

The City Attorney's Office approached the task of editing the Zoning Ordinance (Z.O.) for legal updates, as follows:

- **State-Mandated Provisions**—Z.O. provisions that paraphrase or implement requirements prescribed by state law are deleted, and replaced with a reference to the governing Virginia Code provision.
 - **State-Mandated Development Review Procedures**—the state-mandated procedures applicable to preliminary site plans and their review (15.2-2260) and final site plans and their review (Va. Code 15.2-2259) have been built into the edited draft.
 - A preliminary site plan should be handled as a preliminary, schematic-design (concept) document, instead of a “draft final” product. For several categories of development approvals this will eliminate an unnecessary step in the review process, and conform to state-mandated procedures.

Current: (Rezoning/PUD/SUP + Site Plan)  Preliminary Site Plan  Final Site Plan

PROPOSED: (Rezoning/PUD/SUP + Preliminary Site Plan)  Final Site Plan

- **Problematic Provisions**—Z.O. provisions that appear unclear, have presented challenges for implementation, or that, in our opinion, are inconsistent with existing enabling legislation or court decisions, have been updated. Text/comment boxes and/or footnotes have been used to indicate the need for these updates.
- **Organizational and Editorial Changes**—we have re-shuffled the various ordinance provisions, in an attempt to make the ordinance simpler to utilize, and to make it easier for individuals to locate necessary information. We also have done a substantial amount of editing in an attempt to present text in a clearer, easier-to-interpret set of words. We wanted to eliminate repetitive provisions, eliminate unnecessary and excessive wording, and present information in charts when that would simplify references. Examples:
 - All zoning districts that promote mixed use development have been organized into one single division titled “Mixed Use Zoning Districts”
 - We have attempted to simplify the Use Matrices and make them simpler to navigate and interpret. We’ve included a provision that would allow the Zoning Administrator to interpret the ordinance as allowing a Use that is similar in nature to a specifically-listed use.
 - All of the various permit and procedure processes have been regrouped together in one article (rezonings, SUPs, provisional and temporary use permits, variances, zoning verifications, site plan approvals, etc.)
- **Other Notes**
 - Some existing provisions will not be found within these edited documents (for example, the Infill SUP). If you do not see text marked as “strikethrough” [indicating an intentional deletion], or “underlined” [indicating text that is being added], then no change is being recommended as part of this initial legal review.
 - Additional substantive updates and revisions may be recommended by staff, the planning commission, or city council at a later date. This legal audit has been performed only as the Initial Phase of a more comprehensive review of the Zoning Ordinance.