

ORDINANCE NO. BL2019-111

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, to create certain new zoning districts which prohibit STRP uses and to make minor corrections, all of which is more particularly described herein (Proposal No. 2020Z-003TX-001).

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, is hereby amended as shown in Exhibit A.

Section 2. That this Ordinance shall take effect immediately after its passage and that such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Sean Parker

Kyonzté Toombs

Colby Sledge

Members of Council

EXHIBIT A

Chapter 17.08: Zoning District and Land Uses

17.08.010 - Zoning districts established.

1. **Modify** Subsection B.3 as follows:

3. Multi-Family Districts:
- a. RM2 (2 units an acre).
 - b. RM2-NS (2 units an acre).
 - ~~b~~c. RM4 (4 units an acre).
 - d. RM4-NS (4 units an acre).
 - ~~c~~e. RM6 (6 units an acre).
 - f. RM6-NS (6 units an acre).
 - ~~d~~g. RM9 (9 units an acre).
 - eh. RM9-A (9 units an acre).
 - i. RM9-NS (9 units an acre).
 - j. RM9-A-NS (9 units an acre).
 - ~~e~~k. RM15 (15 units an acre).
 - gl. RM15-A (15 units an acre).
 - m. RM15-NS (15 units an acre).
 - n. RM15-A-NS (15 units an acre).
 - ~~f~~o. RM20 (20 units an acre).
 - ip. RM20-A (20 units an acre).
 - q. RM20-NS (20 units an acre).
 - r. RM20-A-NS (20 units an acre).
 - ~~g~~s. RM40 (40 units an acre).
 - kt. RM40-A (40 units an acre).
 - u. RM40-NS (40 units an acre).
 - v. RM40-A-NS (40 units an acre).
 - ~~h~~w. RM60 (60 units an acre).
 - mx. RM60-A (60 units an acre).
 - y. RM60-NS (60 units an acre).
 - z. RM60-A-NS (60 units an acre).
 - ~~aa~~aa. RM80-A (80 units an acre).
 - bb. RM80-A-NS (80 units an acre).
 - ~~cc~~cc. RM100-A (100 units an acre).
 - dd. RM100-A-NS (100 units an acre).

2. **Modify** Subsections D, E, F, and H as follows:

- D. Mixed-Use Districts:
- 1. MUN Mixed-Use Neighborhood.
 - 2. MUN-A Mixed-Use Neighborhood Alternative.
 - 3. MUN-NS Mixed-Use Neighborhood No STRP.
 - 4. MUN-A-NS Mixed-Use Neighborhood Alternative No STRP.
 - ~~3~~5. MUL Mixed-Use Limited.
 - ~~4~~6. MUL-A Mixed-Use Limited Alternative.
 - 7. MUL-NS Mixed-Use Limited No STRP.
 - 8. MUL-A-NS Mixed-Use Limited Alternative No STRP.
 - ~~5~~9. MUG Mixed-Use General.
 - 610. MUG-A Mixed-Use General Alternative
 - 11. MUG-NS Mixed-Use General No STRP.

- 12. MUG-A-NS Mixed-Use General Alternative No STRP.
- 713. MUI Mixed-Use Intensive
- 814. MUI-A Mixed-Use Intensive Alternative
- 15. MUI-NS Mixed-Use Intensive No STRP.
- 16. MUI-A-NS Mixed-Use Intensive Alternative No STRP.
- E. Office Districts:
 - 1. OR20 Office/Residential (20 units an acre).
 - 2. OR20-A Office/Residential Alternative (20 units an acre).
 - 3. OR20-NS Office/Residential No STRP (20 units an acre).
 - 4. OR20-A-NS Office/Residential Alternative No STRP (20 units an acre).
 - 35. OR40 Office/Residential (40 units an acre).
 - 46. OR40-A Office-Residential Alternative (40 units an acre).
 - 7. OR40-NS Office/Residential No STRP (40 units an acre).
 - 8. OR40-A-NS Office/Residential Alternative No STRP (40 units an acre).
 - 59. ON Office Neighborhood.
 - 610. OL Office Limited.
 - 711. OG Office General.
 - 12. OG-NS Office General No STRP.
 - 813. ORI Office/Residential Intensive.
 - 914. ORI-A Office/Residential Intensive Alternative.
 - 15. ORI-NS Office/Residential Intensive No STRP.
 - 16. ORI-A-NS Office/Residential Intensive Alternative No STRP.
- F. Commercial Districts:
 - 1. CN Commercial Neighborhood.
 - 2. CN-A Commercial Neighborhood Alternative.
 - 3. CN-NS Commercial Neighborhood No STRP.
 - 4. CN-A-NS Commercial Neighborhood Alternative No STRP.
 - 35. CL Commercial Limited.
 - 46. CL-A Commercial Limited Alternative.
 - 7. CL-NS Commercial Limited No STRP.
 - 8. CL-A-NS Commercial Limited Alternative No STRP.
 - 59. CS Commercial Service.
 - 610. CS-A Commercial Service Alternative.
 - 11. CS-NS Commercial Service No STRP.
 - 12. CS-A-NS Commercial Service Alternative No STRP.
 - 713. CA Commercial Attraction.
 - 14. CA-NS Commercial Attraction No STRP.
 - 815. CF Commercial Core Frame.
 - 16. CF-NS Commercial Core Frame No STRP.
- H. Shopping Center Districts:
 - 1. SCN Shopping Center Neighborhood.
 - 2. SCN-NS Shopping Center Neighborhood No STRP.
 - 23. SCC Shopping Center Community.
 - 4. SCC-NS Shopping Center Community No STRP.
 - 35. SCR Shopping Center Regional.
 - 6. SCR-NS Shopping Center Regional No STRP.

Section 17.08.020 – Zoning districts described.

3. **Modify** Subsection B.3 as follows:

B.3. Multifamily (RM) Districts. The RM districts are designed for a range of low to very high intensity residential development characterized by multi-family structures. The lower density districts are appropriate for tracts of land encumbered by severe environmental

constraints. Districts at the higher end of the density range for each density category of the general plan are intended to be placed on higher classifications of streets and in closer proximity to mass transit corridors, retail services, or employment opportunities. High density districts also may be appropriate in certain nonresidential policy areas where residential development would implement the general plan. Owners are encouraged to plan and develop multifamily complexes capitalizing on the more flexible design opportunities of Article V of Chapter 17.40.

- a. RM2, RM2-NS, and RM4, and RM4-NS Districts. These districts are designed primarily for low intensity multi-family structures of one, two or three stories, and are appropriate for implementing the residential low-medium density policies of the general plan. These districts also may be employed within selected areas of natural conservation policy that are environmentally suitable and have urban services. The RM4 district may be used in areas policed for medium density residential development. RM2-NS and RM4-NS are designed to allow the same standards and uses of the RM2 and RM4 districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
- b. RM6, RM6-NS, RM9, RM9-NS, and RM9-A, and RM9-A-NS Districts. Designed primarily for low to medium intensity multifamily development of two-story or three-story structures, these districts are appropriate for areas designated in the general plan to have low to moderate intensity residential development to meet the goals of preservation of open space or environmental features while creating opportunities walkable communities with housing choice and the ability to support transit. The RM9 or RM9-A district also may be appropriate for areas policed for lower intensity office and mixed-use development, or along mixed-use corridors. Generally, these districts should have good access to either arterial or collector streets. RM9-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. RM6-NS, RM9-NS, and RM9-A-NS are designed to allow the same standards and uses of the RM6, RM9, and RM9-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
- c. RM15, RM15-NS, RM15-A, RM15-A-NS, RM20, RM20-NS, and RM20-A, and RM20-A-NS Districts. Designed for moderately high intensity multifamily structures, these districts are appropriate for areas designated in the general plan to have more intense residential development to meet the policy goals of encouraging transit and walkable communities, preserving open space and environmental features and providing a mix of housing types. These districts may also be used in areas envisioned to evolve from solely commercial to more mixed-use development along primary corridors and in mixed-use centers. These districts should have good access to arterial streets and public transportation service. RM15-A and RM20-A are designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and as an alternative to a zoning district that requires a site plan. RM15-NS, RM15-A-NS, RM20-NS, and RM20-A-NS are designed to allow the same standards and uses of the RM15, RM15-A, RM20, and RM20-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
- d. RM40, RM40-NS, RM40-A, RM40-A-NS, RM60, RM60-NS, and RM60-A, and RM60-A-NS Districts. These districts are designed for high intensity multifamily development, typically characterized by mid- and high-rise structures and structured parking. These districts are appropriate for areas designated in the general plan to have residential development at moderate to high intensities, and along to primary corridors to meet the policy goals of creating transit-oriented communities and diversity of housing

choice. These districts may also be appropriate as a transition between more intense mixed-use centers and surrounding neighborhoods. These districts should have good access to arterial streets and public transportation service. RM40-A and RM60-A are designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and as an alternative to a zoning district that requires a site plan. RM40-NS, RM40-A-NS, RM60-NS, and RM60-A-NS are designed to allow the same standards and uses of the RM40, RM40-A, RM60, and RM60-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

- e. RM80-A, RM80-A-NS, ~~and~~ RM100-A, and RM100-A-NS Districts. These districts are designed for high intensity residential structures, typically characterized by mid- and high-rise structures and structured parking. These districts are appropriate for implementing strictly residential policies of the general plan in areas characterized by the highest levels of accessibility, mass transit opportunities and essential support services. RM80-A and RM100-A are designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and as an alternative to a zoning district that requires a site plan. RM80-A-NS, and RM100-A-NS are designed to allow the same standards and uses of the RM80-A and RM100-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

4. **Modify** Subsections D, E, F, and H as follows:

- D. Mixed-Use Districts. The purpose of all mixed-use districts is to provide for and encourage a mix of compatible land uses that provide opportunities to live, work and shop within compact areas. Included among the common goals for these districts is the efficient use of land capitalizing on a high level of services, reduced reliance on the automobile with enhanced usage of mass transit, strong pedestrian relationships, and creative opportunities for the economical preservation and adaptive reuse of existing structures, most notably those which contribute to the historic resources of the community. A mixture of residential, office, personal service and retail shopping opportunities is encouraged within all mixed-use districts with individual components complimenting and reinforcing other uses within the district. Owners are encouraged to plan and develop mixed-use projects capitalizing on the more flexible design opportunities offered by Article V of Chapter 17.40.

