

**COMPARISON OF EXISTING AND PROPOSED *LAND USE CODE (LUC)*
REGULATIONS FOR LARGE RETAIL ESTABLISHMENTS (BIG BOXES)**

SITE DESIGN AND RELATIONSHIP TO SURROUNDING COMMUNITY	
EXISTING	PROPOSED
<p>ZONES.</p> <ul style="list-style-type: none"> • Big Box allowed in RVC, C-1, C-2 and less restrictive zoning as Special Exception Land Use Process. 	<p>ZONES.</p> <ul style="list-style-type: none"> • Big Box no longer allowed in RVC and C-1 zones.
<p>PROCESS.</p> <ul style="list-style-type: none"> • All Big Box applications are Special Exception Land Uses requiring Mayor and Council approval. 	<p>PROCESS.</p> <ul style="list-style-type: none"> • Three-tiered process: By Right, Staff Review Special Exception Land Use (Type IV), Zoning Examiner Special Exception Land Use (Type V).
<p>PARKING.</p> <ul style="list-style-type: none"> • All applications - one space per 200 square feet GFA. 	<p>PARKING.</p> <ul style="list-style-type: none"> • General Merchandise Sales and Food and Beverage Sales - one space per 200 square feet GFA. • Home Improvement Sales - one space per 300 square feet GFA. • Furniture/Carpet/Appliance Sales - one space per 400 square feet GFA.
<p>PURPOSE STATEMENT.</p> <ul style="list-style-type: none"> • None in existing <i>LUC</i>. 	<p>PURPOSE.</p> <ul style="list-style-type: none"> • Prevent or minimize negative impacts on residential areas. • Prevent or minimize negative impacts on infrastructure. • Enhance pedestrian and transit access. • Enhance aesthetic quality and reduce visual impact. • Encourage alternative design. • Encourage redevelopment.
<p>VEHICULAR ACCESS.</p> <ul style="list-style-type: none"> • Access from a designated major street, or from local street, subject to mitigating any negative impacts on adjacent residential uses or properties. 	<p>VEHICULAR ACCESS.</p> <p>By Right – Arterial with 4+ lanes existing. Staff Review (SE*) – Arterial with 4+ lanes in 5-year CIP or from business/industrial park. Zoning Examiner Review (SE*) – Primary access from arterial street.</p>

SETBACKS.

- 200 foot LRE setback.
- Smaller setback for non-LRE, based on building height and adjacent zoning. (Typical setback adjacent to R-1 is 1 ½ times building height.)

BUFFERS AND LANDSCAPING.

- 20-foot wide landscape border if adjacent to residential, including trees 20-30 feet apart.
- 8-foot high wall on property line.

SETBACKS.

By-right and Staff Review (SE*)

- Setback based on building height and adjacent zoning.

Zoning Examiner Review (SE*) – All buildings, outdoor storage areas, trash collection areas, and delivery areas and loading spaces set back from adjacent residential uses or properties, based on zone of project site.

TABLE 3.5.9.7-I

<u>Floor Area</u>	<u>C-2, C-3, or More Restrictive</u>	<u>OCR-1, OCR-2, I-1, or I-2</u>
Less than 25,000 sq. ft.	125 feet	75 feet
From 25, 000 sq. ft. to 100,000 sq. ft.	200 feet	100 feet
From more than 100,000 sq. ft. to 175,000 sq. ft.	300 feet	200 feet
More than 175,000 sq. ft.	400 feet	300 feet

Zoning Examiner Review (SE*) – Auto repair, gas stations, bars, restaurants, grocery/deli/bakery, live entertainment, swap meets, and similar uses set back 250 feet from residential uses or properties.

BUFFERS AND LANDSCAPING.

Zoning Examiner Review (SE*) – 20’ landscape buffer adjacent to residential with a minimum 8-foot high wall and canopy trees 20 to 30 feet apart.

