

TEXT AMENDMENTS TO COUNCIL BILL 12-152

**TITLE 4. DEVELOPMENT REVIEWS**

(1<sup>st</sup> Reader Copy)

Proposed by: Various

{To be offered to the Land Use and Transportation Committee}

**Amendment No. 1 (T-258) {Site Plan Review - Purpose}**

On page 76, in line 11, strike “*ENSURING*” and substitute “*GUIDANCE, INTERAGENCY REVIEW, AND ENSURING*”; and, in line 12, after “INTENDED” insert a colon, a paragraph return, and the following:

“(1) TO PROVIDE GUIDANCE TO THE APPLICANT EARLY IN THE DESIGN PROCESS;

(2) TO PROVIDE FOR INTERAGENCY REVIEW; AND

(3)”;

and, in line 12, before “PROPOSED”, insert “THE”; and, in line 14, strike “RELATED” and substitute “RELATED”; and, in line 15, strike “*PROVIDING FOR SAFE, ORDERLY*” and substitute “*SAFE AND FUNCTIONAL*”.

**Amendment No. 2 (T-256) {Site Plan Review - Manual}**

On page 76, at the beginning of line 28, insert the paragraph number “(1)”; and, in line 30, strike “THIS SUBTITLE” and substitute “THIS CODE”; and, after line 30, insert:

“(2) THIS MANUAL AND ANY REVISIONS OF IT MAY TAKE EFFECT ONLY AFTER:

(I) PLANNING COMMISSION APPROVAL AT A PUBLIC SESSION;

(II) FILING WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE; AND

(III) POSTING ON THE CITY WEBSITE.”.

**{DLR NOTES: (1) The substitution of “this Code” for “this subtitle” reflects the amendment in the previous subtitle (§ 3-204(b)(1) {page 74, line 32}) to require that**

all 4 of the reviews provided for in this title, including that here for site plan review, “be conducted in sessions open to the public and for which public notice is provided”.

(2) The proponent of this amendment also requested the addition here of a new ¶ (3) to say, “Site Plan Review sessions require public notice and permit *[sic]* public attendance.” That addition, however, would be (i) ungrammatical; (ii) redundant of the amendment in § 3-204(b)(1) to the same, even broader effect; and (iii) inconsistent with the other subtitles of this title, for which no similar redundant statement is proposed.)

#### **Amendment No. 3 (T-437) {Site Plan Review - Applicability}**

On page 77, in line 13, after “USE”, insert “, UNLESS THE CONDITIONAL USE CAN AND WILL BE FULLY ACCOMMODATED BY AN EXISTING STRUCTURE”.

#### **Amendment No. 4 (T-264) {Site Plan Review - Applicability}**

On page 77, in line 18, after “AGRICULTURE”, insert “OR COMMUNITY-MANAGED OPEN SPACE (FARM)”.

#### **Amendment No. 5 (T-259) {Site Plan Review - Prerequisite to Permit}**

On page 77, in line 25, strike “AND”; and, in the same line, after “HAVE”, insert “BEEN”.

#### **Amendment No. 6 (T-269) {Design Review - Applicability}**

On page 80, after line 16, insert “(A) IN GENERAL.”; and, on line 17, strike “DESIGN” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, DESIGN”; and, on page 81, after line 5, insert:

“(B) EXCEPTION.”

DESIGN REVIEW IS NOT REQUIRED FOR DEVELOPMENT PROJECTS THAT ARE SUBJECT TO REVIEW BY THE COMMISSION FOR HISTORICAL AND ARCHITECTURAL PRESERVATION.”.

#### **Amendment No. 7 (T-270) {Design Review - Applicability}**

On page 80, in line 25, strike beginning with “ALL” through “MODIFICATIONS” and substitute “ALL SUBSTANTIAL MODIFICATIONS OF THE FACADE OF A STRUCTURE”.

**Amendment No. 8 (T-830) {Design Review - Applicability}**

On page 80, in line 29, after “ALL FREESTANDING SIGNS”, insert “, ALL SCROLLING NEWSCAST SIGNS, AND ALL WALL SIGNS ABOVE THE GROUND FLOOR”.

**Amendment No. 9 (T-284) {Design Review - Administrative Exceptions}**

On page 82, in line 5, strike beginning with “NO” through “GRANTED” and substitute “THE DIRECTOR OF PLANNING MAY NOT APPROVE ANY ADMINISTRATIVE OR OTHER EXCEPTION”.

## OMITTED PROPOSALS

**{T-260 (*SITE PLAN REVIEW MANUAL*): Proposal T-260 would amend a mere reference to the Site Plan Review Manual {page 77, line 31} to repeat the prerequisites for that Manual's adoption and effectiveness. The same proponent has already introduced these prerequisites in Amendment # 2 above. SORRY, BUT UNLESS OTHERWISE ORDERED IN WRITING, BY SOMEONE WHO KNOWS A THING OR TWO ABOUT LEGISLATIVE DRAFTING, I RESPECTFULLY DECLINE TO ABIDE THESE REPEATED, EXTRANEOUS, SUPERFLUOUS REDUNDANCIES.}**