To effectively implement the mixed use policies of the general plan, a variety of mixed-use districts are provided that offer a range of permitted uses and intensities of development.

The lowest intensity districts encourage development at intensities commensurate with nearby residential areas and local shopping services. The higher intensity mixed-use districts, being more permissive in the allowable intensity of development and the range of nonresidential uses, are intended to be located in areas characterized by excellent mass transit opportunities and high levels of support services.

- 1. MUN, Mixed-Use Neighborhood District, MUN-NS, Mixed-Use Neighborhood District No STRP, and MUN-A, Mixed-Use Neighborhood District Alternative, and Mixed-Use Neighborhood District Alternative No STRP. Designed to implement the lower intensity mixed-use policies of the general plan, this district also may be used as an alternative to commercial zoning along prominent streets, or to promote the preservation and adaptive reuse of existing buildings that contribute to the historical or architectural character of an area. Bulk standards are designed to maintain a residential-scale of development. At a minimum, these districts should have good access to collector streets and public transportation service. MUN-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. MUN-NS, and MUN-A-NS are designed to allow the same

standards and uses of the MUN and MUN-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

2. MUL, Mixed-Use Limited District, MUL-NS, Mixed Use Limited District No STRP, and MUL-A, Mixed-Use Limited District Alternative, and MUL-A-NS, Mixed-Use Limited District Alternative No STRP. The MUL and MUL-A districts are intended to implement the moderate intensity mixed-use policies of the general plan. These districts also may be used in areas policed for concentrations of mixed commercial uses and for existing areas of commercial arterial development that are located in the vicinity of major intersections. The bulk standards permitted by this district, along with the range of allowable uses, are designed to promote the preservation and adaptive reuse of larger structures that contribute to the historical or architectural character of an area. These districts should be applied to areas that have good access to collector or arterial streets and public transportation service. MUL-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. MUL-NS, and MUL-A-NS are designed to allow the same standards and uses of the MUL and MUL-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
3. MUG, Mixed-Use General District, MUG-NS, Mixed-Use General District No STRP, and MUG-A, Mixed-Use General District Alternative, MUG-A-NS, Mixed-Use General District Alternative No STRP. The MUG and MUG-A districts are intended to implement the moderately high intensity mixed-use policies of the general plan, being appropriate near major concentrations of employment, commercial or institutional uses. These districts also may be used near the central business district, within regional activity centers, or in areas otherwise policed for concentrations of mixed commercial development with high levels of accessibility, including public transit service. The bulk regulations are designed to encourage consolidation of land and large scale development on or near arterial streets. MUG-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. MUG-NS, and MUG-A-NS are designed to allow the same standards and uses of the MUG and MUG-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
4. MUI, Mixed-Use Intensive District, Mixed-Use Intensive District No STRP, and MUI-A, Mixed-Use Intensive District Alternative, Mixed-Use Intensive District Alternative No STRP. The MUI and MUI-A districts permit a mixture of high intensity residential, office and compatible commercial uses in areas characterized by the highest levels of accessibility, mass transit opportunities and essential support services. The bulk standards for this district permit large scale buildings, and include incentives to locate off-street parking within structures. It is intended that this district be applied to areas near downtown in a manner consistent with the general plan and other adopted redevelopment plans, to selected segments of major traffic arteries extending from the downtown core area, or for selected portions of activity centers designated by the general plan. MUI-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. MUI-NS, and MUI-A-NS are designed to allow the same standards and uses of the MUI and MUI-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
- E. Office Districts. These districts are intended for office development at various scales and levels of intensity, ranging from low intensity structures providing neighborhood services immediately adjacent to residential areas to structures of moderately high bulk located along major street corridors. When conventional methods of buffering would be ineffective, low intensity office

districts may be used as a land use transition separating a residential area from more intrusive commercial (or industrial) zoning, provided there is a clear market demand for additional office use opportunities.

1. OR20, Office/Residential District, OR20-NS, Office/Residential District No STRP, and OR20-A, Office/Residential District Alternative, OR20-A-NS, Office/Residential District Alternative No STRP. The OR20 and OR20-A districts are designed for a mixture of compatible office and multifamily residential use at medium-high density levels of intensity. These districts are encouraged to locate in areas with good vehicular accessibility, preferably along collector or arterial streets, with access to public transportation services. OR20-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. OR20-NS, and OR20-A-NS are designed to allow the same standards and uses of the OR20 and OR20-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
2. OR40, Office/Residential District, OR40-NS, Office/Residential District No STRP, and OR40-A, Office/Residential District Alternative, and OR40-A-NS, Office/Residential District Alternative No STRP. The OR40 and OR40-A districts are designed for a mixture of office and multi-family uses at high density levels of intensity. These districts are encouraged to locate in areas characterized by high levels of accessibility, preferably along arterial streets, with access to public transportation services. OR40-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. OR40-NS, and OR40-A-NS are designed to allow the same standards and uses of the OR40 and OR40-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
3. ON, Office Neighborhood District. The ON district is designed for low intensity office development, the ON district is appropriate for implementing the general plan's transitional office policies where the application of physical buffers would be ineffective or not feasible. Since this district often abuts residential areas, permitted uses and the associated bulk standards are limited accordingly.
4. OL, Office Limited District. The OL district is designed for moderate intensity office development, being appropriate for areas where concentration of office and /or mixed commercial areas are intended. If warranted, this district may be employed as a land use transition between higher density residential areas and noncompatible commercial or industrial uses.
5. OG, Office General District and OG-NS, Office General District No STRP. The OG district is designed for moderately high intensity office development and may be appropriate for use within regional activity centers, or areas policed for concentrations of office and commercial uses. The OG district should be served by an arterial street with mass transportation service. OG-NS is designed to allow the same standards and uses of the OG with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
6. ORI, Office/Residential Intensive District, ORI-NS, Office/Residential Intensive District No STRP, and ORI-A, Office Residential Intensive District Alternative, ORI-A-NS, Office/Residential Intensive District Alternative No STRP. The ORI district is designed to provide adequate and suitable space in appropriate locations for high intensity office uses mutually compatible with high-density residential uses. A selective list of retail trade, business service and personal care service uses are permitted if the principal purpose is to serve the recurring needs of the occupants or employees of other permitted uses in these districts. These districts are appropriately located between districts characterized by less intense residential and office development and areas of more intensive commercial uses, or they are extensions along major traffic arteries from areas used for more intensive

commercial purposes. ORI-A is designed to create walkable neighborhoods through the use of appropriate building placement and bulk standards and is an alternative to a zoning district that requires a site plan. ORI-NS and ORI-A-NS are designed to allow the same standards and uses of the ORI and ORI-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

- F. Commercial Districts. Commercial districts are designed for establishments engaged in a variety of consumer sales and service uses, professional and business services, and recreational uses. Freestanding structures are common within these commercial districts, with most businesses desiring to be oriented toward major streets and thoroughfares.
1. CN, Commercial Neighborhood District, CN-NS, Commercial Neighborhood District No STRP, and CN-A, Commercial Neighborhood District Alternative, CN-A-NS, Commercial Neighborhood District Alternative No STRP. The CN and CN-A districts will implement the local convenience and neighborhood retail policies of the general plan. These districts are designed to provide for the recurring shopping and personal service needs of nearby residential areas. The range of permitted uses is limited to those which are generally patronized on a frequent basis by neighborhood residents. The bulk and buffering standards are intended to insure good compatibility between the commercial uses and adjacent residential properties. CN-NS and CN-A-NS are designed to allow the same standards and uses of the CN and CN-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
 2. CL, Commercial Limited District, CL-NS, Commercial Limited District No STRP, and CL-A, Commercial Limited District Alternative, CL-A-NS, Commercial Limited District Alternative No STRP. The CL and CL-A districts are designed to provide for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices. The uses in this district serve a moderately wide market area, and therefore ease of automobile access is requisite. CL-NS and CL-A-NS are designed to allow the same standards and uses of the CL and CL-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
 3. CS, Commercial Service District, CS-NS, Commercial Service District No STRP, and CS-A, Commercial Service District Alternative, CS-A-NS, Commercial Service District Alternative No STRP. The CS and CS-A districts are intended to provide opportunities for a diverse range of commercial uses that include retail trade and consumer services, automobile sales and repair, small scale custom assembly, restaurants, entertainment and amusement establishments, financial, consulting and administrative services. Business establishments in the CS and CS-A districts often serve a wide market area, and ease of automobile access is requisite. However, it is not intended that this district permit uses which generate truck traffic other than the stocking of products. Because of the diverse nature of uses found in these districts, bulk and buffering standards are designed to protect neighboring areas. CS-NS and CS-A-NS are designed to allow the same standards and uses of the CS and CS-A districts with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
 4. CA, Commercial Attraction District and CA-NS, Commercial Attraction District No STRP. The CA district provides a diverse range of amusement and recreational uses in association with overnight accommodations and a variety of retail and support services typically affiliated with the tourist industry. Bulk and parking standards are designed to reflect the high traffic generation rates commonly associated with uses found in this district. The CA district may be appropriate for selected areas policed for a regional activity center, or for concentrations of mixed commercial development. This district also may have limited

application within super community scale retail concentrations, and in the vicinity of major intersections within existing arterial commercial areas. CA-NS is designed to allow the same standards and uses of the CA district with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

