ZORO: Zoning Ordinance Reorganization
A project to clarify and reorganize the Zoning Ordinance
and development-related Ordinances

(Revised April 2016)

Introduction:
The City is undertaking a multi-phase initiative to consolidate and then update its land use plans and codes.

1. First, the four area master plans have been consolidated into a single master plan, making future revisions easier.
2. Second, the zoning ordinance and other development-related ordinances will be reviewed for technical changes to improve clarity, organization, and user-friendliness, setting the stage for future amendments.
3. Third, the master plan land use element will be reviewed for relevancy and appropriateness of future land use recommendations and planning principles.
4. Fourth, and finally, the zoning and development-related ordinances will be reviewed for substantive changes to standards and regulations to reflect and implement the revised master plan land use element.

Each of these components will build upon previous work to result in clear, comprehensive and consistent land use plans and codes that guide and facilitate the desired future growth and development of the city. The ZORO Project, described below, is the second phase of this planning effort.

Problem Statement:
Land use and development ordinances and regulations are scattered among eleven different chapters of the City Code. Each chapter was prepared and adopted independently and results today in a sometimes confusing, hard to follow format with inadvertent repetition and slight inconsistencies. The most-referenced chapter, the Zoning Ordinance (Chapter 55), was drafted more than 40 years ago and has been incrementally updated since. As a group, the land use and development ordinances:

- Are difficult to navigate – users have to “flip back” to previous sections to find key information, and have to check several different chapters to find all standards related to one subject
- Need “clean up” changes – a draft list of minor changes has been prepared which have not been proposed or adopted
- Lack clarity – answers to some specific questions are elusive which could lead to inconsistency over time
- Contain dated and incomplete material – some regulations are out-of-date and/or have unintended gaps in coverage
- Have minor inconsistencies with state law – current regulations may not always be consistent with the most recent changes to enabling statutes and court decisions
• **Use terms inconsistently** – key terms have been used inconsistently in different sections and different chapters and may not always have the same meaning when used in different contexts

**Project Goals:**

The goal of this project is to present the information contained in the existing chapters in a more coherent, consistent, concise and user-friendly manner, possibly in the form of a unified development code, so the information is:

- **Comprehensive** – does not require references to other chapters to determine what standards govern development and redevelopment
- **Clear** – with consistent standards, consistent definitions, and consistent format
- **Usable** – by both seasoned code users and the general public
- **EnFORCEable and Legally Defensible** – based on legal, objective standards and current state enabling laws
- **Adaptable** – structured to make it easy to amend, and/or to add or delete provisions in the future

The project has been structured to avoid substantive changes to the current regulations. However, there may be situations where substantive changes may be proposed. For example, if an inadvertent omission or inconsistency is discovered, correcting those minor mistakes may change how future applications are handled.

Examples of non-substantive changes that should be expected:

- Moving sections to group similar subjects together
- Combining two or more chapters, or sections, into one
- Minimizing repetitive paragraphs or clauses
- Using charts, tables and some graphics to illustrate definitions and regulations instead of or in addition to text
- Listing standards within a section instead of referring back to other sections

Examples of substantive changes that may be needed:

- Clarifying an existing standard by eliminating any other possible interpretations
- Changing standards to be more consistent with state laws and current legal precedent
- Adding a standard to fill a gap in coverage
- Other unforeseen changes recommended by the Consultant to achieve the project goals

**Scope of Project:**

The Zoning Ordinance and other development-related ordinances will be reviewed, including:

- Chapter 26 – Solid Waste
- Chapter 47 – Streets and Curb Cuts
- Chapter 55 – Zoning
- Chapter 56 – Prohibited Land Uses
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- Chapter 57 – Subdivision and Land Use Controls, including attachments (the Land Development Regulations)
- Chapter 59 – Off-Street Parking
- Chapter 60 – Wetlands Preservation
- Chapter 61 – Signs and Outdoor Advertising
- Chapter 62 – Landscaping and Screening
- Chapter 63 – Soil Erosion and Sedimentation Control
- Chapter 104 – Fences

Project Leadership:

The project is co-managed by Kevin McDonald, Senior Assistant City Attorney, and Alexis DiLeo, City Planner. The project consultant is Don Elliott of Clarion Associates who will provide an annotated outline, a complete rough draft, and a final draft ordinance for adoption by the City. The consultant will also maintain a list of suggestions for future changes to capture requested substantive changes to the ordinances.

The Technical Working Group will review documents and provide feedback to the Consultant at appropriate milestones in the project schedule. The Technical Working Group will consist of the project co-managers, the Planning Commission Ordinance Revisions Committee, as well as a member of City Council and a member of the Zoning Board of Appeals.

Project Schedule:

The first three milestones of the project are complete, and include the project kick-off, preparation of a diagnosis and annotated outline of the revised ordinances, draft of a comprehensive use table, and completion of a draft unified development code. The project co-managers are undertaking an additional revision of the unified development code which will then be reviewed by development staff and the Technical Working Group. The consultant will then prepare a final draft ordinance which will be distributed to the public for review in August, 2016.

Public Involvement:

To ensure that the public is aware and involved in this project, several communication tools will be used:

- Public Meetings and Information Sessions – four public meetings will be held during the project to introduce the project, provide background information and status updates, and offer opportunities for public review and comment
- Public Hearings – the Planning Commission and City Council will each hold a public hearing prior to their action on the final drafts of the proposed chapter changes
- Office Hours – the project co-managers will be available periodically during specified times to answer questions.
- Project website – the project website is www.a2gov.org/ZORO
- Project email address – the project email address is ZORO@a2gov.org