<p>OUTDOOR STORAGE AREAS.</p> <ul style="list-style-type: none"> • 200-foot setback. • Screening or enclosing with 8-foot high masonry wall. 	<p>OUTDOOR STORAGE AREAS.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Setback based on Table 3.5.9.7-I. • Screened with 8-foot high masonry wall located at edge of area.
<p>TRASH COLLECTION AREAS.</p> <ul style="list-style-type: none"> • 200-foot setback. • Screening or enclosing with 8-foot high masonry wall. <p>HOURS OF OPERATION.</p> <ul style="list-style-type: none"> • No trash removal between 4:00 p.m. and 9:00 a.m. 	<p>TRASH COLLECTION AREAS.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Setback based on Table 3.5.9.7-I. • Screened with 8-foot high masonry wall located at edge of area. <p>HOURS OF OPERATION.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • No trash removal between 4:00 p.m. and 9:00 a.m.
<p>PEDESTRIAN FLOWS.</p> <ul style="list-style-type: none"> • 8-foot wide sidewalks connect to public street sidewalks, main entrances to stores, transit stops on- or off-site, and other buildings on the site. • Sidewalks provide convenient access to adjacent residential neighborhoods. • Sidewalks have 3-foot wide landscape strip with canopy trees or shading devices to shade 65 to 75 percent of sidewalks during major part of the day. 	<p>PEDESTRIAN FLOWS.</p> <p>By Right, Staff Review (SE*), and Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • 8 foot wide on-site pedestrian circulation system connect to public access areas of site and adjacent public streets, main entrances of stores, transit stops on- or off-site, and other on-site buildings. • Sidewalks have 3-foot wide landscape strip with canopy trees or shading devices to shade 65 to 75 percent of sidewalks during major part of day. <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • <u>Connection to Nearby Residential Neighborhoods.</u> Convenient access to nearby residential neighborhoods should be included.

<p>CENTRAL FEATURES AND COMMUNITY SPACES.</p> <ul style="list-style-type: none"> • Pedestrian scale design features required (two minimum). 	<p>CENTRAL FEATURES AND COMMUNITY SPACES.</p> <p>By Right, Staff Review (SE*), and Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Pedestrian circulation ways anchored by minimum of two design features.
<p>DELIVERY AND LOADING SPACES.</p> <p>SETBACKS.</p> <ul style="list-style-type: none"> • 200 feet from adjacent residential neighborhoods. • 300 feet from adjacent residential neighborhoods if used for parking delivery trucks with motors running. <p>BUFFERS AND LANDSCAPING.</p> <ul style="list-style-type: none"> • 10-foot high masonry wall enclosing delivery and loading areas. <p>HOURS OF OPERATION.</p> <ul style="list-style-type: none"> • Not permitted between 10:00 p.m. and 7:00 a.m. 	<p>DELIVERY AND LOADING SPACES.</p> <p>SETBACKS.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Setback based on Table 3.5.9.7-I for loading/delivery. • 350 feet from residential if used for parking delivery trucks with motors running. <p>BUFFERS AND LANDSCAPING.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • 10-foot high masonry sound attenuating wall, located at edge of delivery area or loading space. <p>HOURS OF OPERATION.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Not permitted between 10:00 p.m. and 7:00 a.m.