5. CF, Core Frame District and CF, Core Frame District, No STRP. The CF district is intended to implement the general plan's central business district land use policies for support services. The district is designed primarily for a diverse variety of business service functions along with retail trade and consumer service establishments and large parking structures that require locations in proximity to the central business district. CF-NS is designed to allow the same standards and uses of the CF district with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
- H. Shopping Center Districts. Shopping center districts provide retail shopping opportunities within developments that are encouraged to function as planned centers. Designed to implement specific retail and mixed use policies of the general plan, the range of uses and scale are established in accordance with defined market objectives and locational criteria. Property owners are encouraged to plan and develop shopping centers capitalizing on the more flexible design opportunities offered by Article V of Chapter 17.40.
 1. SCN, Shopping Center Neighborhood District and SCN-NS, Shopping Center Neighborhood District No Short Term Rental. The SCN district will implement the neighborhood retail policies of the general plan, being designed to provide sufficient space in planned development for local retail and service trades catering specifically to the recurring shopping needs of nearby residences. The range of permitted uses and restrictive bulk standards are reflective of the limited market base served by this district and its close proximity to residential areas. Guided by locational policies of the general plan, appropriate locations for this district will be at selected intersections of collector or arterial streets that are centrally located within the intended market area. SCN-NS is designed to allow the same standards and uses of the CA district with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
 2. SCC, Shopping Center Community District and SCC-NS, Shopping Center Community District No STRP. The SCC district will implement the community and super community retail policies of the general plan. The SCC district is designed for retail and service trades catering to a community-scale market of approximately thirty-five thousand to one hundred thousand people with the range of permitted uses and bulk standards reflective of a community-scale market base. The SCC district is to be applied in a compact manner at major street intersections, centrally located within the intended market area, with preference given to arterial intersections in which both streets have at least four travel lanes. SCC-NS is designed to allow the same standards and uses of the SCC district with the exception of prohibiting Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.
 3. SCR, Shopping Center Regional District and SCR-NS, Shopping Center Regional District No STRP. The SCR district will implement the super community and regional activity center policies of the general plan. This district is designed for retail and service trades catering to a regional market area, with bulk standards and a broad range of permitted uses supporting the development of shopping malls with large specialized retail anchors. Accessibility to and circulation within SCR districts is of particular importance due to the anticipated intensity of development and the relatively high rates of traffic generated by certain uses within a center. Preferred locations are at intersections of six-lane streets or at the interchange of a freeway and a four-lane (or greater) arterial street. This district should be served by a variety of public transit services. SCR-NS is designed to allow the same standards and uses of the SCR district with the exception of prohibiting Short Term

Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses from the districts.

Section 17.08.030 - District land use tables.

5. **Modify** the district land use tables as follows:

		Residential		Mixed Use				Office			Commercial					Shop Cent		
Key: P- Permitted PC- Permitted w/ conditions* SE- Special exception* A- Accessory* O- Overlay * Refer to Chapter 17.16 for standards		RM2 through RM20- A-NS	RM4 0 through RM1 00- A- NS	MUN z MUN -NS, and MUN -A, and MUN -A- NS	MULz MUL- NS, and MUL- A, and MUL- A-NS	MUGz MUG- NS, and MUG- A, and MUG- A-NS	MUIz MUI-NS, and MUI-A, and MUI-A- NS	OG and OG- NS	OR20 through OR40 -A- NS	ORIz ORI- NS, and ORI-A, and ORI- A-NS	CNz CN- NS, and CN- A, and CN- A- NS	CLz CL- NS, and CL- A, and CL- A- NS	CSz CS- NS, and CS- A, and CS- A- NS	CA and CA- NS	CF and CF- NS	SC N and SC N- NS	SC and SC NS	
Short term rental property (STRP) —Owner occupied		A^	A^	A^	A^	A^	A^	A^	A^	A^	A^	A^	A^	A^	A^	A^	A^	A^
Short term rental property (STRP) —Not owner occupied		PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^	PC^

6. **Insert** the following note below the table:

^ Short Term Rental Property – Owner Occupied and Short Term Rental Property – Not Owner Occupied uses shall be prohibited from NS Districts

Chapter 17.12: District Bulk Regulations

Table 17.12.020A SINGLE-FAMILY AND TWO-FAMILY DWELLINGS

7. **Modify** the zoning districts as follows:

Zoning District
RS3.75, RS3.75-A, OR40
RM2, RM2-NS
RM4, RM4-NS
RM6, RM6-NS
RM9, RM9-A, RM9-NS, RM9-A-NS
RM15, RM15-A, RM15-NS, RM15-A-NS
RM20, RM20-A, RM20-NS, RM20-A-NS, OR20, OR20-A, OR20-NS, OR20-A-NS
RM40, RM40-A, RM40-NS, RM40-A-NS, RM60, RM60-A, RM60-NS, RM60-A-NS, I, MUN, MUN-A, MUN-NS, MUN-A-NS, MUL, MUL-A, MUL-NS, MUL-A-NS, MUG, MUG-A, MUG-NS, MUG-A-NS, MUI, MUI-A, MUI-NS, MUI-A-NS, ON, OR40, OR40-A, OR40-NS, OR40-A-NS, ORI, ORI-A, ORI-NS, ORI-A-NS

8. **Modify** Note 3 as follows:

Note 3: Single-family and two-family dwellings in the ~~RM9-A, RM9-A-NS, RM15-A, RM15-A-NS, RM20-A, RM20-A-NS, RM40-A, RM40-A-NS, OR20-A, OR20-A-NS, OR40-A, OR40-A-NS, ORI-A, ORI-A-NS, MUN-A, MUN-A-NS, MUL-A, MUL-A-NS, MUG-A, MUG-A-NS, and MUI-A, and MUI-A-NS~~ shall use the build-to zone standards listed in Table 17.12.020D.

Table 17.12.020B - MULTIFAMILY, MOBILE HOMES AND NONRESIDENTIAL USES

9. **Modify** the zoning districts as follows:

Zoning Districts
RM2, RM2-NS
RM4, RM4-NS
RM6, RM6-NS
RM9, RM9-NS
RM15, RM15-NS
RM20, RM20-NS, OR20, OR20-NS

RM40, <u>RM40-NS</u> , <u>OR40</u> , <u>OR40-NS</u>
RM60, <u>RM60-NS</u>

10. **Modify** Note 2 as follows:

Note 2: No maximum FAR applies to multifamily developments in the RM15, RM15-NS, RM20, RM20-NS, RM40, RM40-NS, RM60, RM60-NS, OR20, OR20-NS, or OR40, OR40-NS districts.

Table 17.12.020B.1 MINIMUM LOT SIZE AND SETBACKS FOR ATTACHED HOUSING

11. **Modify** the zoning districts as follows:

Zoning District
RM2, <u>RM2-NS</u> , RM4, <u>RM4-NS</u> , RM6, <u>RM6-NS</u> , RM9, <u>RM9-NS</u> , RM9-A, <u>RM9-A-NS</u>
RM15, <u>RM15-NS</u> , RM15-A, <u>RM15-A-NS</u>
RM20, <u>RM20-NS</u> , RM20-A, <u>RM20-A-NS</u> OR20, <u>OR20-NS</u> , OR20-A, <u>OR20-A-NS</u> , <u>OR40</u> , <u>OR40-NS</u> , <u>OR40-A</u> , <u>OR40-A-NS</u> , <u>ORI</u> , <u>ORI-NS</u> , <u>ORI-A</u> , <u>ORI-A-NS</u> , <u>MUN</u> , <u>MUN-NS</u> , <u>MUN-A</u> , <u>MUN-A-NS</u> , <u>MUL</u> , <u>MUL-NS</u> , <u>MUL-A</u> , <u>MUL-A-NS</u> , <u>MUG</u> , <u>MUG-NS</u> , <u>MUG-A</u> , <u>MUG-A-NS</u> , <u>MUI</u> , <u>MUI-NS</u> , <u>MUI-A</u> , <u>MUI-A-NS</u> , <u>RM40</u> , <u>RM40-NS</u> , <u>RM40-A</u> , <u>RM40-A-NS</u> , <u>RM60</u> , <u>RM60-NS</u> , <u>RM60-A</u> , <u>RM60-A-NS</u> , <u>RM80-A</u> , <u>RM80-A-NS</u> , <u>RM100-A</u> , <u>RM100-A-NS</u>

