

# Streamlining Development Review and Administration

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**Joanne Garnett, FAICP**  
**Partner, Orion Planning Group**

**Mary Kay Peck, FAICP**  
**MKPeck Associates**

**Craig Richardson**  
**Vice President, Clarion Associates**

**RMLUI**

**March 4, 2011**

# Agenda

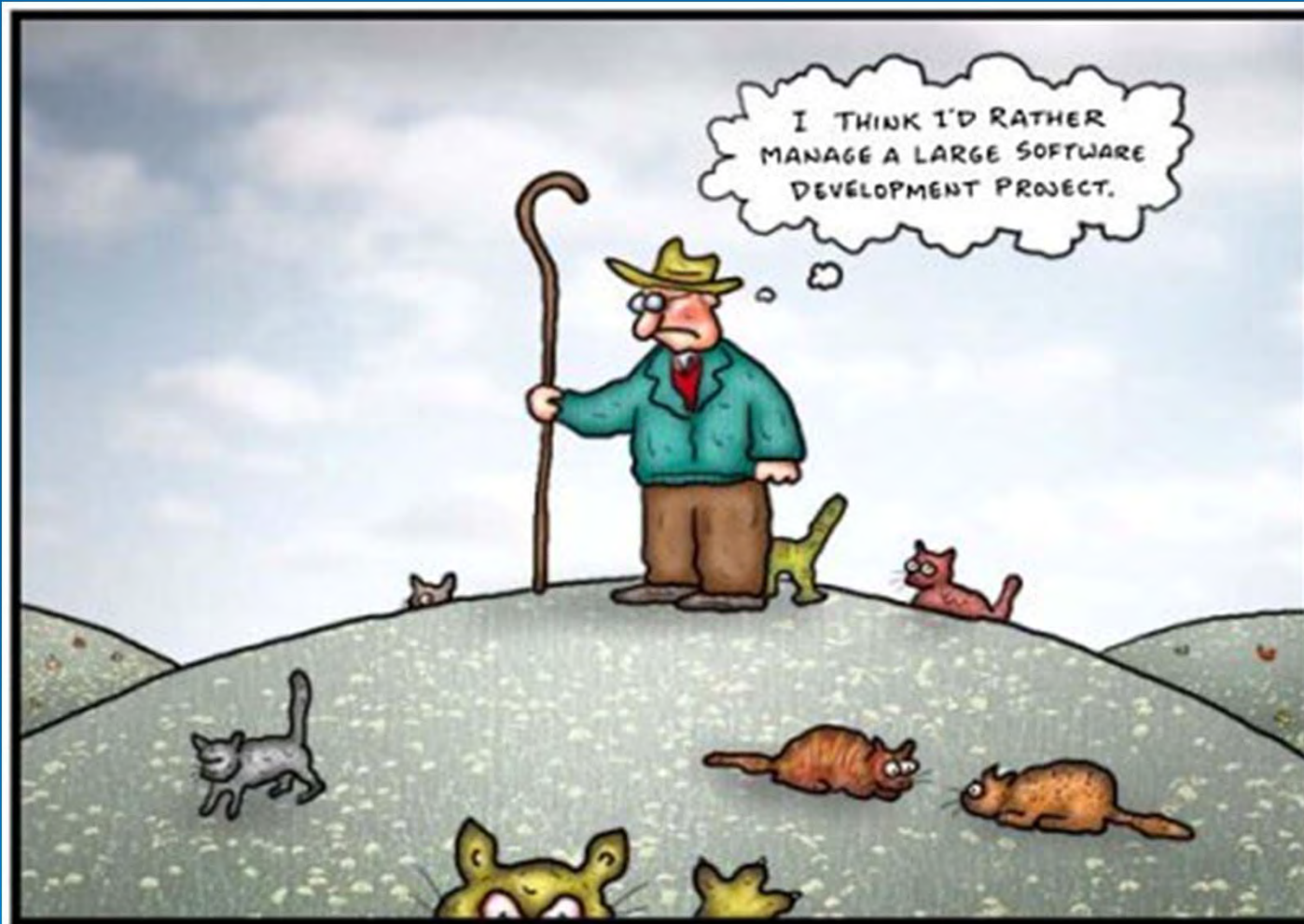
- Introduction
- Regulatory Aspects
- Administration
- Conclusion

