sec. 11.6, Parking and Loading Area Design Standards



Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
Sec. 19-4	Accessible Parking (ADA)	Sec. 11.6.B, Accessible Parking for Physically Handicapped Persons
Sec. 19-5	Off-Street Loading	Sec. 7.10.5.C, Loading, Crescent Design District; Sec. 11.6.3.A, Minimum Dimensions of Off-Street Loading Areas; Sec. 11.9, Number of Off-Street Loading Spaces Required; Sec. 11.10 Alternative Loading Provisions
Sec. 19-6	Vehicle Stacking Areas	Sec. 11.8, Stacking Spaces
Sec. 19-7	Parking Access and Circulation	Sec. 11.6.1.A, Overall Internal Circulation Pattern; Sec. 11.6.1.B, Entrances and Exits; Sec. 11.6.1.C, Relationship of Off-Street Parking and Loading Areas to Public Rights of Way
Sec. 19-8	Bicycle Parking	NEW; Sec. 7.10.5.B, Bicycle Facilities, Crescent Design District
Sec. 19-9	Pedestrian Access	Sec. 11.2, Pedestrian Access; Sec. 11.6.1.F, Sidewalks and Pedestrian Facilities
<b>Division 20</b>	<b>Tree Preservation, Landscaping, and Buffering</b>	
Sec. 20-1	General Provisions	Sec. 12.2.1 Landscape Plan Required; 12.2.5 Monitoring and Enforcement
Sec. 20-2	Tree Canopy and Preservation	Sec. 12.3 Twenty-Year Tree Canopy Requirements
Sec. 20-3	Interior Parking Lot Landscaping	Sec. 12.6 Interior Parking Lot Landscaping
Sec. 20-4	Bufferyard Landscaping	Sec. 12.5 Perimeter Parking Lot Screening; Sec. 12.8 Buffers and Screening; Article 14, Creek Valley Buffer
Sec. 20-5	Screening and Fencing	12.8.6 Screening; 12.8.7 Screening of Outdoor Storage and Loading Areas; 12.8.8 Dumpster Screening
Sec. 20-6	Street Trees	Sec. 12.4 Street Trees
Sec. 20-7	Installation and Maintenance	Sec. 12.9 Plant Material Specifications; 12.9.7 Maintenance; 12.9.8 Sight Distance; 12.9.9 Steep Slopes
Sec. 20-8	Alternative Compliance	Sec. 12.7 Modified Parking Lot Screening and Landscaping Standards; 12.8.5 Modification Buffer-Yard Requirements
<b>Division 21</b>	<b>Outdoor Lighting</b>	
Sec. 21-1	General Provisions	12.11.4 Plan Required
Sec. 21-2	Exemptions and Prohibitions	12.11.6 Exemptions
Sec. 21-3	Lighting Standards	12.11.1 Standards for Certain Uses; 12.11.3 Standards



Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
<b>Division 22</b>	<b>Signs</b>	
Sec. 22-1	General Provisions	Sec. 15.1 General; Sec. 15.4 Exemptions; Sec. 15.6 Regulations Applicable to All Signs
Sec. 22-2	Prohibited Sign Types, Materials, Locations, and Design Elements	Sec. 15.5 Prohibited Signs
Sec. 22-3	Ground Signs	15.8.1 Residential District Signs; 15.8.2 Signs for Permitted Principal Uses; 15.8.3 Signs for Individual Businesses; 15.8.4 Signs for Multiple Businesses; 15.8.5 Signs for Commercial, Office and Industrial Centers
Sec. 22-4	Wall Signs	15.8.1 Residential District Signs; 15.8.3 Signs for Individual Businesses; 15.8.4 Signs for Multiple Businesses
Sec. 22-5	Incidental Signs	15.8.1 Residential District Signs; 15.8.3 Signs for Individual Businesses; 15.8.4 Signs for Multiple Businesses
Sec. 22-6	Illuminated and Digital Signs	NEW
Sec. 22-7	Signs for Specific Uses	15.8.6 Signs for Service Stations; 15.8.7 Signs for Vehicle Sales Dealerships; 15.8.8 Signs for Theaters; 15.8.9 Signs for Places of Assembly; 15.8.10 Signs for Banks
<b>Division 23</b>	<b>Noise Limitations</b>	