<p>TRAFFIC IMPACTS.</p> <ul style="list-style-type: none"> • Traffic Impact Analysis (TIA) report and parking generation report required. Report to identify traffic flow impacts on public streets; recommend mitigation measures; and show how applicant will provide recommended improvements. • The Mayor and Council may approve a parking requirement different from shopping center calculations. 	<p>TRAFFIC IMPACTS.</p> <p>By Right, Staff Review (SE*), and Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Traffic Impact Analysis (TIA) report required to identify traffic flow impacts on public streets; recommend mitigation measures; and show how applicant will provide recommended improvements. <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Zoning Examiner may approve different parking requirement. <p>By Right and Staff Review (SE*)</p> <ul style="list-style-type: none"> • <u>On-Site Traffic Circulation.</u> PAAL design to encourage separation of delivery trucks and motor vehicle customer traffic. <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • <u>On-Site Traffic Circulation.</u> Mitigate impact of truck and motor vehicle traffic on nearby residential neighborhoods. • <u>Delivery Truck Circulation Route.</u> 125 feet from delivery truck circulation with minimum 30-foot width to adjacent residential uses. • <u>Customer Vehicle Circulation.</u> PAALs to discourage on-site through traffic within 125 feet of adjacent residential uses. • <u>Overnight Parking.</u> Automobiles, recreational vehicles, and boats not owned by employees or businesses not to be parked overnight.
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<p>OUTDOOR LIGHTING.</p> <ul style="list-style-type: none"> • Photometric plan and outdoor lighting report required addressing mitigation of negative impacts of outdoor lighting between the hours of 10:00 p.m. and 7:00 a.m. on adjacent residential uses or residentially zoned properties (only low-pressure sodium lighting permitted). 	<p>OUTDOOR LIGHTING.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Photometric plan and outdoor lighting report required addressing mitigation of negative impacts of outdoor lighting between the hours of 10:00 p.m. and 7:00 a.m. on adjacent residential uses or residentially zoned properties (only low-pressure sodium lighting permitted). • Lighting to be directed away from adjacent residential uses or zones. • Height of lighting to be approximately 14 feet within 150 feet of adjacent residential uses or zones to a maximum 30 feet for the remainder of the property. • Wall-mounted lighting to be directed away from adjacent residential uses or zones.
<p>OUTDOOR SALES DISPLAY/ANCILLARY USES.</p> <p>SETBACKS.</p> <ul style="list-style-type: none"> • 250 feet from and facing away from adjacent residential uses. 	<p>OUTDOOR SALES DISPLAY/ANCILLARY USES.</p> <p>SETBACKS.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • 50 feet more than building setback for temporary outdoor sales areas in parking lots, but not less than 250 feet. • Other outdoor sales display areas to be located at front of building and behind required 8-foot wide sidewalk.
<p>HAZARDOUS MATERIALS. Hazardous Materials Management Plan and Hazardous Materials Inventory Statement required.</p>	<p>HAZARDOUS MATERIALS. (Required by Fire Code – not proposed in <i>LUC</i> amendment.)</p>
<p>NOISE ABATEMENT.</p> <ul style="list-style-type: none"> • Noise mitigation plan required. 	<p>NOISE ABATEMENT.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Noise mitigation plan required. • Noise levels at site property lines to be no greater than 45 dB(A) 10 p.m. to 7 a.m., no greater than 55 dB(A) 7 a.m. to 10 p.m., or no greater than 10 dB(A) above ambient noise level. • Devices emitting impulse or pure tones no greater than averaged noise level of 55 dB(A) 7 a.m. to 10 p.m.; not to be operated 10 p.m. to 7 a.m. • Walls designed for noise abatement to be placed near the sources of sound. • Outdoor loudspeakers to be addressed in the noise mitigation plan.

<p>COMBINATION OF RETAIL WITH FOOD AND BEVERAGE SALES. General Merchandise Sales and retail sales shall not be combined with Food and Beverage Sales except where one of the Land Use Classes consists of less than 10 percent of the gross floor area.</p>	<p>COMBINATION OF RETAIL WITH FOOD AND BEVERAGE SALES. Not limited in proposed amendment.</p>
<p>SITE CHARACTERISTICS. Current code does not address site characteristics.</p>	<p>SITE CHARACTERISTICS.</p> <p>By Right</p> <ul style="list-style-type: none"> • Not adjacent to Historic Preservation Zone (HPZ), a National Register Historic District, or a property or structure individually listed on the National Register of Historic Places. • Located 500 feet from residentially zoned or developed property; or • Separated from property that is residentially zoned or developed by an existing six-lane roadway. <p>Staff Review (SE*)</p> <ul style="list-style-type: none"> • Not adjacent to Historic Preservation Zone (HPZ), a National Register Historic District, or a property or structure individually listed on the National Register of Historic Places. • Adjacent property for 500 feet is commercial (C-1 or less restrictive) or industrial and not developed with residential uses. <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Site may be adjacent to Historic Preservation Zone (HPZ), a National Register Historic District, or a property or structure individually listed on the National Register of Historic Places. • Adjacent property for depth of less than 500 feet is zoned commercial (C-1 or less restrictive) or industrial and is not developed with residential uses. • Adjacent property zoned residential and is vacant or developed with residential uses. • All sites not permitted by Sec. 3.5.9.7.B or .C.

