

## Staff Report Exhibit A - Modification Log

Updates to the LDR Since First Reading of the Independent Articles	
<b>Article 1      General Provisions</b>	
Sec. 1.1.2	<b>CHANGED:</b> "Village" Council to "Wellington's" Council for consistency.
Sec. 1.1.3.C	<b>ADDED:</b> The word "the" to the sentence.
Sec. 1.3.2.A.1	<b>ADDED:</b> The word "legally" to the sentence for clarity.
Sec.1.6.1	<b>MOVED And CHANGED:</b> Relocated Article 3, Chapter 1 to Article 1. Clarified and reorganized content accordingly. Updated references.
Sec.1.6.2.E	<b>ADDED:</b> <i>"There shall be no re-hearing of an appeal once a determination is made by the governing body."</i>
Sec.1.7.2	<b>ADDED:</b> A section to address development order non-compliance and open permits being violations of the LDR.
Chapter 8	<b>ADDED:</b> Chapter 8 - Zoning in Progress to address staff initiated text amendments and permits/development orders that are affected by the amendments. A Zoning in Progress is used to place a hold on permits and development orders that are directly related to change in the LDR, without entering into a moratorium. The LDR is currently silent on this process and adding the language is only to justify the process. A Zoning in Progress resolution can be adopted without having reference in the LDR, however to add the language will further making the process legally defensible.
<b>Article 2      Concurrency Management</b>	
Table 2.1.2-1	<b>ADDED:</b> School Capacity Availability Determination letter.
Sec.2.1.4	<b>ADDED:</b> "issued by Wellington" for clarification.
<b>Article 3      Definitions</b>	
TBD	
<b>Article 4      Reserved for Future Use</b>	
<b>Article 5      Development Review Procedures (Adopted in 2017 - REVISED)</b>	
Table 5.1.2-1	<b>DELETED:</b> Vacation/Abandonments as they are processed through Utilities.
Table 5.1.2-1	<b>CHANGED:</b> "Tree" to "Vegetation" Removal Permit for consistency.
Table 5.1.2-1	<b>ADDED:</b> Tree Board to list for Tree Fund review of "payment in lieu"
Sec.5.2.2.D	<b>ADDED:</b> Text to address the option for electronic submittals due to the new software integration.
Sec.5.2.2.D.2	<b>ADDED:</b> "fee" for clarification.
Sec.5.2.2.E	<b>CHANGED:</b> "working" for "business" for consistency. <b>ADDED:</b> Reference to electronic submittals
Sec.5.2.3.A	<b>CHANGED:</b> "can be found" to "is provided".
Sec. 5.2.3.C.1.a.ii	<b>ADDED:</b> "and does not require public hearing" for clarification purposes.
Sec.5.2.4.3	<b>MODIFIED:</b> Reworded to clarification, no contextual change.
Sec.5.2.4.C.3.a	<b>ADDED:</b> "or designee" to clarify the intent.
Table 5.2.4-2	<b>CHANGED/ADDED:</b> Table for clarification and added Reasonable Accommodation to match regulations for RA's.
Sec.5.2.4.D.6.b.iii	<b>CHANGED:</b> Re-ordered text for better flow. Did not change content of text.
Sec.5.2.4.D.6.b.iv	<b>ADDED:</b> "A re-hearing of an appeal is not permitted."
Sec.5.3.4	<b>ADDED:</b> A comma in the second line of text.
Sec.5.3.7.B	<b>CHANGED:</b> "this code" to "the LDR" for consistency.
Sec.5.3.8.C	<b>ADDED:</b> Cross reference to the definitions of the LDR