Sec. 23-1	Noise Limitations Standards	Sec. 7.9 Noise Limitations and Enforcement
<b>Article V</b>	<b>Review and Decision-Making Bodies</b>	
<b>Division 24</b>	<b>Elected and Appointed Officials</b>	
Sec. 24-1	Town Council	Sec. 2.1 Town Council
Sec. 24-2	Planning Commission	Sec. 2.2 Planning Commission
Sec. 24-3	Board of Architectural Review	Sec. 2.3 Board of Architectural Review
Sec. 24-4	Board of Zoning Appeals	Sec. 2.4 Board of Zoning Appeals
<b>Division 25</b>	<b>Administrative Officials</b>	
Sec. 25-1	Zoning Administrator	Sec. 2.5 Zoning Administrator
Sec. 25-2	Land Development Official	Sec. 2.6 Land Development Official
Sec. 25-3	Floodplain Administrator	NEW

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
Sec. 25-4	Hearing Officer	NEW
Article VI	Review and Approval Procedures	
Division 26	Common Review Procedures	
Sec. 26-1	Optional Pre-Application Conference	3.1.5 Pre-Application Conference; 3.3.4 Pre-application Conference; 3.4.3 Pre-application Conference; 3.16.3 Pre-application Conference
Sec. 26-2	Neighborhood Meeting	NEW
Sec. 26-3	Application Submittal and Completeness	15.2.1 Application for permit; 15.2.1 Permit fee; 3.1.1 Form of Application; 3.1.2 Application Filing Fees; 3.1.3 Application Completeness, Accuracy, and Substantial Amendment; 3.1.4 Burden of Proof or Persuasion; 3.2.1 Initiation of Text Amendments; 3.3.3 Initiation of Application; 3.3.5 Application Filing; 3.3.17 Successive Applications; 3.4.2 Initiation of Application; 3.4.4 Application Filing; 3.4.5 Concurrent Review; 3.4.7 Waivers/ Modifications of Submittal Requirements; 3.4.18 Successive Applications; 3.5.1 Filing of Application; 3.7.2 Zoning Permit Fees; 3.10.3 Application Filing Deadline and Fee; 3.10.10 Zoning Permits; Accurate Drawings of Approved Plans Required; 3.11.6 Form of Application; 3.11.12 Accurate Drawings of Approved Plans Required; 3.12.3 Initiation of Application; 3.12.4 Application Filing; 3.13.4 Initiation of Application; 3.13.5 Application Filing; 3.13.14 Re-Application; 3.14.3 Application Filing; 3.15.2 Right to Appeal; 3.15.3 Application Filing; 3.16.2 Initiation of Application; 3.16.4 Application Filing; 3.16.6 Request for Waiver/Modifications of Submittal Requirements; 3.16.13 Successive Applications; 15.12.4 Required Contents of Applications; 3.3.6 Submittal Requirements; 3.4.6 Submittal Requirements; 3.6.3 Application Submittal; 3.7.3 Application Submittal; 3.9.2 Submittal Requirements; 3.10.2 Required Contents of Applications; 3.11.5 Required Contents of Applications; 3.12.5 Submittal Requirements; 3.13.1 Submittal Requirements; 3.16.5 Submittal Requirements; 3.17.4 Designation of Affordable

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
		Units on Plats; 12.2.3 Contents of Landscape Plan; 12.2.4 Contents of a Tree Preservation Plan
Sec. 26-4	Application Review and Distribution	3.1.6 Official Review; 3.5.2 Agency Notification; 3.7.8 Review Time; 3.10.5 Review of Plans in a Timely Manner; 3.10.7 Board Authority to Seek Outside Advice; 3.11.8 Review of Plans in a Timely Manner
Sec. 26-5	Common Decision Criteria	3.3.8 Consistency with Town Plan; 3.12.9 Approval Criteria
