

## Proposed Text Change

**Note:** Proposed new language is shown highlighted and underlined.  
Proposed deletions are shown ~~bracketed and struck through~~.  
Proposed 2/4/2026 Language is shown highlighted and underlined.

**To Amend §39A (Inclusionary Housing Overlay District (IHZ), to read as follows:**

...

### **39A-21 Increased Residential Development**

At the sole discretion of the Planning and Zoning Commission: In order to further increase the diversity of housing choices, developments containing more than seventy percent (70%) residential, in the non-residential zone, may be allowed the following special standards provided there is at least one (1) underground space per unit, and the total coverage is reduced to 65%:

- a. 17 units per gross acre throughout the entire site provided the density is equal to or less than that allowed under Sections 39A-5 and 39A10.1;
- b. Patios and play areas may be allowed up to five feet (5') encroachment into side and rear setbacks when adjacent to non-residential zoned properties and adequately screened to the satisfaction of the Planning and Zoning Commission;
- c. Three (3) Stories and thirty five feet (35') throughout the site as measured from existing average grade;
- d. Twenty five percent (25%) Building Coverage throughout the entire site with ~~terraced retaining walls and landscaping,~~ patios ~~and common open entryway canopies?~~, up to ~~five hundred square feet (500SF), may be are~~ exempt;
- e. 30% non-residential Floor Area requirement §39A-10.1.2 shall not apply;
- f. Limitations of Excavation and Filling of Land in §32-8.2 & §32-8.3 shall not apply;
- g. Maximum Building Size in §24-8.1 shall not apply where the Planning and Zoning Commission, in conjunction with input from the Architectural Review Board, determines that the increase in size is proportional to the lot size, shape, location, orientation, and serves to encourage efficient use of underground parking;
- h. Drive aisles may ~~shall~~ not be less than twenty-two (22') feet in width.

Applicants may elect to pursue a General Development Plan simultaneously with an IHZ Zone Change.