# Introduction

## ➤ Introduction

- Mary Kay Peck, FAICP
- Craig Richardson
- Joanne Garnett, FAICP

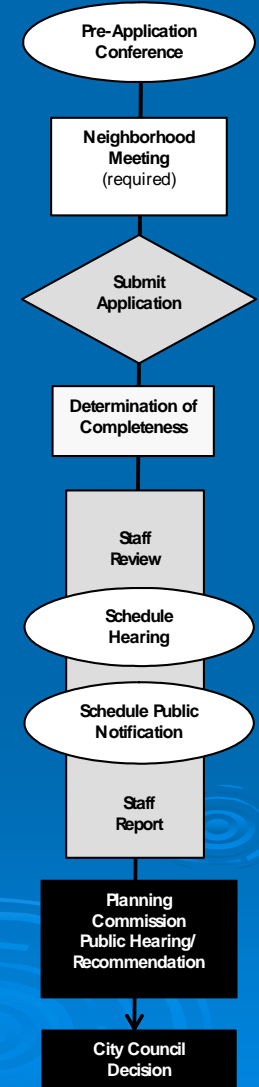
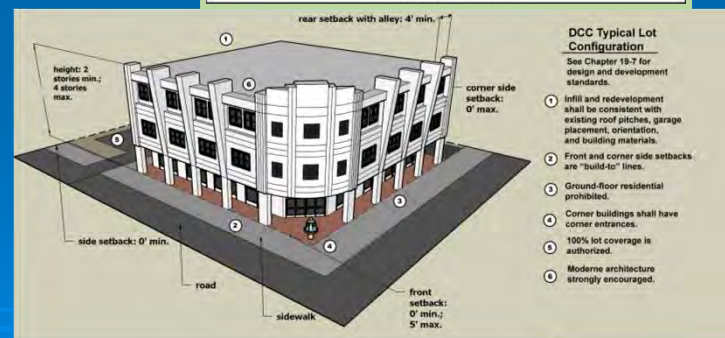
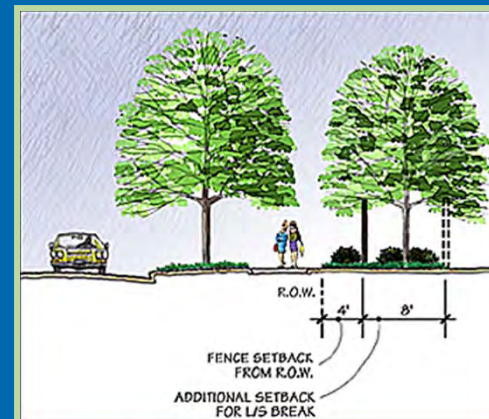
# Introduction



The daydreams of cat herders

# REGULATORY ASPECTS

- Code Organization
- User-Friendliness
- Procedural Streamlining
- Flexibility Provisions



# REGULATORY ASPECTS

## Code Organization

Article 1: General Provisions

Article 2: Administrative Authorities

Article 3: Procedures

Article 4: Zone Districts

Article 5: Use Standards

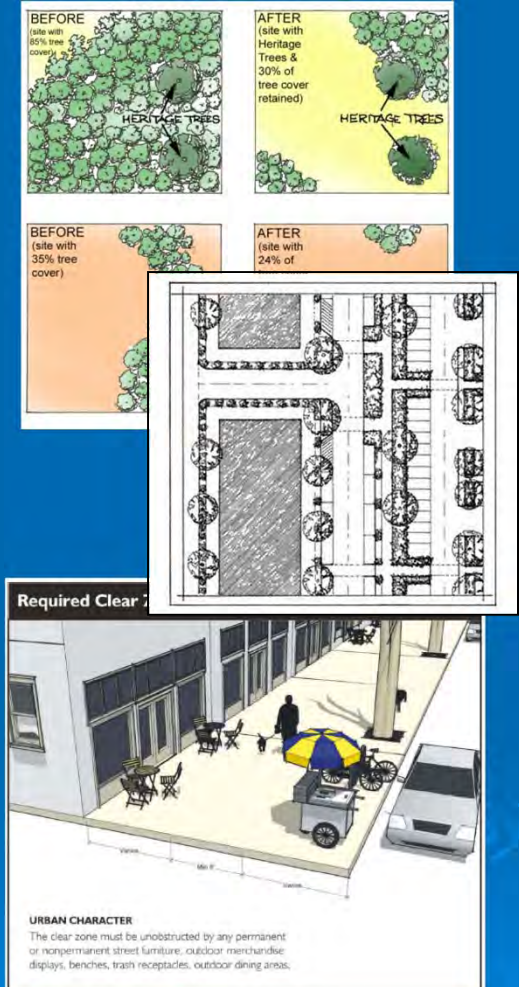
Article 6: Development Standards

Article 7: Subdivision Standards

Article 8: Nonconformities

Article 9: Enforcement

Article 10: Definitions & Interpretation





# REGULATORY ASPECTS

## User-Friendliness

- Intuitive page layout
- Integrate graphics/illustrations
- Common structure for procedures
- Clear, measurable standards
- Clarify definitions

Dynamic  
Headers

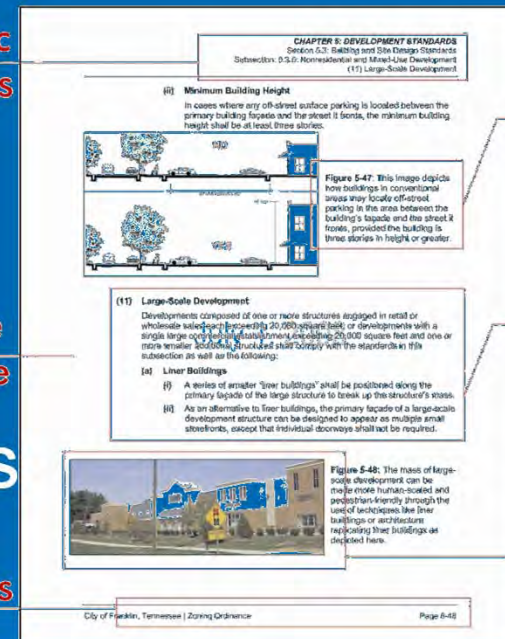
White  
Space

Footers

Figure  
Captions

Nested  
Text  
with headings  
and sub-  
headings

Illustrations  
of text provisions




# REGULATORY ASPECTS

## User-Friendliness


**ARTICLE 40-3: ZONING DISTRICTS**  
Section 40-3.4 Business Base Zoning Districts  
Subsection (C): Neighborhood Mixed-Use (NMU) District