Sec. 26-6	Public Notice	3.1.9 Public Hearing Notices; 3.2.2 Public Hearing Notice; 3.3.9 Public Hearing Notice; 3.13.7 Public Hearing Notice; 3.4.8 Public Hearing Notice; 3.10.4 Public Hearing Notice; 3.11.7 Public Hearing Notice; 3.12.6 Public Hearing Notice; 3.14.6 Public Hearing Notice; 3.15.5 Public Hearing Notice; 3.16.7 Public Hearing Notice
Sec. 26-7	Public Meetings and Hearings	NEW; Sec. 7.5.4, Public Meetings Required; Sec. 7.6.6, Public Meetings Required
Sec. 26-8	Post-Decision Provisions	15.2.1 Duration and revocation of permit; 3.4.15 Amendments to Approved Special Exceptions; 3.4.17 Revocation; 3.5.6 Revocation of Permit; 3.10.8 Form of Decision; 3.10.9 Explanation of Disapproval; 3.10.11 Conformance with Permit Required; 3.10.13 Change of Plans after Issuance of Certificate of Appropriateness; 3.11.10 Forms of Decision; 3.11.11 Explanation of Disapproval; 3.11.13 Conformance with Certificate Required
Sec. 26-9	Appeals	3.3.18 Appeals; 3.4.19 Appeals; 3.5.7 Appeal; 3.10.14 Appeals; 3.11.15 Appeals; 3.12.8 Town Council; 3.12.10 Appeals; 3.13.15 Appeals; 3.14.9 Appeals; 3.15.8 Appeals; 3.19.3 Appeals and Changes, Modifications or Reversals of Written Interpretations
Sec. 26-10	Withdraw, Inactive, and Expired Applications	3.1.10 Inactive Applications; 3.3.14 Withdrawal of Applications; 3.4.11 Withdrawal of Applications; 3.5.4 Termination; 3.5.5 Renewals, Extensions; 3.10.12 Lapse of Approval; 3.13.13 Withdrawal of Application; 3.14.10 Withdrawal of Application; 3.16.11 Withdrawal of Applications
Sec. 26-11	Development Review Summary Table	15.2.1 In general; 15.2.1 Duration and revocation of permit; 3.1.8 Summary of Procedures; 3.3.1 Purpose;

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
		3.2.2 Public Hearing Notice; 3.3.9 Public Hearing Notice; 3.4.1 Purpose and Intent; 3.4.8 Public Hearing Notice; 3.6.1 Applicability; 3.6.5 Lapse of Permit; 3.7.1 When Permits Required; 3.7.9 Lapse of Permit; 3.8.1 Wall Check Plat Required; 3.10.1 Applicability; 3.10.4 Public Hearing Notice; 3.11.1 Applicability; 3.11.7 Public Hearing Notice; 3.11.16 Lapse of Approval; 7.12.20, Lapse of Approval
<b>Division 27</b>	<b>Administrative Decisions</b>	
Sec. 27-1	Zoning Permit	3.7.4 Approved Plans; 3.7.5 Site Plans; 3.7.6 Standards for Issuance; 3.7.7 Display of Permit; Sec. 7.7.8 Zoning Permits
Sec. 27-2	Limited Use Review	NEW
Sec. 27-3	Affordable Dwelling Unit Development	3.17.1 Purpose; 3.17.2 Applicability; 3.17.3 Affordable Dwelling Unit Density Adjustments; 3.17.4 Designation of Affordable Units on Plats; 3.17.5 Timing of Construction/Availability of Affordable Units; 3.17.6 Administration and Regulation; 3.17.7 Modifications; 3.17.8 Compliance with State/Federal/Local Laws; 3.17.9 Violations and Penalties; 3.17.10 Enforcement and Court Appeals
Sec. 27-4	Certificate of Appropriateness (Administrative)	Sec 3.10.1 Applicability; Sec. 7.5.6, Administrative Approval of Certificate of Appropriateness; Sec. 7.6.4, Certificates of Appropriateness
Sec. 27-5	Historic District Demolition Permit (Administrative)	Sec 3.10.1 Applicability; Sec 7.5.6 Administrative Approval of Certificate of Appropriateness
Sec. 27-6	Floodplain Development Permit	NEW
Sec. 27-7	Demolition Permit	3.6.2 Exemptions; 3.6.4 Display of Permit
Sec. 27-8	Occupancy Permit	3.9.1 Certificates Required
Sec. 27-9	Written Interpretation	3.19.1 Written Interpretations; 3.19.2 Zoning Administrator's Response.
