



DEPARTMENT OF PLANNING & DEVELOPMENT
MAYOR BRETT P. SMILEY

December 10, 2024

To: City Plan Commission

From: Robert E. Azar, AICP, Deputy Director

Re: Comprehensive Plan Zoning Changes

The Department of Planning and Development, in conjunction with the Zoning Official and the Law Department, has prepared zoning changes to implement the land use policies in the Comprehensive Plan.

As we discussed last month, we are advancing the changes in two phases, the first with relatively simple changes where the direction is explicit in the plan, and the second with changes that will require more discussion. Below is a table that describes the proposed changes for the first phase that are contained in the attached ordinance amendment.

Comp Plan Reference	Zoning Ordinance Section Amended	Notes
Map 11.3 Base Zoning Map Changes	Base Zoning Map	The base zoning map is amended to correspond to Map 11.3. This includes changing areas of R-2 to R-3, changing areas of R-3 to R-4, changing all areas of C-1 to C-2, and other miscellaneous changes.
Map 11.4 Overlay Zoning Change Map	Overlay Zoning Map	The overlay zoning map is amended to correspond to Map 11.4. Properties without historic resources are removed from the historic district. Properties are added to the historic district where the owner has consented. The Capital Center overlay district is removed.
Objective LU3.B. In medium-density residential areas, two-family zoning should be rezoned to three-family zoning.	300, 400, Table 4-1, Table 12-1, 1202.K and L, 1300, 1302.Q, Table 14-1, 1500, Tables 16-1 and 2	All references to R-2 zone are deleted.
Objective LU4.A. In areas designated as neighborhood commercial/mixed use, combine the C-1 and C-2 zoning districts.	300, 500, Table 5-1, 503, Table 12-1, 1202.T	All references to C-1 zone are deleted. C-2 setbacks and use regulations are adjusted.
Objective BE1.D. Consolidate the development review process in Downtown by dissolving the Capital Center Commission and subjecting all projects to a uniform development plan review process.	300, 1100, 1101, 1601, 1706, 1717, Table 18-1, 1801, 1904, 1905, 1907, 1909	All references to Capital Center district are deleted.
Objective LU3.I. Allow for lots that had previously been merged to be subdivided.	2003.D	Allows for creation of substandard lots when it can be demonstrated that substandard lots had previously existed.

Comp Plan Reference	Zoning Ordinance Section Amended	Notes
Objective LU3.A and B. 6. Allow for multifamily development, rowhouse, and cluster development in R1, R-1A and R-3 at appropriate densities.	Table 4-1, Table 12-1, 1202.K and L, 1204	Dimensional and use regulations for R-1A, R-1, and R-3 zones adjusted to allow for these types of development.
Objective LU3.C. In high-density residential areas, dwelling unit density will be defined.	1202.K	Regulations regarding dwelling unit density are added.
Objective LU3.G. Further regulate short-term rentals.	1202.K	Adds R-4 to zones where properties containing short-term rentals must be owner-occupied.
Miscellaneous changes to improve or clarify the ordinance.	201	Changes to comply with recent state law change regarding household definition.
	1202.D, J, BB, CC, and DD; 1301; 1302.B and S	Changes to remove stray references to special use permits without standards to comply with recent state law change or to revise special use standards.
	202.F and L	Amends rules of measurement regarding calculation of impervious surface and land-locked lots.
	Table 12-1, 1204	Revises the regulations for vehicle dealership, rental and repair to make repair its own use and to prohibit repair in C-2.
	1302.A and Table 13-2	Allows stairs to encroach into front yards.
	1302.I	Revises regulations to prevent retaining walls in residential districts being made of massive concrete blocks.
	1302.N	Applies refuse container regulations to one-, two-, and three-family dwellings.
	1407	Revises curb cut regulations for clarity.
	1501	Requires plans to show how landscaping material will be contained to prevent it from migrating off site.

Comp Plan Reference	Zoning Ordinance Section Amended	Notes
	1503	Amends significant tree rules to require replacement when a significant tree is removed. Deletes penalty section found by a court not to be enforceable.
	1505	Removes a reference to gross floor area, which applies only to buildings, not parking lots.
	1800.B	Requires a pre-application conference for zoning change petitions.
	2003.C	Corrects terminology to be consistent with the rest of the section.
	2004.C	Requires landscaping and impervious surface compliance when garages or outbuildings are constructed or converted into ADUs.