**(C) Neighborhood Mixed-Use (NMU) District<sup>6</sup>**

PURPOSE AND INTENT		TYPICAL BUILDING TYPES	
<p>The Neighborhood Mixed-Use (NMU) district is established to accommodate a mix of residential and small-scale, low-intensity, and "convenience" retail and service uses that provide goods and services serving the residents of the immediately surrounding neighborhood (e.g., personal service uses, restaurants, and limited retail). Development in the district should not include uses of a size that is out of scale with a residential neighborhood, or that attracts traffic from outside the surrounding neighborhood. Individual retail and other commercial uses shall not exceed 5,000 square feet without obtaining a use permit (see Section 40-2.3.5, Use Permit). Residential uses are encouraged on the upper floors of nonresidential establishments. The district is subject to standards intended to ensure development is consistent with the neighborhood scale and compatible with surrounding uses.</p>			

DIMENSIONAL STANDARDS			
STANDARD	SINGLE-FAMILY USES	ALL OTHER RESIDENTIAL USES	ALL OTHER USES
<b>DENSITY</b>			
Density, Maximum (DU/AC)	N/A	12	N/A
Intensity, Maximum (FAR)	N/A		0.7
<b>LOT AREA</b>			
Lot Size, Minimum	The lesser of: 7,500 sf, or the average lot size of lots within 300 feet along the same block face, provided there are 7 or more lots within the 300-foot area	7,500 sf [1]	5,000 sf
Lot Width, Minimum	The lesser of: 50 feet, or the average lot width of lots within 300 feet along the same block face, provided there are 7 or more lots within the 300-foot area	75 feet, plus 5 feet for each additional unit beyond 2 units	50 ft
Building Coverage, Maximum (%)		60	70
<b>REQUIRED YARDS</b>			
Front, Minimum (ft) [2]	The lesser of: 20 ft, or the average front yard on lots within 300 feet along the same block face, provided there are 7 or more lots with existing residential structures within the 300-foot area	20	
Side, Minimum [2]	When abutting a street: 10 ft; Otherwise, the lesser of: 7 ft, or the average side yard on lots within 300 feet along the same block face, provided there are 7 or more lots with existing residential structures within the 300-foot area; No side yard shall be less than 5 ft unless it is part of a zero side lot line development	When abutting a street: 20 ft; if parcel is less than 100 ft in width: 10 ft; When abutting the end unit of a building: 10 ft; All others: 20 percent of the lot width, up to 20 ft; No side yard shall be less than 5 ft unless it is part of a zero side lot line development [3]	20, 10 if parcel is less than 100 ft in width

**TYPICAL LOT PATTERN**



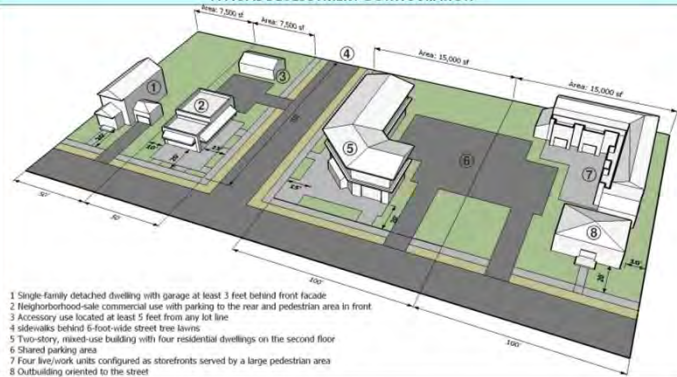
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**ARTICLE 40-3: ZONING DISTRICTS**  
Section 40-3.4 Business Base Zoning Districts  
Subsection (C): Neighborhood Mixed-Use (NMU) District

STANDARD	SINGLE-FAMILY USES	ALL OTHER RESIDENTIAL USES	ALL OTHER USES	NOTES
Rear, Minimum (ft) [2]	The lesser of: 15 ft, or the average rear yard on lots within 300 feet along the same block face, provided there are 7 or more lots with existing residential structures within the 300-foot area [4]	15		"sf" = square feet; "ft" = feet; "FAR" = floor area ratio; "DU" = dwelling units; "AC" = acre
Corner, Minimum (ft)		15		[1] Minimum lot size shall be applied to the entire development site for multi-family, single-family attached, townhome, and two-to four family dwellings.
Accessory Structures, Minimum (ft)	5 if 600 sf in size or smaller; otherwise same as principal use [5]			[2] Yards abutting streets shall be configured to maintain of least 40 linear feet between the centerline of the street and only adjacent building.
Garage Setback, Minimum	3 feet behind front façade	N/A		[3] An additional setback of 5 feet per floor over 2 floors shall be required.
Height, Maximum (ft/stories) [5]	3 1/2/3	3 1/2/4, unless part of mixed use development that includes a minimum of 2 floors of residential units, then 5 1/2/5		[4] Rear yards may be reduced to 15 feet when there are no accessory structures or parking spaces in the rear yard.
Accessory Structures, Size, Maximum	33% of principal use [7]	N/A		[5] Accessory structures are prohibited within front and corner side yards.