Sec.5.3.8.F.3	<b>ADDED:</b> Language regarding fire separation for setback reductions.
Sec.5.3.9.D	<b>ADDED:</b> Language to clarify duration, type and process and formatting.
Sec.5.3.9.E	<b>ADDED:</b> Inspection language to SPU/EP/SP
<b>Article 6 Zoning Districts</b>	
TBD	
<b>Article 7 Site Development Standards</b>	
Chapter 3	<b>ADDED:</b> "Fill and" to the chapter title.
Sec.7.7.4.A	<b>ADDED:</b> Text to review the Tree Fund fees every 3 years per Council request at 1st reading.
Sec.7.7.4.G	<b>ADDED:</b> Reference to the Invasive Species List in the Development Review Manual.
Sec.7.7.5	<b>ADDED:</b> Description for vegetation.
Sec.7.7.5.D.4	<b>ADDED:</b> An exemption for removal of vegetation within the footprint of a proposed structure.
Sec.7.8.2.A.1	<b>DELETED:</b> "excluding an area equivalent to the maximum permitted building coverage for the lot and" from the regulation. The intent was to include the entire lot area.
Sec.7.8.7.B.7	<b>MODIFIED:</b> Per Council's request this requirement was modified to allow a individual lot to remove up to 30% of the vegetation and replace it without a permit and reduce the buffer removal to 10% since a buffer is typically larger and 30% could equate to a significant area of removal.
Sec.7.9	<b>MODIFIED:</b> Made minor changes and reordered a subsection per the Village Attorney's request to ensure the sign regulations are in compliance with recent case law.
Sec.7.9.7.B.2.b	<b>MODIFIED:</b> Changes "two (2)" lines of copy to "three (3)" to accommodate trademarks and content neutral requirements.
Sec.7.9.7.B.3.c	<b>MODIFIED:</b> Changes "two (2)" lines of copy to "three (3)" to accommodate trademarks and content neutral requirements.
<b>Article 8 Subdivision, Platting and Physical Improvements</b>	
Sec.8.1.2.A.3	<b>ADDED:</b> "s" to the word patterns.
Sec.8.1.2.A.4	<b>ADDED:</b> "Comprehensive Plan and" to sentence for overall inclusion.
Sec.8.3.2.E.3.e	<b>ADDED:</b> Language to clarify that public water and sewer facilities must be completed based on phasing prior to first C.O. for that phase.
Sec.8.3.3	<b>MODIFIED:</b> Corrected the surety/bond percentage from 120% to 110%.
Sec.8.3.3.D	<b>ADDED:</b> Language that ensures the and responsibility of design and construction is that of the developer as it relates to public water and wastewater facilities.
Sec.8.4.3.A.2	<b>ADDED:</b> "non-residential" and "bays" to this provision to cover all types of development.
Sec.8.5.3	<b>ADDED:</b> "and the Utility Director" to the pre-work meeting text.
Sec.8.6.2.A	<b>ADDED:</b> "departments" to the pre-work meeting text.
Sec. 8.7.3	<b>ADDED:</b> "Public Utility Easements" to the title and throughout the section. (moved from Article 6)
Table 8.7-1	<b>MODIFIED:</b> Corrected title of table to match maps and actual classifications.
Sec.8.7.3.B	<b>ADDED:</b> "s" to the structure.
Sec.8.7.3.C	<b>ADDED:</b> "and" to the sentence.
Sec.8.7.3.D	<b>MODIFIED:</b> Replaced a reference to Article with the a reference to the Standards Manuals regarding Vacation/Abandonment applications.
Sec.8.7.7.D.3	<b>ADDED:</b> Inserted minimum maintenance requirements to complete the recent nuisance ordinance changes, specifically addresses water bodies. Additionally, moved the previous number 3 to number 4 and so forth.

Sec.8.7.8.C.2	<b>ADDED:</b> "existing" before the word subdivision for clarification purposes, per legal.
Sec.8.7.8.C.3	<b>ADDED:</b> "existing" before the word subdivision for clarification purposes, per legal.
Sec.8.8.1	<b>MODIFIED:</b> Text to clarify that privately owned water and sewer systems are not permitted.
Sec.8.9.1.A	<b>MODIFIED:</b> Text to address electronic submittals.
Sec.8.9.1.C	<b>ADDED:</b> "and survey".
Sec.8.9.1.E	<b>ADDED:</b> Item E to clarify that certified cost estimates must be signed and sealed and meet the requirements of the standards manual.
Sec.8.9.2	<b>ADDED:</b> Added a section related to Regulatory permitting and moved the old 8.9.2 to to 8.9.3.
Sec.8.9.3.D	<b>ADDED:</b> Text that clearly states expired permits are a violation of the LDR for enforcement purposes.
Sec.8.10.2.B.3	<b>ADDED:</b> The requirement for all landscaping, irrigation, or structures in Public easements to be included on constructions plans.
Sec.8.10.3	<b>ADDED:</b> A single section related to requirements during construction, inspections, and close-out.
<b>Article 9 Vehicular Traffic Performance Standards</b>	
Sec.9.2.1	<b>MODIFIED:</b> Replaced "Sec.9.2.2" with "this article" to elimiate a cross reference error in the future.
Sec.9.2.1	<b>ADDED:</b> Reference to a new figure that identifies the road classifications
Sec.9.2.1	<b>ADDED:</b> Figure 2 - Title and Map <i>Wellington's Functional Road Classifications</i>
<b>General Formatting Changes</b>	
1. Numbering - replaced and made consistent all numbering in the text.	
2. Replaced all "code" text with "LDR" text in all articles.	
3. Consistent formatting for text, tables, charts, figures, etc throughout entire document.	
4. All text was underlined to show that it is new and proposed. All deletions were listed in the ordinance itself.	