<p>MONITORING OPERATIONS OF THE SITE.</p> <p>Current code does not address monitoring operations. Tripartite committee established by Mayor and Council to monitor El Con Center.</p>	<p>MONITORING OPERATIONS OF THE SITE.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • <i>Ongoing Committee.</i> DSD Director establishes committee (owner/operator of the LRE, neighbors, neighborhood association representatives, applicable City Council Ward Office) to monitor compliance with conditions of approval. • <i>Posting.</i> Developer/owner of the property and the owner/operator of the LRE to post contact to whom violations can be reported. • <i>Security Management Plan.</i> Security management plan required.
<p>GRADE DIFFERENTIALS.</p> <p>Current <i>LUC</i> does not address grade differentials. Grading policy at DSD is followed, which may require some mitigation.</p>	<p>GRADE DIFFERENTIALS.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Grade differentials of 3 feet or more to be mitigated (additional buffer width/landscaping and/or increased building setbacks).
<p>WALLS.</p> <ul style="list-style-type: none"> • 6-foot high wall next to residential. • No wall required adjacent to commercial or industrial. 	<p>WALLS.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • <i>Sound Attenuating Walls.</i> Sound attenuating walls to be designed as recommended by an acoustic engineer. Walls over 75 feet long to be varied and have at least two surface textures. Full-sized concrete masonry caps to be placed at right angles to the wall to overhang on building or use side. • <i>Interior Site and Boundary Screen Walls.</i> Walls over 75 feet long to be varied and have at least two surface textures. Wall height changes to be stepped. Screen walls to have the same finish on both sides.
<p>NEIGHBORHOOD MEETINGS.</p> <p>Mayor and Council Review (SE*)</p> <ul style="list-style-type: none"> • Required to offer to meet with neighborhood. 	<p>NEIGHBORHOOD MEETINGS.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Two meetings required. Developer may have additional meetings as needed.

<p>SPECIAL CRITERIA AND PROCEDURES.</p> <ul style="list-style-type: none"> Plans must be kept on file at DSD and with the applicant. 	<p>SPECIAL CRITERIA AND PROCEDURES.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> <u>Siting</u>. Siting adjacent to historic districts or structures subject to special scrutiny. <u>Special Submittal Requirements</u>. Copies of plans (site, lighting, landscape, grading) and reports (noise mitigation and traffic) to be submitted to applicable City Council Ward Office.
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AESTHETIC CHARACTER OF BUILDINGS

FAÇADES AND EXTERIOR WALLS INCLUDING SIDES AND BACK.

- Mitigate massive scale and uniform appearance.
 - Provide visual interest.
 - Long building walls to be broken by depth changes.
 - Façades visible from the street to have windows, arcades, or awnings.
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- The sides and rear must be similar to the front façade.

FAÇADES AND EXTERIOR WALLS ALONG A PUBLIC STREET FRONTAGE.

By Right and Staff Review (SE*)

- Mitigate massive scale and uniform appearance.
- Provide visual interest.
- Long building walls shall be broken up by depth changes.
- Façades visible from street must have windows, glass block, arcades, or awnings.

BUILDING FAÇADES.

Zoning Examiner Review (SE*)

- Reduce perceived mass of the building.
- Be sensitive to the context of the surrounding urban environment.
- Provide visual interest.

Zoning Examiner Review (SE*)

Public Street Frontage.

- Elevations facing public street to include combination of windows or openings, glass block, arcades, awnings, or trellises.
- Walls over 50 feet in length to be broken up with projections and/or recesses.
- Walls to be designed with variety of textures and colors.
- Landscaping to be provided to further soften building scale.

Other than Public Street Frontage.

- Walls over 50 feet in length to be broken up with projections and/or recesses.
- Walls to be designed with variety of textures and colors.
- Landscaping to be provided to further soften building scale.