**TYPICAL DEVELOPMENT CONFIGURATION**



1 Single-family detached dwelling with garage at least 3 feet behind front façade  
2 Neighborhood-sale commercial use with parking to the rear and pedestrian area in front  
3 Accessory use located at least 5 feet from any lot line  
4 Sideyard behind 5-foot-wide street line limits  
5 Two-story, mixed-use building with four residential dwellings on the second floor  
6 Shared parking area  
7 Four live/work units configured as storefronts served by a large pedestrian area  
8 Outbuilding oriented to the street

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# REGULATORY ASPECTS

## Procedural Streamlining

- Standard Procedures
- Decrease Steps
- Staff Review

TABLE 40-2.1(A): SUMMARY TABLE OF DEVELOPMENT REVIEW STRUCTURE							
	S = STAFF REVIEW	R = REVIEW AND ADVISE	D = DECISION	A = APPEAL	< > = PUBLIC HEARING		
PERMIT OR DEVELOPMENT APPROVAL	SEE SECTION	CITY COUNCIL	PLANNING COMMISSION	BZA	HPC [6]	PLANNING DIRECTOR	ZONING ADMINISTRATOR
<b>AMENDMENTS AND USE PERMITS</b>							
Zoning Map or Zoning Text Amendment	40-2.3(A)	<D>	<R>		R [1]	S	
Use Permit	40-2.3(B)	<D>	<R>			S	
<b>DEVELOPMENT PLANS</b>							
Type I Development Plan	40-2.3(C)		A			D [2]	
Type II Development Plan	40-2.3(D)		D [2]			S	
<b>SUBDIVISIONS<sup>5</sup></b>							
Minor Subdivision Plat	40-2.3(E) (4)		A			D [2]	
Major Subdivision							
Preliminary Subdivision Plat	40-2.3(E) (5) (b)		D [2]			S	
Final Subdivision Plat	40-2.3(E) (5) (c)		A			D [2]	
<b>PERMITS</b>							
Temporary Use Permit	40-2.3(G)			<A>		D	
Zoning Compliance Permit	40-2.3(H)			<A>			D
Certificate of Appropriateness	40-2.3(K)				D [3]	S/D [4]	
<b>VARIANCES, ADJUSTMENTS, AND EXCEPTIONS</b>							
Subdivision Exception <sup>6</sup>	40-2.3(F)		D			S	
Variance Permit	40-2.3(I)			<D>			S
Administrative Adjustment	40-2.3(J)			<A>		D	
<b>INTERPRETATIONS AND APPEALS</b>							
Interpretations	40-2.3(L)			<A>		D [5]	D [4]
Appeals	40-2.3(M)			<D> [2]			

# Regulatory Aspects

## Process Flexibility

### ➤ Administrative Adjustment

- Minor deviation
- Established parameters
- Staff decision
- Objective standards

TABLE 2-300(F): STANDARDS SUBJECT TO ADMINISTRATIVE ADJUSTMENTS		
STANDARD	ALLOWABLE MODIFICATION	
	OLD TOWN	OUTSIDE OLD TOWN
Any numerical dimensional standard from Table 5-100(A), <i>Dimensional Standards in the Residential Zone Districts</i> , or Table 5-100(B), <i>Dimensional Standards in the Business Zone Districts</i>	Modify by up to 20%	Modify by up to 10%
Any required setback from Tables 5-100(A) or (B) to protect root zones of existing healthy trees retained on a site during and after construction		Modify by up to 20%
Perimeter buffer width standard from Table 6-300(F)(1), <i>Buffer Classifications</i>	Modify by up to 20%	No reduction allowed
Minimum required number of off-street parking spaces from Table 6-100(D)(1), <i>Minimum Off-street Parking Standards</i>	Modify by up to 20%	Modify by up to by 5% (only to protect root zones of existing trees with 10 inch dbh or greater)
Minimum Connectivity Index score of 1.65 (Section 6-800(A)(2)(b)(1)(c))	Modify by up to 25%	Modify by up to 15%
Limitation on the maximum number of off-street parking spaces located between a primary building façade and the street it faces for: <ul style="list-style-type: none"> <li>Commercial and public and institutional development in the OI, CC, CG, PD-C, and PD-MEC districts (Section 6-800(C)(9)(a)(2)); or</li> <li>Large Retail Establishments (Section 6-800(D)(7))</li> </ul>	Modify by up to 20%	
Requirement that no parking be located between a single-family dwelling and the street it fronts (Section 6-800(E), <i>Infill Design and Development Standards</i> )	Modify by up to 100% (reductions allowed to protect heritage trees or where space or topographic considerations prevent access to the rear of a lot)	N/A
Front and side yard setbacks for corner lots developed with Commercial or Public and Institutional Uses (Section 6-800(E), <i>Infill Design and Development Standards</i> )	Reduce to minimum of up to 5 feet	N/A
Maximum building footprint for Commercial and Public and Institutional Uses (Section 6-800(E), <i>Infill Design and Development Standards</i> )	Modify by up to 25%	N/A
Glazing standards for: <ul style="list-style-type: none"> <li>Commercial and public and institutional uses (Section 6-800(C)(4)(b)(2)); or</li> <li>Primary ground floor front facade glazing standards for Large Retail Establishments (Section 6-800(D)(2)(b)(1))</li> </ul>	Modify by up to 25%	

# Regulatory Aspects

## Process Flexibility

### ➤ Alternative Forms of Compliance

- Alternative parking plan
- Alternative landscape plan
- Security exemption from lighting/fencing
- Uniform signage plan