Table 17.12.020C MIXED-USE AND NONRESIDENTIAL DISTRICTS

12. **Modify** the zoning districts as follows:

Zoning District
<u>MUN</u> , <u>MUN-NS</u>
<u>MUL</u> , <u>MUL-NS</u>
<u>MUG</u> , <u>MUG-NS</u>
<u>MUI</u> , <u>MUI-NS</u>
<u>OG</u> , <u>OG-NS</u>
<u>ORI</u> , <u>ORI-NS</u>
<u>CN</u> , <u>CN-NS</u>
<u>CL</u> , <u>CL-NS</u>
<u>CS</u> , <u>CS-NS</u>
<u>CA</u> , <u>CA-NS</u>
<u>CF</u> , <u>CF-NS</u>
<u>SCN</u> , <u>SCN-NS</u>
<u>SCC</u> , <u>SCC-NS</u>
<u>SCR</u> , <u>SCR-NS</u>

13. **Modify** Notes 1 & 2 as follows:

Note 1: ~~Within the urban zoning overlay district, the maximum floor area ratio for the I district shall be 1.50. [Reserved.]~~

Note 2: Floor area bonuses are available (1) for the MUI and MUI-NS districts, and (2) within the urban zoning overlay district, for all mixed-use districts (See Section 17.12.060).

Table 17.12.020D MULTI-FAMILY, MIXED USE AND NONRESIDENTIAL ALTERNATIVE ZONING DISTRICTS

14. **Modify** the zoning districts as follows:

Zoning District
<u>MUN-A, MUN-A-NS</u>
<u>MUL-A, MUL-A-NS</u>
<u>MUG-A, MUG-A-NS</u>
<u>MUI-A, MUI-A-NS</u>
<u>RM9-A, RM9-A-NS</u>
<u>RM15-A, RM15-A-NS</u>
<u>RM20-A, RM20-A-NS, OR20-A, OR20-A-NS</u>
<u>RM40-A, RM40-A-NS, OR40-A, OR40-A-NS</u>
<u>RM60-A, RM60-A-NS</u>
<u>RM80-A, RM80-A-NS</u>
<u>RM100-A, RM100-A-NS</u>
<u>ORI-A, ORI-A-NS</u>
<u>CN-A, CN-A-NS</u>
<u>CL-A, CL-A-NS</u>
<u>CS-A, CS-A-NS</u>

15. **Modify** Note 1 as follows:

Note 1: The area of any parcel dedicated as right-of-way as part of a related development process may be used to calculate FAR or density for the applicable property. No maximum FAR applies to multi-family developments in the RM9-A and RM9-A-NS thru RM40-A and RM40-A-NS and OR20-A, OR20-A-NS, OR40-A, OR40-A-NS, and ORI-A, ORI-A-NS districts.

Table 17.12.030A STREET SETBACKS FOR SINGLE AND TWO-FAMILY STRUCTURES

16. **Modify** the zoning districts as follows:

Zoning Districts
<u>RS30, R30, RS20, R20, RS15, R15, RM2, RM2-NS</u>
<u>RS10, R10, R8, R8-A, RS7.5, RS7.5-A, R6, R6-A, RS5, RS5-A, RS3.75, RS3.75-A, MHP, RM4 and RM4-NS</u> through <u>RM60 and RM60-NS, MUN,</u>

<u>MUN-NS, MUL, MUL-NS, MUG, MUG-NS, MUI, MUI-NS, ON, OR20, OR20-NS, OR40, OR40-NS, and ORI, and ORI-NS</u>
<u>RM9-A and RM9-A-NS through RM100-A and RM100-A-NS, MUN-A, MUN-A-NS, MUL-A, MUL-A-NS, MUG-A, MUG-A-NS, MUI-A, MUI-A-NS, OR20-A, OR20-A-NS, OR40-A, OR40-A-NS, and ORI-A, ORI-A-NS</u>

Table 17.12.030B STREET SETBACKS FOR MULTI-FAMILY AND NON-RESIDENTIAL DISTRICTS; AND NON-RESIDENTIAL USES IN AG, AR2A, R/R-A AND RS/RS-A DISTRICTS

17. **Modify** the table as follows:

	AG— RM15 and RM15-NS	RM20, RM20- NS, RM40, RM40- NS	ON, OL, OG, OG- NS OR20, OR20- NS, OR40, OR40- NS	RM60, RM60- NS, MUN, MUN- NS, MUL, MUL- NS, MUG, MUG- NS, ORI, ORI-NS	CN, CN-NS, CN-A, CN-A- NS, SCN, SCN- NS, SCC, SCC- NS, SCR, SCR- NS	CL, CL-NS, CL-A, CL-A- NS, CS, CS- NS, CS-A, CS-A-NS, CA, CA-NS	CF, CF- NS, MUI, MUI- NS	DTC
Setback	40	30	20	10	20	15	0	See chapter 17.37

Section 17.12.035 - Street setbacks within the urban zoning overlay district.

18. **Modify** Subsections A and B as follows:

- A. This section establishes street setbacks within the mixed use, office, industrial, RM20, RM20-NS, RM40, RM40-NS, RM60, RM60-NS, or commercial zone districts for any property located within the urban zoning overlay district regardless of the minimum street setback requirements described in Tables 17.12.030A and 17.12.030B whenever one or more of the conditions listed below applies (1—4). However, in all districts, a principal or accessory structure may be located closer to the street or property line than as permitted by this section or by Tables 17.12.020B, 17.12.020C, and 17.12.030B based on the review and approval of a Special Exception by the Board of Zoning Appeals as provided in [subsection] 17.12.035.D below. The standards of this subsection shall not apply within the alternative zoning districts.
 - 1. The setback of a principal building, fronting the same street, that is located on an abutting lot or a lot separated by an intervening public street or alley does not meet the minimum requirements of Tables 17.12.030A or 17.12.030B;
 - 2. In the case of a corner lot, the setback of a principal building located on any other corner lot at the same street intersection does not meet the minimum requirements of Tables 17.12.030A or 17.12.030B;
 - 3. In the case of a corner lot, there is no principal building located on any other corner lot at the same street intersection;
 - 4. Two-thirds or more of the principal buildings located along the same or opposite block face do not meet the minimum requirements of Tables 17.12.030A or 17.12.030B; or
 - 5. The owner of one or more contiguous lots that collectively include at least one corner lot and at least fifty percent or more of the street frontage along either block face furnishes

the zoning administrator a written request to use the contextual street setback requirements.

- B. The determination of the appropriate street setbacks within mixed use, office, industrial, RM20, RM20-NS, RM40, RM40-NS, RM60, RM60-NS, or commercial zone districts located within the urban zoning overlay district shall be made by following the criteria as outlined in subsection C of this section. For the purposes of this section, lots that are sixty feet wide or greater shall have the front façade of the building extend across at least twenty-five percent of the lot frontage or be at least twenty-five feet in width, whichever is greater. Lots that are less than sixty feet wide shall have the building extend across the full width of the lot in mixed use and commercial districts unless a driveway is required to access required parking, except that one or two family dwellings may have side yards a minimum of three feet in width. If a driveway is needed for service to accessory parking, an opening of up to twenty-six feet wide shall be permitted. Parking shall be permitted only at the sides and rears of buildings, and at the fronts of the buildings to the extent shown in Figure 17.12.035. A primary entrance to the building shall be located at the front setback line. The front façade may have projections and recesses to accommodate columns, entrances, covered patios, and similar features. The standards of this subsection shall not apply within the alternative zoning districts.

Section 17.12.040 – Other setbacks.

19. **Modify** Subsection E.25 as follows:

- 25. Vehicular parking areas and associated driveways, except within landscape buffer yards or within the required street setback of the MUN, MUN-NS, MUL, MUL-NS, OR20, OR20-NS,

Section 17.12.070 - Special floor area ratio (FAR) provisions.

20. **Modify** the section as follows:

- A. Plazas/Arcade Bonus. For properties located within the MUI, MUI-NS, ~~and~~ MUI-A, MUI-A-NS district, a floor area development bonus is offered in return for the design and construction of pedestrian plazas and/or arcades that are accessible to the general public. Two categories of bonuses are offered to the property owner:

- 1. Design Plan Plaza/Arcade Bonus. A property owner electing to construct a pedestrian plaza or arcade in strict accordance with the design standards established by an Urban Design Overlay district shall derive the following increase in building floor area based on each square foot of plaza or arcade area provided.

District	Bonus Floor Area (in sq. ft.)
<u>MUI, MUI-NS, and MUI-A, MUI-A-NS</u>	Plaza: 6.0
	Arcade: 3.0

- 2. Standard Plaza/Arcade Bonus. Properties not specifically designated by an urban design overlay district as qualifying for plaza and/or arcade bonuses under the provisions of subdivision (1) of this subsection, also may elect to provide a plaza and/or arcade in return for a floor area development bonus.