Sec. 27-10	Minor Modification	3.3.20 Minor Modifications; 7.10.12.A, Administrative Modifications
Sec. 27-11	Site Development Plan	New; 12.2.2 Review Procedures
Sec. 27-12	Wall Check Plat	3.8.1 Wall Check Plat Required
Sec. 27-13	Sign Permit	15.2.5 Temporary Sign Permits; 7.12.10, Sign

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
		Applications
Sec. 27-14	Comprehensive Sign Plan	Sec. 15.12 Comprehensive Sign Plans; 15.12.5 Standard for Review; 15.12.6 Amendments to Existing Comprehensive Sign Plans
Sec. 27-15	Commission Permit	3.12.2 Exemptions; 3.12.7 Planning Commission Review and Recommendation
Sec. 27-16	Temporary Use Permit	3.5.3 Issuance or Denial of Permit; 3.5.4 Termination
<b>Division 28</b>	<b>Legislative Decisions</b>	
Sec. 28-1	Town Plan Amendment	3.16.8 Planning Commission Review and Recommendation; 3.16.9 Town Council Review and Decision; 3.16.12 Approval Criteria
Sec. 28-2	Zoning Ordinance Text Amendment	Sec. 3.2 Zoning Ordinance Text Amendments (preamble); 3.2.3 Planning Commission Review and Recommendation; 3.2.4 Town Council Review and Decision; 3.2.5 Approval Criteria
Sec. 28-3	Zoning Map Amendment	3.3.2 Planned Developments; 3.3.7 Request for Waivers/Modifications of Submittal Requirements; 3.3.10 Planning Commission Review and Recommendation; 3.3.11 Request for Time Extension – Planning Commission; 3.3.12 Town Council Review and Decision; 3.3.13 Request for Time extension – Council; 3.3.15 Approval Criteria; 3.3.16 Proffers; 3.3.19 Amendment to Official Zoning Map
Sec. 28-4	Planned Development Districts	Sec. 8.2, Procedures
Sec. 28-5	Certificate of Appropriateness (BAR)	3.10.1.G Exemptions; 3.10.6 Board Action on Applications; Review and Approval Criteria; 3.11.2 Exemptions; 3.11.4 Definitions; 3.11.9 Board Actions on Applications; 7.5.5, Certificate of Appropriateness; Sec. 7.6.7, Design Criteria; Sec. 7.6.8, No Architectural Style to Be Required; Sec. 7.6.9, General Concept Plan; Sec. 7.12.7.A, Applicability; 7.12.8, Certificates of Appropriateness Applications; Sec. 7.12.11, Certificate of Appropriateness Application Process – Sec. 7.12.19, Appeals
Sec. 28-6	Historic District Demolition Permit (BAR)	Sec. 3.10.1 Applicability; Sec. 7.5.8, Demolition Applications; 7.12.9, Certificates of Demolition Required
Sec. 28-7	Special Exception	3.4.9 Planning Commission Review and Recommendation; 3.4.10 Town Council Review and

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
		Decision; 3.4.12 Approval Criteria; 3.4.13 Compliance with Use Standards; 3.4.14 Conditions and Safeguards; 3.4.16 Termination of Use
<b>Division 29</b>	<b>Quasi-Judicial Decisions</b>	
Sec. 29-1	Variance	3.13.1 Jurisdiction and Authority; 3.13.2 Authorized Variances; 3.13.3 Unauthorized Variance; 3.13.8 Board of Zoning Appeals Review and Decision; 3.13.9 Approval Criteria; 3.13.10 Applicant's Burden of Persuasion; 3.13.11 No Use Variances; 3.13.12 Conditions and Safeguards; Sec. 7.10.5.F, Modifications; Sec. 7.10.6.O, Modifications;
Sec. 29-2	Variance, Floodplain	NEW
Sec. 29-3	Interim Waiver	Sec. 3.18 Interim Waivers