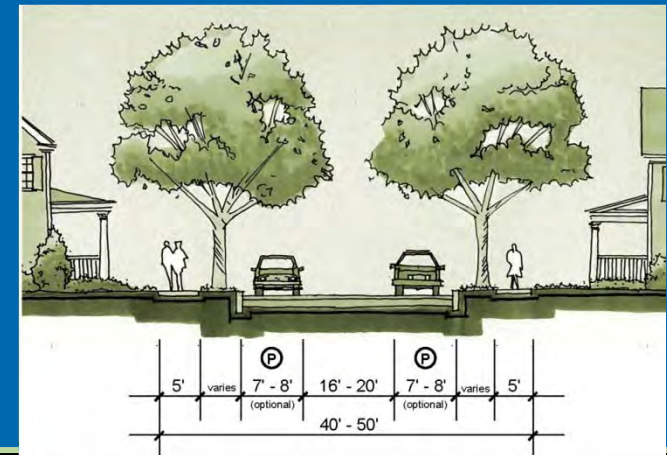


# Regulatory Aspects

## Process Flexibility

### ➤ Interpretation

- Formal process
- Written interpretation from the staff
- Generally relate to:
  - Meaning of code text
  - Map boundary
  - Meaning of standards

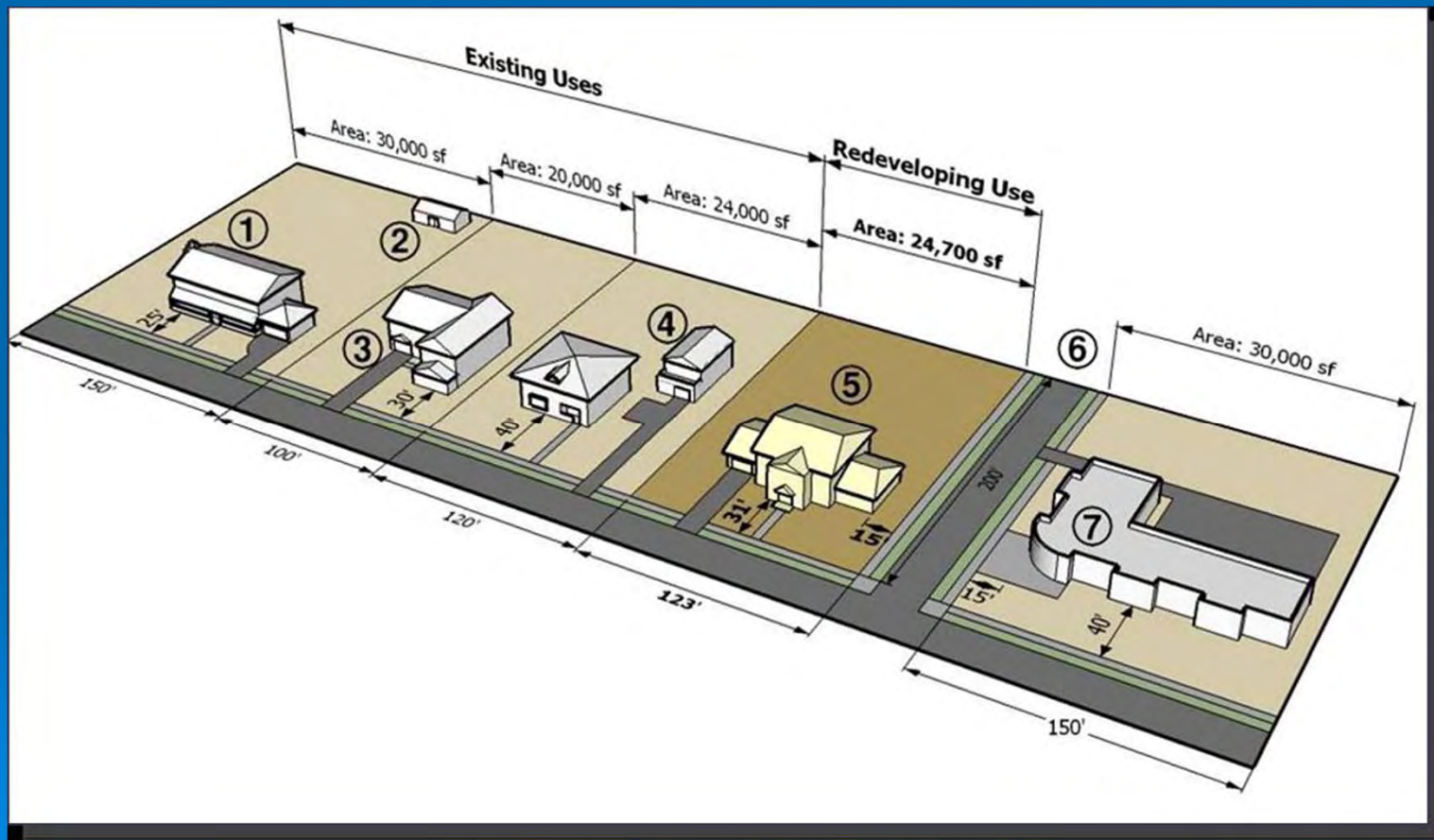


USES ALLOWED BY ZONE DISTRICT		A = ALLOWED S = SPECIAL EXCEPTION						
Use Classification	Specific Use Type	Standard Zone Districts				PUD Zone Districts		Additional Regulations
		A	R-1	R-4	C-1	PUD-1	PUD-2	
Agricultural Uses								
Agriculture	Crop production, pasture, grazing land, etc.	A						
	Permanent roadside stand	S			S			
Agricultural Services	Feed store	S			A			
Horticulture & Nurseries	Greenhouse	S			A	S		Sec. 5.2.19
Residential Uses								
Group Living Facilities	Assisted Living Facility			S	A	S	S	Sec. 5.2.20
	Boarding Houses			S	A	S	S	