<p>DETAIL FEATURES.</p> <ul style="list-style-type: none"> • Features required for visual interest, such as color changes, texture changes, wall offsets, reveals, or projecting ribs. 	<p>DETAIL FEATURES.</p> <p>By Right, Staff Review (SE*), and Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Features required for visual interest, such as color changes, texture changes, wall offsets, reveals, or projecting ribs.
<p>ROOFS.</p> <ul style="list-style-type: none"> • Rooflines must vary and complement the character of adjoining neighborhoods. • Roofs to include two or more planes. • Parapet walls to be treated to avoid a plain look. 	<p>ROOFS AND PARAPETS.</p> <p>By Right and Staff Review (SE*)</p> <ul style="list-style-type: none"> • Rooflines and parapets must vary and complement the character of adjoining neighborhoods. • Parapet walls to be treated to avoid a plain look. <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Rooflines must vary and complement the character of adjoining neighborhoods. • Parapet walls to be treated to avoid a plain look. • Parapet wall heights to be minimized but provide visual screening to rooftop mechanical units.
<p>MATERIALS AND COLOR.</p> <ul style="list-style-type: none"> • Exterior materials and colors must be low-reflective, subtle, neutral, or earth tone colors and materials. • No fluorescent or metallic colors/materials. • Materials such as tilt-up concrete, smooth-faced concrete block, or prefabricated steel panels to be avoided, unless covered with an architectural treatment. 	<p>MATERIALS AND COLORS.</p> <p>By Right, Staff Review (SE*) and Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Materials and colors to be low reflective, subtle, neutral, or earth tone. • No fluorescent or metallic to be used. • Construction materials, such as concrete, smooth-faced concrete block, and other similar material, to have textured finishes. • No prefabricated steel panels. <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Exterior building materials and colors to be used that are compatible with materials and colors in nearby residential neighborhoods.

<p>ENTRYWAYS.</p> <ul style="list-style-type: none"> • Design elements must clearly define entrances. 	<p>ENTRYWAYS.</p> <p>By Right, Staff Review (SE*), and Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Must provide clearly defined, highly visible customer entrances.
<p>SCREENING OF MECHANICAL EQUIPMENT.</p> <ul style="list-style-type: none"> • All mechanical equipment to be screened. • If roof mounted, must conform architecturally with building design but not by use of wood fence or similar. • If ground mounted, screen must be masonry and high enough to block the view and noise of equipment. 	<p>SCREENING OF MECHANICAL EQUIPMENT.</p> <p>By Right, Staff Review (SE*), and Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none"> • Mechanical equipment to be screened from all adjacent street frontages. <p>By Right and Staff Review (SE*)</p> <p><i>Roof-Mounted</i></p> <ul style="list-style-type: none"> • Roof-mounted mechanical equipment not to be visible at ground level from primary access points on adjacent rights-of-way. • Design to conform to building design but not with a wood fence or similar treatment. <p>Zoning Examiner Review (SE*)</p> <p><i>Roof-Mounted</i></p> <ul style="list-style-type: none"> • Roof-mounted mechanical equipment not to be visible at ground level from primary access points on adjacent rights-of-way or adjacent residential properties. • Design to conform to building design but not with a wood fence or similar treatment. <p>By Right, Staff Review (SE*), and Zoning Examiner Review (SE*)</p> <p><i>Ground-Mounted</i></p> <ul style="list-style-type: none"> • Ground-mounted mechanical equipment to be screened with a masonry wall of sufficient height to block the view and noise of the equipment. <p>By Right, Staff Review (SE*), and Zoning Examiner Review (SE*)</p> <p><i>Exception.</i> Where an elevated roadway is located adjacent to the project, roof-mounted mechanical equipment to be painted to match roof color.</p>

<p>SAFE BY DESIGN.</p> <p>Current <i>LUC</i> does not address “safe by design.”</p>	<p>SAFE BY DESIGN.</p> <p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none">• Design to provide for safety on site, such as security camera surveillance, visibility from inside the facilities, adequate site lighting, and careful selection and placement of landscaping.
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DEVELOPMENT REVIEW BOARD (DRB)

<ul style="list-style-type: none">• All applications reviewed by the DRB.• DRB makes a recommendation to DSD Director, who makes a recommendation to M/C.	<p>Zoning Examiner Review (SE*)</p> <ul style="list-style-type: none">• All applications reviewed by DRB.• DRB makes recommendation to DSD Director, who makes recommendation to Zoning Examiner.
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/s/Coderev/Big Box Review Subcommittee/Simple Criteria Chart.doc