- a. For qualifying plazas and arcades, the provision of one square foot of plaza or arcade area shall yield the following increase in developable floor area:

District	Bonus Floor Area (in sq. ft.)
<u>MUI, MUI-NS, and MUI-A, and MUI-A-NS</u>	Plaza: 3.0
	Arcade: 3.0

- b. Design Criteria. To qualify for a standard plaza/arcade floor area bonus, the following design criteria shall be satisfied:
 - i. Plazas.
 - (A) The plaza shall provide a minimum depth of ten feet from the adjacent street and a minimum area of five hundred square feet.
 - (B) The floor of the building located at plaza level shall provide individual establishments such as restaurants or retail sales that open directly to the plaza. Up to fifty percent of the plaza area may be utilized as a sidewalk cafe.
 - (C) When feasible, pedestrian linkages shall be provided to plazas located on adjacent lots.
 - ii. Arcades.
 - (A) The arcade shall provide a minimum height of twenty-five feet and a minimum area of five hundred square feet.
 - (B) The arcade shall be located within five feet of the average level of the street. The floor of the building located at arcade level shall provide individual establishments such as restaurants or retail sales that open directly to the arcade.
- B. Residential Bonus in Mixed Use, ORI, ORI-NS, and ORI-A, ORI-A-NS, and CF, CF-NS Districts.
 - 1. For property located either (a) in the MUI, MUI-NS, and MUI-A, ad MUI-A-NS district, or (b) within the urban zoning overlay district in any mixed-use, ORI, ORI-NS, and ORI-A, ORI-A-NS, or CF, or CF-NS district, in any building where at least twenty-five percent of the floor area (exclusive of parking) is designed and constructed for residential occupancy, the floor area designed and constructed for residential use shall not be counted in determining the floor area ratio of the building. This uncounted floor area benefit shall not be combined with any other bonus allowed under this section or Section 17.36.090.
 - 2. In any development that uses the uncounted floor area benefit in subsection (B)(1) of this section to construct ten or more residential units, the following number of residential units shall be restricted for use as affordable housing for a period of at least seven years:

$$\text{Affordable housing units} = 25\% \times (\text{total residential units} - 10)$$
 This provision shall be enforced pursuant to the affordable housing provisions in Section 17.36.090(b)(3).
- C. Exemption in the MUI, MUI-NS, and MUI-A, MUI-A-NS District. In the MUI, MUI-NS, and MUI-A, and MUI-A-NS district, leasable space that is located at street level with a minimum depth of twenty feet, which is occupied by uses that have individual access to the street such as, but not limited to, either a bar, restaurant or retail use, shall be excluded as floor area for the purpose of calculating floor area ratio. A minimum of fifty percent of each storefront shall be glazed window area. Also excluded as floor area:
 - 1. Below grade parking; and
 - 2. Above grade parking decks of flat plate type construction that provide no less than twelve feet floor to ceiling clearance and have architectural cladding.
- D. Parking Exemptions. In all districts the floor area used for the provision of off-street parking spaces or loading berths (and the driveways and maneuvering aisles for those spaces and berths) shall not be counted as floor area for the purpose of calculating floor area ratio when such spaces or berths are used to satisfy the parking demands for the principal use(s) on the parcel.
- E. Street Level Parking Decks in the MUG, MUG-NS, ORI, ORI-NS, and MUI, and MUI-NS Districts. Regardless of whether other special floor area ratio (FAR) provisions in this section are utilized, parking decks located at street level shall have no less than seventy-five percent of the lineal street frontage devoted to office or nonparking commercial uses at a minimum depth of twenty feet. A minimum of fifty percent of that wall area shall be glazed. That floor area shall be excluded from the calculation of floor area ratio.
- F. Parking Garage Liner Buildings. Within the CF, CF-NS, ORI, ORI-NS, and ORI-A, ORI-A-NS, and all mixed-use districts, parking garages fronting a public street or public space may be masked

by a liner building that is a minimum of twenty feet deep. The floor area of any liner building shall be excluded from the calculation of the floor area ratio, provided the following requirements are satisfied:

1. The first twenty feet of depth of the liner building shall be occupied by office, residential, or other non-parking commercial uses.
2. For non-residential uses on the first floor, a minimum of forty percent of the front facade of the first floor shall be clear or lightly tinted windows and doors. The first floor transparent glazing area calculation shall be measured from the finished grade at the setback to the finished floor elevation of the second floor, or to a height of sixteen feet, whichever is less. Upper floors, regardless of use, shall have a minimum of twenty-five percent of glazing to be eligible for square footage calculation exemption.
3. For residential uses on the first floor, a minimum of twenty percent of the front facade of the first floor shall be openings. Openings shall be clear or lightly tinted windows or main entrance doors. The first floor opening area calculation shall be measured from the finished floor elevation of the first floor to the finished floor elevation of the second floor, or to a height of twelve feet, whichever is less. Upper residential floors shall have a minimum of twenty-five percent glazing to be eligible for square footage calculation exemption. Residential uses on the first floor shall have a minimum finished floor elevation one and one half feet above the finished grade at the setback.

The provisions of this subsection shall be enforced pursuant to the final site plan review procedures in Section 17.40.170.

Chapter 17.16 - LAND USE DEVELOPMENT STANDARDS

Article II. - Uses Permitted With Conditions (PC)

Section 17.16.050 - Office uses.

21. **Modify** Subsection A as follows:

- A. Financial Institution. Financial institutions in the MUN, MUN-NS, MUN-A, MUN-A-NS, ON, CN, CN-NS, ~~and~~ CN-A, ~~and~~ CN-A-NS zoning districts shall be limited to two thousand five hundred square feet of gross floor area per establishment.

22. **Modify** Subsection D.2 as follows:

- D.2. Alternative financial services establishments in the MUN, MUN-NS, MUN-A, MUN-A-NS, ON, ~~and~~ CN, ~~and~~ CN-NS zoning districts shall be limited to two thousand five hundred square feet of gross floor area per establishment.

Section 17.16.070 - Commercial uses.

23. **Modify** Subsections I, K, M, N, P, R, S, and V as follows:

I. Boat Storage.

1. In the CL ~~and~~ CL-NS zoning districts, screening in the form of a Landscape Buffer Yard Standard B shall be applied along all residential zone districts and districts permitting residential uses. A twenty-five foot vegetation buffer shall be provided between any storage building and the closest residential property line. The maintenance standards set forth in Section 17.24.080 shall be applicable to all required landscaping.
2. In the CL ~~and~~ CL-NS zoning districts, no building on the property may exceed eighteen feet in height.
3. In the CL ~~and~~ CL-NS zoning districts, a boat storage use must be located within two miles of a public boat launching ramp. Such boat launching ramp shall provide access to a lake maintained by the U.S. Army Corps of Engineers. The parcel of land upon which the boat

- storage facility is located must be within a planned unit development (PUD) overlay district explicitly allowing boat storage as a permitted use.
4. In the CS and CS-NS zoning districts, a boat storage use is not permitted within the Urban Zoning Overlay (UZO).
 5. In the CS and CS-NS zoning districts, a boat storage use must be located on a lot that does not exceed four acres in size.
 6. In the CS and CS-NS zoning districts, no more than one hundred boat slips shall be permitted.
- K. Custom Assembly.
1. In the MUN, MUN-NS, CN, CN-NS, and CN-A, CN-A-NS, CA, CA-NS, and SCN, SCN-NS zone districts, these activities shall be limited to two thousand five hundred square feet of gross floor area, and conducted only in completely enclosed buildings. No outdoor storage of materials or finished products shall be permitted.
 2. In the MUL, MUL-NS, CL, CL-NS, and CL-A, and CL-A-NS zone districts, custom assembly shall be limited to five thousand square feet of gross floor area per establishment.
 3. In all zone districts, structures used for custom assembly activities shall not have any openings facing any residential zone district other than those required for emergency egress.
- M. Home Improvement Sales. Each establishment shall be limited to five thousand square feet of gross floor area. In the MUN, MUN-NS, and SCN, and SCN-NS zone districts, each establishment shall be limited to ten thousand square feet of gross floor area, maximum.
- N. Nano Brewery.
1. No outdoor storage shall be permitted.
 2. All beer production activities shall be within completely enclosed structures.
 3. Loading Docks: Loading docks shall not be oriented toward the street. Where the site abuts an R and R-A, RS and RS-A, RM, RM-NS, MUN, MUN-NS, MUN-A, MUN-A-NS, or OR, or OR-NS zoning district, the building wall facing such lot shall not have any loading docks oriented towards these districts. Where these districts abut all sides, the loading dock shall be screened by a solid wall or opaque fence with a minimum height of six feet, in addition to any required landscape buffer yard. Chain link fencing, barbed wire and razor wire is prohibited along such districts permitting residential use.
 4. Service Doors: Any service doors facing a public street or a zoning district permitting residential use shall be screened by a solid wall or opaque fence with a minimum height of six feet, in addition to any required landscape buffer yard. Chain link fencing, barbed wire and razor wire is prohibited along such public street or district permitting residential use.
 5. Waste/By-Products. All by-products or waste from the production of the beer shall be disposed of off-site.
- P. Pawnshop.
1. In the MUN, MUN-NS, ORI, ORI-NS, CN, CN-NS, and CN-A, and CN-A-NS zone districts, each establishment shall be limited to five thousand square feet of gross floor area, maximum.
 2. In the IWD, IR and IG zone districts, each establishment shall be limited to two thousand five hundred square feet of gross floor area, maximum.
 3. No pawnshop establishment shall be located less than one thousand three hundred twenty linear feet from the property line of another property upon which another pawnshop establishment is located.
- R. Restaurant, Fast-Food/Restaurant, Full-Service/Restaurant, Take-Out.
1. Each establishment shall be limited to five thousand square feet of gross floor area, maximum.
 2. In the MUN and MUN-NS districts, a restaurant, take-out, must be located within a permanent, enclosed structure.
- S. Retail.