# Regulatory Aspects

## Substantive Flexibility

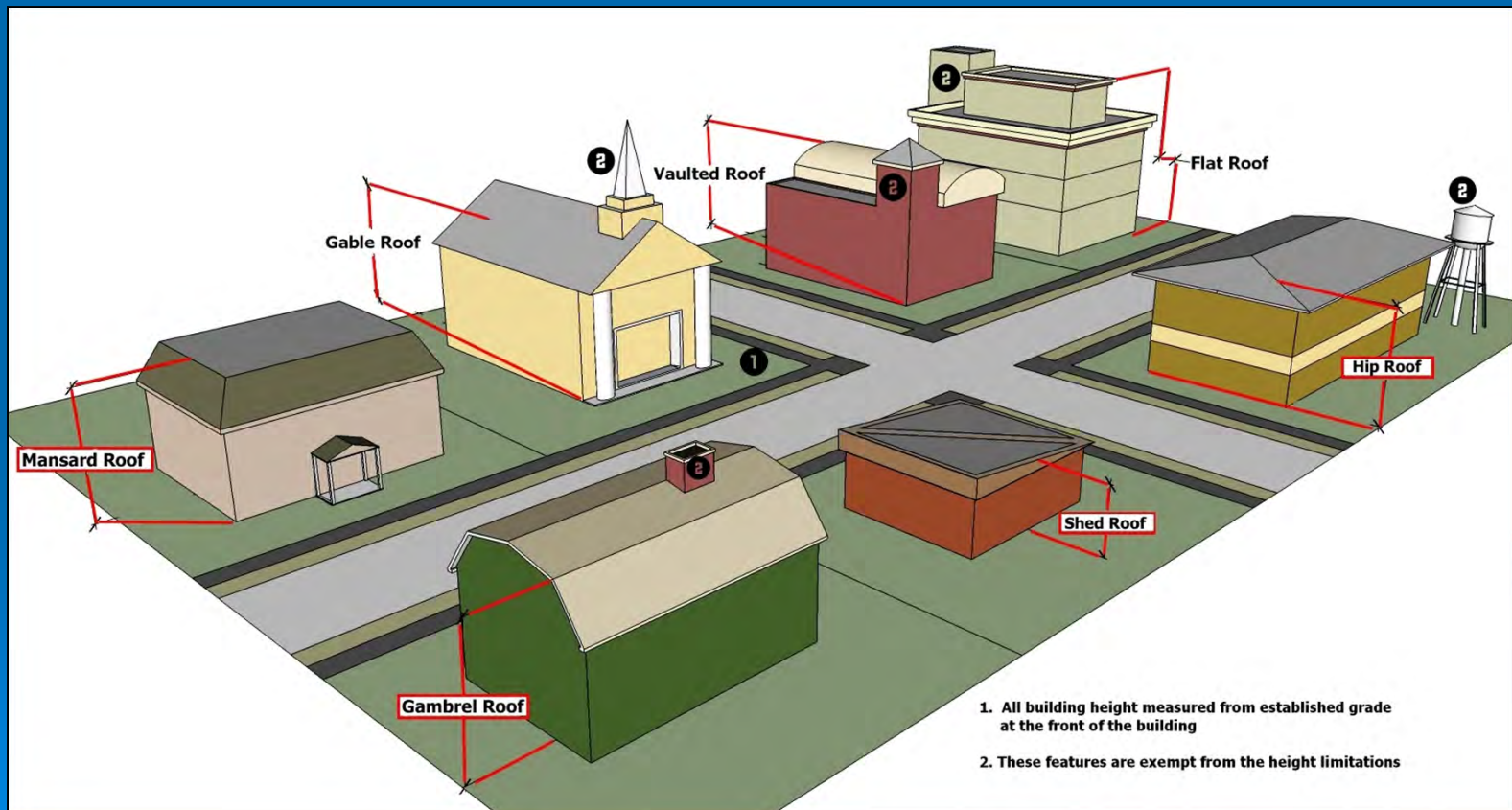
### ➤ Contextual Setbacks





# Regulatory Aspects Substantive Flexibility

## ➤ Average or Median Height





# Regulatory Aspects

## Substantive Flexibility

### ➤ Performance-Based Standards

- Buffer opacity
- Aggregate caliper inches
- Dumpster screening

ARTICLE 40.1-5: DEVELOPMENT STANDARDS  
Section 40.1-5.2 Landscaping and Screening  
Subsection (E): Perimeter Buffers

TABLE 40.1-5.2(E)(3): BUFFER TYPES				
BUFFER TYPE AND CONFIGURATION  ACI = AGGREGATE CALIPER INCHES	MINIMUM PERIMETER BUFFER			
	OPTION 1: MINIMUM WIDTH 20 FEET	OPTION 2: MINIMUM WIDTH 10 FEET [4]		
<b>TYPE A - BASIC</b>				
This perimeter buffer functions as a basic edge demarcating individual properties with a slight visual obstruction from the ground to a height of ten feet.				
	2 ACI of canopy trees + 10 ACI of understory trees + 15 shrubs per 100 linear feet			
<b>TYPE B - AESTHETIC</b>				
This perimeter buffer functions as an intermittent visual obstruction from the ground to a height of at least 20 feet, and creates the impression of spatial separation without eliminating visual contact between uses.				
	8 ACI of canopy trees + 10 ACI of understory trees + 15 shrubs per 100 linear feet	2 ACI of canopy trees + 14 ACI of understory trees + 35 shrubs per 100 linear feet		

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ARTICLE 40.1-5: DEVELOPMENT STANDARDS  
Section 40.1-5.2 Landscaping and Screening  
Subsection (E): Perimeter Buffers

