

COUNCIL OF THE TOWN OF LA PLATA
Ordinance 09-20

Introduced By:	Mayor Roy G. Hale (by request)
Date Introduced:	December 15, 2009
Planning Commission Public Hearing:	January 5, 2010
Town Council Public Hearing:	January 26, 2010
Amendments Adopted:	February 23, 2010
Date Adopted:	February 23, 2010
Date Effective:	Effective March 10, 2010

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2 **AN ORDINANCE** concerning

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4 **Planned Business Park and Enterprise District**

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6 **FOR** the purpose of repealing existing I-P Industrial Park District zoning classification criteria
7 and regulations and adopting a new Planned Business Park and Enterprise District zoning
8 classification; specifying substantive and procedural criteria and regulations for the
9 Planned Business Park and Enterprise District; providing that the provisions of this
10 Ordinance are severable; and all matters generally relating thereto.

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12 **BY** repealing
13 Chapter 191 – ZONING
14 Article III. District Regulations
15 Section 191-25.1 I-P Industrial Park District
16 Code of the Town of La Plata
17 (1998 Edition and Supplements)

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19 **BY** adding
20 Chapter 191 – ZONING
21 Article III. District Regulations
22 Section 191-25.1 Planned Business Park and Enterprise District
23 Code of the Town of La Plata
24 (1998 Edition and Supplements)

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27 **BY** repealing and reenacting, with amendments

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29 Chapter 191 – ZONING

30 Article I. General Provisions

31 Section 191-4 Establishment of Districts

32 Code of the Town of La Plata

33 (1998 Edition and Supplements)

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35 **BY** repealing and reenacting with amendments

36 Chapter 191 – ZONING

37 Article IV. Supplementary District Regulations

38 Section 191-27.F.(1)

39 Code of the Town of La Plata

40 (1998 Edition and Supplements)

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43 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF**
44 **LA PLATA**, That Section 191-25.1, “I-P Industrial Park District”, of the Code of the Town of
45 La Plata (1998 Edition and Supplements) be and it is hereby repealed and new Section 191-25.1,
46 “Planned Business Park and Enterprise District”, be and it is hereby added to said Code to stand in
47 the place of the Section so repealed, and to read as follows:

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Chapter 191 ZONING
Article III. District Regulations

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52 **191-25.1 – PBPE Planned Business Park and Enterprise District**

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A. Intent and Purpose.

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(1) IT IS THE INTENT OF THIS SECTION TO PROVIDE STANDARDS AND A PROCESS FOR THE DEVELOPMENT OF LAND THAT IMPLEMENTS PLANNED CONCENTRATION AND CENTRALIZATION OF COMMERCIAL AND LIGHT INDUSTRIAL USES, TO CREATE SOURCES OF ECONOMIC DEVELOPMENT AND EMPLOYMENT. THE PRIMARY PRINCIPAL USES INTENDED IN THIS DISTRICT ARE LARGE EMPLOYERS WITH SUBSTANTIAL SPACE REQUIREMENTS FOR ADMINISTRATION, LIGHT MANUFACTURING, DISTRIBUTION, OR STORAGE AND THOSE USES THAT ARE DEPENDENT ON ACCESS TO ARTERIAL ROADS. IN GENERAL, THE PRIMARY USES INTENDED FOR THIS DISTRICT ARE THOSE THAT ARE NOT EASILY INCORPORATED INTO THE FABRIC OF A TOWN CENTER OR NEIGHBORHOOD. SECONDARY AND SUPPORTING USES TO THE PRINCIPAL DEVELOPMENT MAY INCLUDE PERSONAL SERVICE AND RETAIL BUSINESSES AT STREET LEVEL, AND/OR RESIDENTIAL UNITS

69 ABOVE NON-RESIDENTIAL USES (LIVE-WORK) AS PART OF A SPECIFIC
70 DEVELOPMENT PLAN.

71 (2) THE PURPOSE OF THESE REGULATIONS IS TO ALLOW A MORE
72 FLEXIBLE APPROACH TO THE DESIGN, REVIEW, AND APPROVAL
73 PROCESS FOR BUSINESS AND EMPLOYMENT PARKS, TO ACHIEVE
74 GREATER EFFICIENCY AND FUNCTIONALITY WHILE PREVENTING
75 NEGATIVE IMPACTS TO SENSITIVE NATURAL AREAS OR SURROUNDING
76 RESIDENTIAL DEVELOPMENT. SUITABILITY AND APPROPRIATENESS OF
77 A PARCEL OR TRACT OF LAND FOR CLASSIFICATION AS A PLANNED
78 BUSINESS PARK AND ENTERPRISE DISTRICT IN A PIECEMEAL
79 REZONING PROCESS, AND FOR A PROPOSED DEVELOPMENT PLAN FOR
80 ANY PARCEL OR TRACT OF LAND ZONED AS A PLANNED BUSINESS
81 PARK AND ENTERPRISE DISTRICT, SHALL BE DETERMINED BY THE
82 TOWN COUNCIL IN A PUBLIC HEARING PROCESS DESCRIBED IN
83 SUBSECTION H OF THIS SECTION. APPROVAL OF ANY PIECEMEAL
84 REZONING APPLICATION, AND OF ANY DEVELOPMENT PLAN FOR
85 DEVELOPMENT IN A PLANNED BUSINESS PARK AND ENTERPRISE
86 DISTRICT, IS CONTINGENT ON EXPRESS WRITTEN FINDINGS THAT AN
87 APPLICATION AND A DEVELOPMENT PLAN GENERALLY
88 DEMONSTRATES EACH OF THE FOLLOWING:

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90 (a) A DEVELOPMENT PROPOSAL THAT CONSISTS OF A
91 COMBINATION OF USES LAID OUT IN A CAMPUS OR BUSINESS
92 PARK SETTING THAT FULFILLS THE INTENT OF THE PLANNED
93 BUSINESS PARK AND ENTERPRISE DISTRICT AND THAT REFLECTS
94 COMPATIBILITY OF THE PROPOSED USES WITH EACH OTHER AND
95 WITH THEIR SURROUNDINGS.

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97 (b) PRESERVATION AND/OR CREATIVE USE OF EXISTING
98 NATURAL FEATURES, WHICH MINIMIZES ENVIRONMENTAL
99 DEGRADATION AND IMPACT TO WILDLIFE HABITAT.

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101 (c) INNOVATIVE USE OF EXISTING INFRASTRUCTURE AND
102 MATERIAL RESOURCES.

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104 (d) COMPATIBILITY WITH THE CHARACTER AND NATURE OF
105 EXISTING ADJACENT DEVELOPMENT OR NEIGHBORHOODS.

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107 (e) PROVISION OF A TRANSPORTATION PLAN THAT
108 INCORPORATES MULTI-MODAL, PUBLIC AND PRIVATE TRAVEL
109 OPTIONS, PROMOTE CONNECTIVITY WITH ADJACENT PROJECTS,
110 COMMUNITIES OR ADJOINERS WHERE APPROPRIATE.

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(f) USE OF UNIQUE, NON-PROTOTYPICAL ARCHITECTURAL DESIGNS, AND EXCEPTIONAL SITE AMENITIES, FURNISHINGS, AND LANDSCAPING.

(g) PROVISION OF OPPORTUNITIES FOR JOBS CREATION AND ECONOMIC GROWTH.

(h) PROVISION OF OPPORTUNITIES FOR SOCIAL, RECREATIONAL, OR CULTURAL ACTIVITIES OR EVENTS.

(i) INCORPORATION OF GREEN SITE AND BUILDING DESIGN TO THE EXTENT PRACTICABLE.

(j) ~~(j)~~ CONFORMITY WITH THE LA PLATA COMPREHENSIVE PLAN.

B. SUBMITTAL REQUIREMENTS. A REQUEST FOR ZONING DESIGNATION OF LAND AS A PLANNED BUSINESS PARK AND ENTERPRISE DISTRICT, RECEIVED IN CONJUNCTION WITH EITHER A COMPREHENSIVE OR PIECEMEAL REZONING APPLICATION OR AN ANNEXATION PETITION, SHALL BE SUBMITTED WITH A DEVELOPMENT PLAN WHICH INCLUDES THE INFORMATION, MAPS, PLANS, AND REPORT DESCRIBED IN SUBSECTION B(1). ADDITIONAL, MORE SPECIFIC INFORMATION, AS DESCRIBED IN SUBSECTION B(2), SHALL BE SUBMITTED WITH A DEVELOPMENT PLAN FOR FINAL APPROVAL OF SUBDIVISION PLATS AND SITE DEVELOPMENT PLANS PRIOR TO THE ISSUANCE OF PERMITS.

(1) THE FOLLOWING MATERIALS SHALL BE SUBMITTED WITH A REQUEST FOR ZONING DESIGNATION:

(A) SITE MAP – DRAWN AT A SCALE NO SMALLER THAN 1" = 100', DEPICTING THE ENTIRE SITE BOUNDARY WITH BEARINGS AND DISTANCES, AND INCLUDING THE FOLLOWING INFORMATION:

- [1] PROJECT NAME OR TITLE;
- [2] NAME AND ADDRESS, WITH SIGNATURE AND DATE LINES FOR THE PROPERTY OWNER(S) AND/OR APPLICANT(S);
- [3] NAME AND ADDRESS, WITH SIGNATURE, SEAL, AND DATE LINES FOR PROJECT ENGINEERS, SURVEYORS, OR ARCHITECTS
- [4] GRAPHIC SCALE, TRUE AND GRID NORTH POINTS, AND THE DATE OF PREPARATION;