1. In the MUN, MUN-NS, ORI, ORI-NS, CN, CN-NS, and CN-A, and CN-A-NS zone districts, each establishment shall be limited to five thousand square feet of gross floor area, maximum.
 2. In the MUL, MUL-NS, and SCN, and SCN-NS districts, each grocery store shall be limited to fifty thousand square feet, maximum. All other retail uses shall be no larger than twenty thousand square feet.
 3. In the SCC and SCC-NS districts, each grocery store shall be limited to one hundred thousand square feet, maximum. All other retail uses shall be no larger than forty thousand square feet.
 4. In the IWD, IR and IG zone districts, each establishment shall be limited to two thousand five hundred square feet of gross floor area, maximum, unless the retail is accessory to a Manufacturing, Artisan use and a portion of the products are created or assembled on site.
- V. Vehicular Rental/Leasing. This use shall be allowed as provided in the DTC zoning district. In the CF, CF-NS, and SCR, and SCR-NS districts the use shall be limited to renting and/or leasing passenger automobiles, sport utility vehicles, pick-up-trucks ($\frac{3}{4}$ ton or less), and small cargo work vans and passenger vans (gross vehicle weight rating of not more than ten thousand pounds), including incidental parking and servicing of these vehicles for rental or lease. No motorcycle, recreational vehicles, boats, recreational equipment, moving vans or moving trucks shall be rented or leased from the property. In addition, no "Automobile Repair" or "Scrap Operation" activities may occur on-site and no inoperable vehicles shall be stored on the property.

Section 17.16.080 - Communication uses.

24. **Modify** Subsection C.4.e.(v) as follows:

- C. 4. e. (v) Notification. Prior to the issuance of a zoning permit, and immediately after receiving an application for a new tower, the zoning administrator shall notify the district councilmember that an application for a new tower has been submitted. Such notification shall only be required when a tower is proposed within a residential district, a district permitting residential uses (excluding the MUI, MUI-NS, MUI-A, MUI-A-NS, ORI, ORI-NS, ORI-A, ORI-A-NS, CF, CF-NS, DTC, and SCR, and SCR-NS districts), or within one thousand feet of the zoning boundary line of a residential district or a district permitting residential uses. Such notification shall also be required when a telecommunications facility is within a Historic Overlay District or right-of-way abutting a Historic Overlay District. Within thirty days from the date on which the tower application was filed, the district councilmember may hold a community meeting on the proposed tower. If a meeting is held, the applicant shall attend and provide information about the tower's safety, technical necessity, visual aspects, and alternative tower sites and designs considered.

Section 17.16.090 - Industrial uses.

25. **Modify** Subsection H.5 as follows:

- H.5.Historic Eligibility. Only a nonresidential structure in the MUL, MUL-NS, MUL-A, MUL-A-NS, MUG, MUG-NS, MUG-A, MUG-A-NS, MUI, MUI-NS, and MUI-A, and MUI-A-NS districts can be used for a warehouse and distributive business/wholesale use. The historical commission must have determined the structure is worthy of conservation, was constructed more than fifty years ago, and is being preserved with no additions, deletions or alterations which modify the building's square footage or significantly alters the building's exterior appearance (i.e. blocking out windows with brick or other material).

Section 17.16.120 - Recreation and entertainment uses.

26. **Modify** Subsection D.12 as follows:

D.12. The conditions set forth herein shall not apply to any event on public property meeting the definition of small outdoor music event, nor shall they apply to such events on property that is not zoned ~~CS, CS-NS, and CS-A, CS-A-NS, CF, CF-NS, and CA, CA-NS.~~

Article III. - Uses Permitted by Special Exception (SE)

Section 17.16.190 - Transportation special exceptions.

27. **Modify** Subsections E.2 and E.6 as follows:

E.2. Accessory to a Hospital. In the ~~OG, OG-NS, MUG, MUG-NS, MUG-A, MUG-A-NS, CS, CS-NS, and CS-A, and CS-A-NS~~ districts, a helistop shall be permitted only as an accessory use to a hospital.

E.6. Refueling facilities may be provided at a helistop located within the ~~CF, CF-NS, IWD, IR and IG~~ districts when operated by the Metropolitan Nashville Airport Authority.

Chapter 17.20 - PARKING, LOADING AND ACCESS

Article II. - Parking and Loading Requirements

Section 17.20.040 - Adjustments to required parking.

28. **Modify** Subsections B, C. and D as follows:

B. No parking shall be required for existing structures in the ~~CF, CF-NS, MUI, MUI-NS, or MUI-A, or MUI-A-NS~~ districts which were constructed prior to December 24, 1974.

C. For uses located within the ~~CF, CF-NS, MUI, MUI-NS, or MUI-A, or MUI-A-NS~~ districts within the I-40/I-65/I-265 loop south of the CSX railroad, and north of, or having frontage on, Gateway Boulevard, and which are located within a council-approved redevelopment district, the off-street parking requirement shall be one-quarter the requirement set forth in Table 17.20.030.

D. For uses located within the ~~CF, CF-NS, MUI, MUI-NS, or MUI-A, or MUI-A-NS~~ districts within the I-40/I-65/I-265 loop, south of properties fronting on Gateway Boulevard, and which are located within a Council approved redevelopment district, the off-street parking requirement shall be one-half the requirement set forth in Table 17.20.030.

Section 17.20.080 - Off-site parking.

29. **Modify** Subsection A as follows:

A. Qualifying Districts. Land uses on lots which contain existing buildings on the effective date of the ordinance codified in this chapter located within any of the commercial, industrial, office, ~~ORI, ORI-NS, ORI-A, ORI-A-NS, Institutional,~~ mixed-use or shopping center districts or within a planned unit development (PUD) or urban design overlay district, may qualify for locating required parking on a separate lot. Land uses on lots which develop after the effective date of the ordinance codified in this chapter located within the mixed-use districts may also qualify for locating required parking on a separate lot. Any lot utilized to satisfy the parking requirements of an off-site land use must be zoned for automotive parking uses in the zoning district land use table of Section 17.08.030 and be connected to the principal use by a continuous sidewalk system. In a planned unit development, institutional overlay, or shopping center district both lots must be part of the same master development plan or a unified plat of subdivision as authorized by Chapter 17.40, Article V.

30. **Modify** Subsection B.3 as follows:

- B.3. Properties in the MUI, MUI-NS, MUI-A, MUI-A-NS, CF, CF-NS, and SCR, SCR-NS districts, and all religious institutions subject to Section 17.16.170(E)(2), shall be exempt from the above maximum separation provisions.

Article III. - Access Management

Section 17.20.180 - Visibility.

31. **Modify** Subsection A as follows:

- A. At street intersections nothing shall be erected that will obstruct vision at any point above the center line grades of the intersecting streets within the triangular area formed by the right-of-way lines and a straight line joining the right-of-way lines at points which are thirty-five feet distant from the intersection of the right-of-way lines and measured along such right-of-way lines. Development within the urban zoning overlay district and in the CC, DTC, CF, CF-NS, and MUI, and MUI-NS districts shall be exempt from this provision. (See Figure 17.20.180)

Chapter 17.24 - LANDSCAPING, BUFFERING AND TREE REPLACEMENT

Article I. - General Provisions

Section 17.24.140 - Applicability.

32. **Modify** Subsections A and B as follows:

- A. Perimeter Parking Area Landscaping Required. The perimeter parking area landscaping requirements of this article shall apply to all off-street parking facilities adjacent to a public street or to a property line which:
1. Have five or more parking spaces; or
 2. Are larger than one thousand seven hundred fifty square feet in area.
Within the urban zoning overlay district, parking areas within the CC, and CF and CF-NS zoning districts shall be exempt from the side property line planting requirements of this article. Perimeter parking area landscaping may be waived along interior property lines for property located within an approved planned unit development (PUD) district or within a unified plat of subdivision if the planning commission finds that any potential negative impacts of the parking area will be mitigated through other means.
- B. Interior Parking Area Landscaping Required. The interior parking area landscaping requirements of this article shall apply to all off-street parking facilities which:
1. Have ten or more parking spaces; or
 2. Are over three thousand five hundred square feet in area.
Principal use parking areas located in the CC, and CF and CF-NS districts on properties with less than one hundred feet of public street frontage or with less than twelve thousand square feet in total area shall be exempt from the interior planting requirements of this title.

Section 17.24.150 - Perimeter screening requirements.