TABLE 40.1-5.2(E)(3): BUFFER TYPES		
BUFFER TYPE AND CONFIGURATION  ACI = AGGREGATE CALIPER INCHES	MINIMUM PERIMETER BUFFER	
	OPTION 1: MINIMUM WIDTH 20 FEET	OPTION 2: MINIMUM WIDTH 10 FEET [4]
<b>TYPE C - SEMI-OPAQUE</b>		
This perimeter buffer functions as a semi-opaque screen from the ground to at least a height of six feet.		
	12 ACI of canopy trees + 14 ACI of understory trees + 25 shrubs per 100 linear feet	One 4-foot-high berm or one 4-foot-high solid fence + 2 ACI of canopy trees + 16 ACI of understory trees per 100 linear feet
<b>TYPE D - OPAQUE</b>		
This perimeter buffer functions as an opaque screen from the ground to a height of at least six feet. This type of buffer prevents visual contact between uses and creates a strong impression of total separation.		
	18 ACI of canopy trees + 20 ACI of understory trees + 55 shrubs per 100 linear feet	One 6-foot-high solid fence + 12 ACI of canopy trees per 100 linear feet

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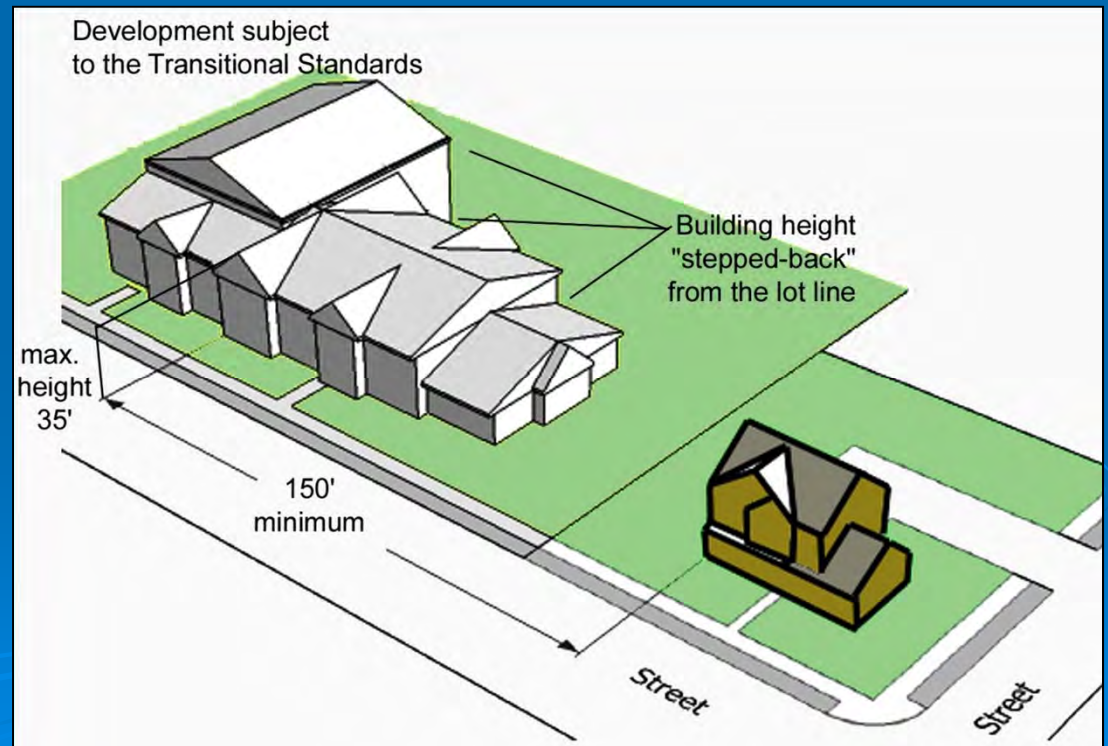
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# Regulatory Aspects

## Substantive Flexibility

### ➤ Transitional Standards

Design stds. applied to nonresidential development; when locating next to existing single-family development



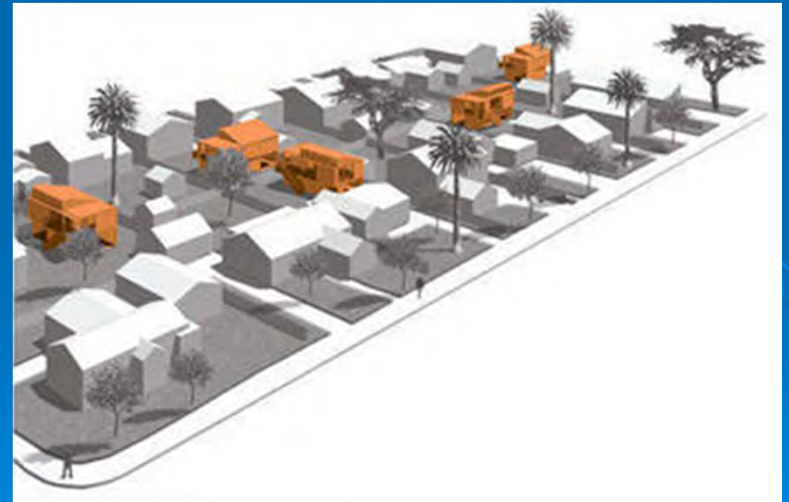
# Regulatory Aspects

## Preferred Development Forms

### ➤ Accessory Dwelling Units

#### – Santa Clara CA

- ADUs allowed in SF districts
- Developed number of pre-approved ADU proto-types



