

**LAND USE AND ZONING COMMITTEE AMENDMENT**

The Land Use and Zoning Committee offers the following first amendment to File No. 2018-668:

- (1) On **page 1, line 18, after** "PUD;" **insert** "PUD SUBJECT TO CONDITIONS;"; and
- (2) On **page 3, line 2, strike** "Exhibit 3 - Written Description dated September 12, 2018." and **insert** "Revised Exhibit 3 - Revised Written Description dated June 12, 2019."; and
- (3) On **page 3, line 3, strike** "Exhibit 4 - Site Plan dated September 4, 2018." and **insert** "Revised Exhibit 4 - Revised Site Plan dated May 31, 2019."; and
- (4) On **page 3, line 3½, insert** a new Section 2 to read as follows:  
**"Section 2. Rezoning Approved Subject to Conditions.** This rezoning is approved subject to the following conditions. Such conditions shall control over the Written Description and the Site Plan and may only be amended through a rezoning.

(1) The Homeowners' Declaration of Covenants, Conditions and Restrictions shall restrict houses on lots 1-2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26 through 37 to one story in height.

(2) There shall be a twenty (20) foot wide undisturbed natural buffer along lots 1-2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26-37, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, and 87-89.

(3) On the developer's side of the buffer, an eight (8) foot high, 85% opaque fence shall be constructed along lots/parcels 1-2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26-37, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, and 87-89 as well as along the northern property line of Parcel RE# 106889-

0020, and along the right-of-way along the eastern property line where applicable, depending upon wetlands and stand of existing trees.

(4) The existing trees in the buffer, as referenced above in condition (2), shall be supplemented with one shade tree every twenty-five (25) feet between existing trees.

(5) Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either: (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.”; and

- (5) Strike **Exhibit 3** and attach **Revised Exhibit 3**.
- (6) Strike **Exhibit 4** and attach **Revised Exhibit 4**.
- (7) Renumber the remaining Sections.
- (8) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

          /s/ Shannon K. Eller          

Office of General Counsel

Legislation Prepared By: Shannon K. Eller

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