33. **Modify** Subsection C as follows:

- C. Landscape Materials. A minimum of one tree shall be preserved or planted for each fifty feet of parking area perimeter, or portion thereof; for principal use parking areas located with the DTC, and CF, and CF-NS zoning districts, street trees shall be installed at a rate of one tree per thirty feet of street frontage. Trees planted to meet this requirement shall measure a minimum of two inches in caliper, and six feet in height, as applicable for the type of material specified. The remaining area within the perimeter landscape strip which fronts on a street right-of-way shall be planted with one continuous row of evergreen shrubs which shall be expected to

mature at a height not greater than two and one-half feet, except as modified for berms or walls. The remainder of the area within all perimeter strips not occupied by trees or shrubs shall be covered by organic or mineral mulches, other shrubs, groundcover plants or grassed lawns. The use of concrete, asphalt or other impervious surfaces shall be prohibited.

Section 17.24.160 - Interior planting requirements.

34. **Modify** Subsection A.1 as follows:

A.1. Trees shall be required at the minimum of one canopy tree for every fifteen parking spaces. All vehicular use areas located within the same block which serve one or more businesses or uses of land or share unified ingress and egress shall be considered as a single vehicular use area for the purpose of computing the required rate of trees, notwithstanding ownership. Required trees shall be at least six feet in height and two inch caliper. (See Figure 17.24.160) For principal use parking areas located in the CF and CF-NS districts not otherwise exempt from the interior planting requirements, street frontage trees planted to satisfy the requirements of Section 17.24.150 shall count towards the interior planting requirements of this section.

Article IV. - Landscape Buffer Yard Requirements

Table 17.24.230 TABLE OF LANDSCAPE BUFFER YARD REQUIREMENTS

35. **Modify** the table as follows:

		ZONING DISTRICT PROVIDING BUFFER YARD						
		1 AG, AR2a, RS80, R80, RS40, R40, RS30, R30, RS20, R20, RS15, R15, RS10, R10, RM2, RM2-NS RM4, RM4-NS	2 R8, R8-A, RS7.5, RS7.5-A, R6, R6-A, RS5, RS5-A, RS3.75, RS3.75-A, RM6, RM6- NS RM9, RM9-NS, RM9-A, RM9-A-NS	3 RM15, RM15- NS, RM15-A, RM15-A-NS, RM20, RM20- NS, RM20-A, RM20-A-NS, RM40, RM40- NS, RM40-A, RM40-A-NS, RM60, RM60- NS, RM60-A, RM60-A-NS RM80-A, RM80- A-NS, RM100- A, RM100-A- NS, MHP	4 ON, CN, <u>CN- NS</u> CN-A, <u>CN-A-NS</u> , MUN, <u>MUN- NS</u> , MUN-A, <u>MUN-A-NS</u> , SCN, <u>SCN- NS</u> OL, OR20, OR20-NS, OR20-A, OR20-A-NS, OR40, OR40-NS, OR40-A, OR40-A-NS	5 CL, <u>CL- NS</u> , <u>CL- A</u> , <u>CL-A- NS</u> , CS, <u>CS-NS</u> , CS-A, <u>CS-A- NS</u> , MUL, <u>MUL-NS</u> , MUL-A, <u>MUL-A- NS</u> SCC, <u>SCC-NS</u>	6 CA, CA-NS, CF, <u>CF-NS</u> , SCR, <u>SCR- NS</u> , MUG, <u>MUG-NS</u> , MUG-A, <u>MUG-A-NS</u> , MUI, <u>MUI- NS</u> , MUI-A, <u>MUI-A-NS</u> , ORI, <u>ORI- NS</u> , ORI-A, <u>ORI-A-NS</u> , OG, <u>OG-NS</u>	7 IWD, IR, IG
A B U T T I N G	1 AG, AR2a, RS80, R80, RS40, R40, RS30, R30, RS20, R20, RS15, R15, RS10, R10,	—	B	C	C	C	D	D

Z O N I N G D I S T R I C T	RM2, <u>RM2-NS</u> RM4, <u>RM4-NS</u>							
	2 R8, R8-A, RS7.5, RS7.5- A, R6, R6-A, RS5, RS5-A, RS3.75, RS3.75-A, RM6, <u>RM6-NS</u> RM9, <u>RM9-NS</u> , RM9- A, <u>RM9-A-NS</u>	—	—	B	C	C	D	D
	3 RM15, <u>RM15- NS</u> , RM15-A, <u>RM15-A-NS</u> , RM20, <u>RM20- NS</u> , RM20-A, <u>RM20-A-NS</u> , RM40, <u>RM40- NS</u> , RM40-A, <u>RM40-A-NS</u> , RM60, <u>RM60- NS</u> , RM60-A, <u>RM60-A-NS</u> RM80-A, <u>RM80- A-NS</u> , RM100- A, <u>RM100-A- NS</u> , MHP	—	—	—	B	B	C	D
	4 ON, CN, <u>CN-NS</u> CN-A, <u>CN-A-NS</u> , MUN, <u>MUN-NS</u> , MUN-A, <u>MUN- A-NS</u> , SCN, <u>SCN-NS</u> OL, OR20, <u>OR20- NS</u> , OR20-A, <u>OR20-A-NS</u> , OR40, <u>OR40- NS</u> , OR40-A, <u>OR40-A-NS</u>	—	—	—	—	A	B	C
	5 CL, <u>CL-NS</u> , CL- A, <u>CL-A-NS</u> , CS, <u>CS-NS</u> , CS-A, <u>CS-A-NS</u> , MUL, <u>MUL-NS</u> , MUL- A, <u>MUL-A-NS</u> SCC, <u>SCC-NS</u>	—	—	—	—	—	A	B

6 <u>CA, CA-NS, CF,</u> <u>CF-NS, SCR,</u> <u>SCR-NS, MUG,</u> <u>MUG-NS, MUG-</u> <u>A, MUG-A-NS,</u> <u>MUI, MUI-NS,</u> <u>MUI-A, MUI-A-</u> <u>NS, ORI, ORI-</u> <u>NS, ORI-A,</u> <u>ORI-A-NS, OG,</u> <u>OG-NS</u>	—	—	—	—	—	—	B
7 <u>IWD, IR, IG</u>	—	—	—	—	—	—	—

Chapter 17.28 - ENVIRONMENTAL AND OPERATIONAL PERFORMANCE STANDARDS

Article I. - Environmental Performance Standards

Section 17.28.030 - Hillside development standards.

36. **Modify** Subsection A.3 as follows:

A.3.All Other Development in Residential Districts. For any multifamily or nonresidential form of development occurring within a residential district (the RM40, RM40-NS, RM40-A, RM40-A-NS, RM60, RM60-NS, RM60-A, RM60-A-NS, RM80-A, RM80-A-NS, and RM100-A, and RM100-A-NS districts excepted), manipulation of the natural slopes by grading shall result in an effective impervious surface ratio (ISR) for those portions disturbed as shown in Table 17.28.030A.

37. **Modify** Subsection B.1 as follows:

B.1.In all nonresidential zoning districts except CF, CF-NS, MUI, MUI-NS, and MUI-A, and MUI-A-NS, manipulation of the natural slopes by grading shall result in effective impervious surface ratio (ISR) adjustments for those portions disturbed as shown in Table 17.28.030B.

Article II. - Operational Performance Standards

Table 17.28.102 STORAGE CAPACITY OF FLAMMABLE AND COMBUSTIBLE LIQUIDS, LIQUID GASES, AND GASES

38. **Modify** the zoning districts as follows:

ZONING DISTRICTS
<u>CS, CS-NS, CS-A, CS-</u> <u>A-NS, CF, CF-NS</u>

Chapter 17.32 - SIGN REGULATIONS

Section 17.32.050 – Prohibited signs.

39. **Modify** Subsection G.2 as follows:

G.2. Signs with any copy, graphics, or digital displays that change messages by electronic or mechanical means, other than tri-face billboards, shall not be permitted in the CA, ~~CA-NS~~, CS, ~~CS-NS~~, CF, ~~CF-NS~~, ~~CC~~, SCR, ~~SCR-NS~~, IWD, IR and IG districts unless the following distance requirements are satisfied, based upon the overall height of the sign:

- a. Signs four feet or less in height shall not be less than one hundred feet from any agriculturally or residentially-zoned property.
- b. Each additional foot in height, or portion thereof, above four feet shall be setback an additional twenty-five feet from any agriculturally or residentially-zoned property. For example, a sign between five and six feet in height shall not be less than one hundred fifty feet from any agriculturally or residentially-zoned property.

40. **Modify** Subsection H as follows:

H.1. Video, continuous scrolling messages, and animation signs, except in the commercial attraction (CA and ~~CA-NS~~) districts.

2. LED message boards and digital display signs in the AG, AR2a, R, R-A, RS, RS-A, RM, ~~RM-NS~~, RM-A, ~~RM-A-NS~~, MUN, ~~MUN-NS~~, MUN-A, ~~MUN-A-NS~~, MUL, ~~MUL-NS~~, MUL-A, ~~MUL-A-NS~~, MUG, ~~MUG-NS~~, MUG-A, ~~MUG-A-NS~~, MUI, ~~MUI-NS~~, MUI-A, ~~MUI-A-NS~~, MHP, ON, OL, OG, ~~OG-NS~~, OR20, ~~OR20-NS~~, OR20-A, ~~OR20-A-NS~~, OR40, ~~OR40-NS~~, OR40-A, ~~OR40-A-NS~~, ORI, ~~ORI-NS~~, ORI-A, ~~ORI-A-NS~~, CN, ~~CN-NS~~, CN-A, ~~CN-A-NS~~, CL, ~~CL-NS~~, CL-A, ~~CL-A-NS~~, CS-A, ~~CS-A-NS~~, SCC, ~~SCC-NS~~, and SCN, and ~~SCN-NS~~ districts, provided that this prohibition shall not apply to signs existing as of January 1, 2014, that are located on property zoned MUI-A or ~~MUI-A-NS~~ along an arterial street within the urban zoning overlay district and have a surface area in excess of 1,200 square feet.