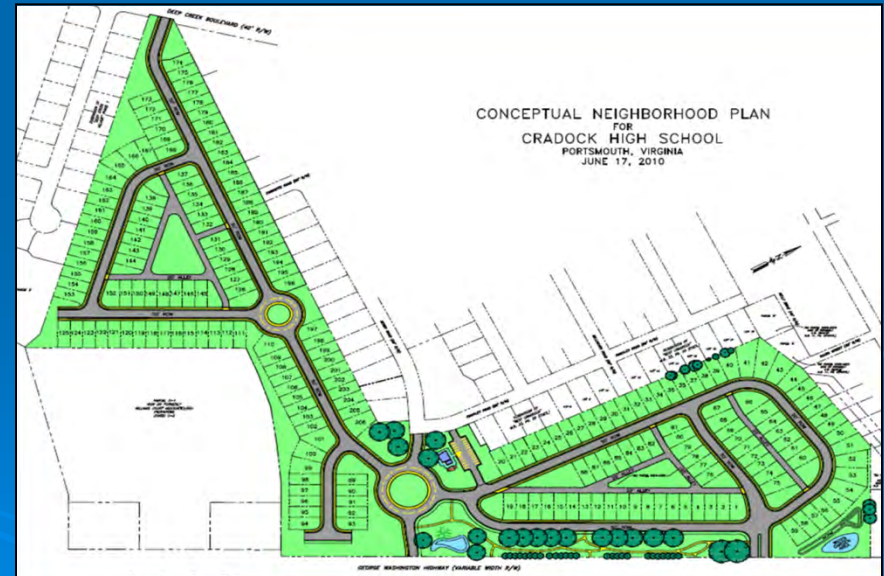


# Regulatory Aspects

## Preferred Development Forms

### ➤ Type I/II Development Plans – Portsmouth VA

- Type I: Staff review of plan that complies with standards
- Type II: Public hearing for plan that proposes to vary standards. Additional compensating public benefits.





# Regulatory Aspects

## Preferred Development Forms

### ➤ Form-based and Corridor Development – Beaufort County, SC

- Development in Form Districts: Staff review of plans.
- Development in Scenic Corridors: Creation of development proto-types. No review by Corridor Review Board (staff review).



# Administration

The Code is Great, So What Comes Next?

Streamline Your Review Process



# Administration

## ➤ Why Now?

- Be Ready
- Economic Competitiveness
- Political Pressure
- Compliments, not Complaints



# Administration

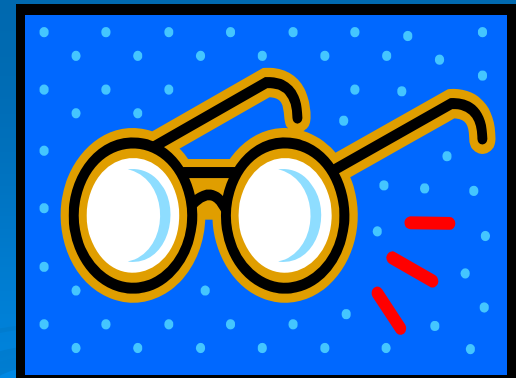
- Processes and Procedures
- User Friendly
- Predictable
- Transparent



# Guiding Principals

## ➤ The Vision Thing

- Provide predictable and transparent development services, from first application to project completion.





# Build and Keep Support

- Identify and Involve Stakeholders
  - Internal and External
- Communicate



# Funding

- Fee Based
- Enterprise Operation



# Test Period

- Internal/External
- Situational



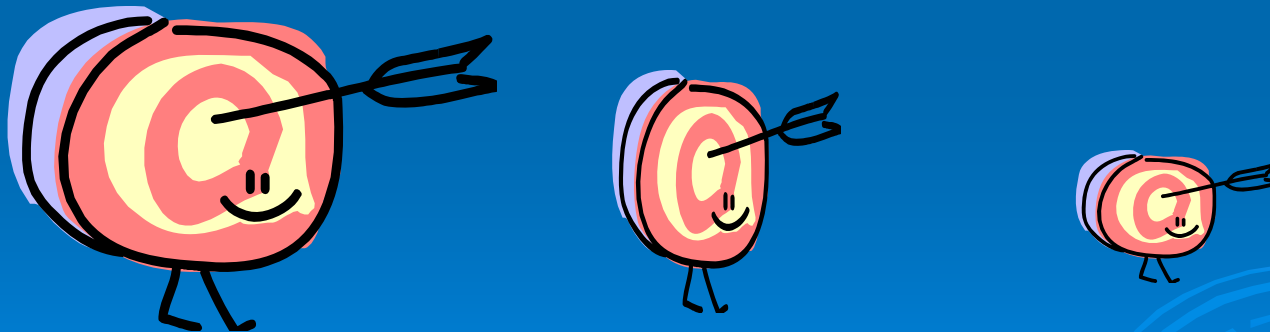
# Reinvention

- Inventory
- Eliminate
- Combine
- Re-Engineer



# Service Targets

- Grounded in Reality
- Fees Cover Costs
- Track
- Report





# On Line Services

- Application Forms
- Permit Forms
- Checklists
- Service Targets



# On Line Services

- Fee Calculator and Payment
- Scheduling
  - Inspections
  - Appointments



# On Line Services

## ➤ Tracking

- Review Comments
- Permit Status
- Inspection Results
- Permit History



# Success!

- Service Targets = Certainty
- Transparency
- User Friendly
- Communication
- Continuous Feedback and Improvement



# Conclusion

- What's in it for the public?
- What's in it for the elected officials?
- What's in it for YOU?



# Questions