Sec. 29-4	Appeal of Administrative Decision	3.14.2 Right to Appeal; 3.14.4 Effect of Filing; 3.14.5 Record of Administrative Decision; 3.14.7 Board of Zoning Appeals Review and Decision; 3.14.8 Approval Criteria; Findings of Fact
Sec. 29-5	Appeal of Proffer Interpretation	3.15.4 Record of Administrative Decision; 3.15.6 Town Council Review and Decision; 3.15.7 Approval Criteria; Findings of Fact
<b>Article VII</b>	<b>Nonconformities</b>	
<b>Division 30</b>	<b>General Provisions</b>	
Sec. 30-1	General Provisions	16.1.1 Applicability; 16.1.2 Purpose and Scope of Regulations; 16.1.3 Authority to Continue; 16.1.4 Determination of Nonconforming Status; 16.1.5 Repairs and Maintenance; 16.1.6 Change of Tenancy or Ownership
<b>Division 31</b>	<b>Types of Nonconformities</b>	
Sec. 31-1	Nonconforming Uses	Sec. 16.2 Nonconforming Uses; Sec. 7.7.7 Nonconforming Uses
Sec. 31-2	Nonconforming Structures	Sec. 16.3 Nonconforming Structures
Sec. 31-3	Nonconforming Lots of Record	Sec. 16.4 Nonconforming Lots
Sec. 31-4	Nonconforming Signs and Other Site Elements	Sec. 15.7 Non-Conforming Signs; New
<b>Division 32</b>	<b>Conversion of Nonconformities</b>	
Sec. 32-1	Conversion of Nonconformities	NEW

Chapter 35: Land Use and Development (Proposed)		Current Zoning Ordinance
Proposed Articles, Divisions, and Sections		Existing Sections
<b>Article VIII</b>	<b>Enforcement, Violations, and Penalties</b>	
<b>Division 33</b>	<b>Enforcement</b>	
Sec. 33-1	Responsibility for Enforcement	17.1.1 Responsibility for Enforcement
Sec. 33-2	Compliance Required	17.1.2 Compliance Required
<b>Division 34</b>	<b>Violations</b>	
Sec. 34-1	Criminal Violations	17.2.1 Criminal Violations and Sanctions; 17.3.1 Criminal Violations
Sec. 34-2	Civil Violations	17.2.2 Civil Violations and Penalties; 17.3.2 Civil Violations; Sec. 7.5.11 Violations
<b>Division 35</b>	<b>Penalties and Remedies</b>	
Sec. 35-1	Non-Judicial Remedies	Sec. 17.4 Additional Remedies
Sec. 35-2	Judicial Remedies	NEW
Sec. 35-3	Penalties	17.2.2 Civil Violations and Penalties; 17.2.1 Criminal Violations and Sanctions
<b>Article IX</b>	<b>Word Usage</b>	
<b>Division 36</b>	<b>Rules of Construction</b>	
Sec. 36-1	Rules of Construction	Sec. 1.8 Rules of Interpretation/Construction of Language; Sec. 1.7 Commentary
<b>Division 37</b>	<b>Definitions</b>	
Sec. 37-1	Definitions	Sec. 15.3 Definitions; 15.1.3 "Sign" Defined; Sec. 18.1 Terms Defined; Sec. 7.7.3, Definitions; 7.10.13, Definitions; Sec. 7.12.7.B, Definitions
<b>DESIGN AND CONSTRUCTION STANDARDS MANUAL (DCSM)</b>		
<p><i>These sections are posed to be moved to the DCSM because they are engineering standards rather than zoning regulations.</i></p>		<p>Table 12.9.6.A, Function Codes; Table 12.9.6.B, Large Canopy Trees; Table 12.9.6.C, Medium Canopy Trees; Table 12.9.6.D, Understory Trees; Table 12.9.6.E, Large Evergreen Trees; Table 12.9.6.F, Small Evergreen Trees; Table 12.9.6.G, Prohibited or Reduced Credit for Trees; Table 12.9.6.H., Evergreen Shrubs; Table 12.9.6.I., Deciduous and Flowering Shrubs; Table 12.9.6.J., Ground Cover</p>