Section 17.32.070 - Permanent on-premises signs.

41. **Modify** Subsection D.3 as follows:

D.3. On-premises building signs shall not extend above the roof line of the structure. On-premises wall signs shall not extend above the top of the wall or parapet more than twenty-five percent of the height of such sign, to a maximum of eighteen inches for a solid panel sign, or fifty percent of the height of the letter for individual mounted letters. The above restrictions shall not apply to the commercial amusement (~~CA and CA-NS~~) districts provided that the sign(s) is not readily visible from a public street external to the development or residentially zoned property abutting the subject property.

Section 17.32.100 - Informational signs for large sites.

42. **Modify** Subsection E as follows:

E. Permissible Number, Size and Height. The following standards shall apply to all such signs except for those utilized in the commercial attraction (~~CA and CA-NS~~) districts when not readily visible from a public street external to the development or residentially zoned property abutting the subject property:

1. Developments with improved land area of five acres or more shall be permitted two informational signs per five acres of improved area. Any fractional values shall be discarded.
2. The maximum size of any one informational sign shall be thirty-two square feet.
3. The maximum height of any informational ground sign above grade shall be ten feet.
4. Copy height shall be limited to a maximum of six inches.
5. Copy may include one logo per face provided that the logo does not exceed twenty percent of the total sign area.

Section 17.32.110 - On-premises signs—I, MUN, MUN-A, MUL, MUL-A, ON, OL, OG, OR20, OR20-A, OR40, OR40-A, CN, CN-A, CL-A, CS-A and SCN districts.

43. **Modify** the header of Section 17.32.110 as follows:

17.32.110 - On-premises signs—~~I~~, MUN, MUN-NS, MUN-A, MUN-A-NS, MUL, MUL-NS, MUL-A, MUL-A-NS, ON, OL, OG, OG-NS, OR20, OR20-NS, OR20-A, OR20-A-NS, OR40, OR40-NS, OR40-A, OR40-A-NS, CN, CN-NS, CN-A, CN-A-NS, CL-A, CL-A-NS, CS-A, CS-A-NS, and SCN, SCN-NS districts.

Section 17.32.120 - On-premises signs—ORI, ORI-A, MUG, MUG-A, MUI, and MUI-A districts.

44. **Modify** the header of Section 17.32.120 as follows:

17.32.120 - On-premises signs—ORI, ORI-NS, ORI-A, ORI-A-NS, MUG, MUG-NS, MUG-A, MUG-A-NS, MUI, MUI-NS, and MUI-A, and MUI-A-NS districts.

Section 17.32.130 - On-premises signs—CL, CS, CA, CF, SCC, SCR, IWD, IR and IG districts.

45. **Modify** the header of Section 17.32.130 as follows:

17.32.130 - On-premises signs—CL, CL-NS, CS, CS-NS, CA, CA-NS, CF, CF-NS, SCC, SCC-NS, SCR, SCR-NS, IWD, IR and IG districts.

Table 17.32.130D

46. **Modify** Note 2 as follows:

Note 2: The CL and CL-NS districts any lot within one thousand feet of a controlled access highway interchange may have one additional on-premises ground sign of not more than two hundred eighty-eight square feet with a maximum height of fifty feet provided:

- a. The additional on-premises ground sign is oriented to the controlled access highway and adheres to all other provisions of this title; and
- b. The other on-premises ground sign is oriented to the street of principal access, is spaced at least one hundred feet from any other ground sign on the lot, and is restricted to the maximum height permitted in the CS and CS districts; and
- c. Further, that up to forty square feet of the ground sign oriented to the street of principal access may be transferred to this sign area when noted on the signage plan; and
- d. This additional on-premises sign is available only at interchanges when a highway logo sign is not present.

Section 17.32.145 - Landmark signs.

47. **Modify** Subsection E.2 as follows:

E.2.A designated landmark sign shall not be relocated to a R, R-A, RS, RS-A, RM, RM-NS, or RM-A, or RM-A-NS zoned property.

48. **Modify** Subsection E.3 as follows:

E.3.A designated landmark sign shall not be relocated within one hundred fifty feet of a primary structure on R, R-A, RS, RS-A, RM, RM-NS, or RM-A, or RM-A-NS zoned property.

Section 17.32.150 - Billboards.

49. **Modify** Subsection A as follows:

- A. Districts Permitting Billboards. Billboards shall be permitted in the CL, CL-NS, CS, CS-NS IWD, CF, CF-NS, IR, and IG districts subject to the provisions of this chapter and this title. However, billboards are prohibited on any property within a planned unit development (PUD) overlay district, regardless of the underlying zoning district, unless expressly permitted as part of an

approved development plan by the metropolitan council; and in the CS and CS-NS districts for uses classified as Automobile repair, Automobile sales, used; Car wash and Vehicular sales and services limited. Type I billboards are prohibited in the CL and CL-NS districts. Type II billboards in the CL and CL-NS districts shall be limited to those areas of a lot which are within three hundred feet of the right-of-way of a controlled access highway, and all billboards shall be oriented towards that highway.

Chapter 17.36 – OVERLAY DISTRICTS

Section 17.36.540 – Variations to Conventional Standards

50. **Modify** Subsection A as follows:

- A. Properties in the corridor design overlay district are subject to the following variations regarding signage:
 - 1. All standards of 17.32 Signage Regulations shall apply according to the zoning district of the property, except Table 17.32.130D.
 - 2. In place of Table 17.32.130D, Table 17.32.120 shall apply. Any references to Table 17.32.130D shall be substituted with Table 17.32.120.
 - 3. All notes from Table 17.32.130D shall apply to properties in CL, CL-NS, CS, CS-NS, CA, CA-NS, CF, CF-NS, SCC, SCC-NS, SCR, SCR-NS, IWD, IR and IG districts.
 - 4. Any uses permitted with conditions are allowed one half (1/2) the maximum sign area allowed in 17.16.070. All other standards of 17.16.070 shall apply to uses permitted with conditions.

Chapter 17.40 - ADMINISTRATION AND PROCEDURES

Article X. - Tree Protection and Replacement Procedures

Section 17.40.480 - Off-site plantings.

51. **Modify** the section as follows:

In the event that the urban forester determines that: (a) the site is located in the ~~CC~~, MUI, MUI-NS, ~~or CF, CF-NS~~ district, or in any other district that may not provide for adequate required yard space to accommodate the total number of required replacement trees; or (b) the unique soil types, topography and/or unusual nature of the site would not assure growth of trees, the applicant may contribute to the tree bank an amount of money equal to the costs of providing the required density, according to a schedule promulgated by the urban forester and approved by resolution of the council.

The tree bank shall be a fund set up to receive monies from owners or developers who, for various reasons, remain unable to successfully plant and maintain trees on the site under development, with such monies to be used for the planting and maintaining of public trees. This article shall not apply to sites containing surface parking lots in the ~~CC~~, CF, CF-NS, ~~or MUI, MUI-NS~~ districts.

Section 17.40.670 - Nonconforming lot area.

52. **Modify** Subsection A as follows:

- A. Single Family Structures in Residential and Agricultural Districts. Within the R and R-A, RS and RS-A, RM, RM-NS, RM-A, RM-A-NS, AR2a and AG districts, a single-family structure may be constructed on a legally created lot that contains less than the minimum lot area required by Tables 17.12.020A, 17.12.020B, 17.12.020C or 17.12.020D, provided the lot contains a minimum area of three thousand seven hundred fifty square feet and existed prior to the

effective date of the ordinance codified in this title. Single Family Structures in R and R-A, RS and RS-A, RM, RM-NS, RM-A, RM-A-NS districts shall comply with the bulk standards of the district within the same classification of zoning district (R/R-A and RS/RS-A, RM, RM-NS, RM-A, or RM-A-NS) in which the lot area would be conforming. If the application of these bulk standards results in a change in the minimum side setback, then the height of the single family structure shall be limited to 35 feet, including foundation height. Lots less than 5,000 square feet shall build to the 3' side setback for at least 25% of the depth of the structure beginning at the street setback.

Section 17.40.690 - Nonconforming signs.

53. **Modify** Subsection B as follows:

- B. An existing on-premises sign may remain exempt from full compliance with the provisions of this title provided the sign does not obstruct a "visibility area" as defined by Chapter 17.20, Article III of this code, is maintained in good condition at all times, and is not abandoned. If qualifying for exemption in all other respects, a sign obstructing a visibility area may be raised in its current location to conform with the requirements of Chapter 17.20, Article III and remain exempt. An existing sign obstructing a visibility area in a CS, CS-NS, CS-A, and CS-A-NS or CL, CL-NS, CL-A and CL-A-NS district is exempted if, without structural modification, the bottom edge of that sign has a minimum vertical ground clearance of eight feet or the front edge of the sign is at least ten feet from the front property line.