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[5] A LOCATION MAP SHOWING THE ENTIRE TRACT AND ITS VICINITY;

[6] ALL ADJACENT PROPERTIES AND THOSE WITHIN 500' OF THE BOUNDARY OF THE SUBJECT PROPERTY, WITH NAMES OF OWNERS, EXISTING ZONING, AND LAND USE;

[7] APPROXIMATE 100-YEAR FLOODPLAIN BOUNDARIES ON AND WITHIN 500' OF THE SUBJECT PROPERTY;

[8] EXISTING INFRASTRUCTURE ON AND WITHIN 500' OF THE PROPERTY, INCLUDING STREETS AND RIGHT-OF-WAYS, WATER AND SEWER LINES, STORM DRAINAGE SYSTEMS, AND OTHER PUBLIC EASEMENTS;

[9] EXISTING BUILDINGS AND OTHER STRUCTURES ON THE SUBJECT PROPERTY, AND WITHIN 500' OF THE PROPERTY, LABELED AS TO FUNCTION OR USE; AND

[10] PROPOSED GENERAL STREET NETWORK, UTILITY NETWORK (WATER, SEWER, AND STORM DRAINAGE), BLOCK AND LOT LAYOUT, PARKING FACILITIES, APPROXIMATE PRINCIPAL BUILDING/ACTIVITY LOCATIONS, AND INTERNAL/PERIPHERAL GREEN SPACE.

(B) PROJECT REPORT -THE PROJECT REPORT SHALL INCLUDE A NARRATIVE REPORT THAT SUMMARIZES THE PROJECT CONCEPT AND PROVIDES THE FOLLOWING INFORMATION:

[1] NAMES AND ADDRESSES OF PRINCIPAL PARTIES (RECORD OWNER, DEVELOPMENT CONSULTANTS, CONTACT PERSON);

[2] DESCRIPTION OF THE PROPOSED DEVELOPMENT, INCLUDING THE PROJECT NAME, USES, ACTIVITIES AND ANTICIPATED PROJECT PHASING PLAN STATING A TENTATIVE TIME TABLE AND STAGING OF DEVELOPMENT AND IMPROVEMENTS;

[3] DESCRIPTION OF EXISTING ZONING AND SUBDIVISION PLATTING ON THE SUBJECT PROPERTY, AND JUSTIFICATION OF THE PROPOSED REZONING;

[4] GROSS PROJECT AREA, IN ACRES;

[5] EXISTING AND PROPOSED OPEN GREEN SPACE ACREAGE;

[6] GROSS LAND ACREAGE FOR EACH PROPOSED LAND USE OR CATEGORY (COMMERCIAL, RESIDENTIAL, LIGHT INDUSTRIAL) AS APPLICABLE; INCLUDE DENSITY AND NUMBER OR PERCENTAGE OF HOUSING UNITS, BY TYPE OF HOUSING STOCK, FOR EACH RESIDENTIAL SITE WITHIN THE PROJECT, AND APPROXIMATE FLOOR-TO-AREA RATIOS FOR EACH NON-

195 RESIDENTIAL SITE;
196 [7] STATEMENT OF COMMITMENT TO COMPLY WITH THE
197 APPLICABLE TOWN OF LA PLATA COMMUNITY DESIGN AS
198 THE STANDARD FOR SITE DEVELOPMENT, INCLUDING
199 BUILDINGS, STREETSCAPES, SIGNAGE AND LANDSCAPING;
200 [8] ANTICIPATED SCHEDULE FOR APPROVALS, DESIGN, AND
201 CONSTRUCTION, INCLUDING ANY OFF-SITE INFRASTRUCTURE
202 IMPROVEMENT WORK THAT MUST BE COMPLETED TO
203 ENABLE THE PROJECT TO BE COMPLETED;
204 [9] ANTICIPATED OR REQUESTED PUBLIC SECTOR FUNDING
205 AND/OR INFRASTRUCTURE IMPROVEMENTS THAT MUST BE
206 COMPLETED TO ENABLE THE PROJECT TO BE COMPLETED;
207 [10] A PRELIMINARY TRAFFIC IMPACT STUDY AND PLAN
208 DEFINING THE ANTICIPATED TRAFFIC DEMAND FOR THE SITE
209 BASED ON THE AMOUNT AND MIX OF DEVELOPMENT,
210 DEMONSTRATING ADEQUACY OF THE SITE ACCESS POINTS
211 AND ADJOINING INTERSECTIONS AND DEFINING LINKS
212 BETWEEN KEY TRAFFIC IMPROVEMENTS TO SITE ACCESS AND
213 DEVELOPMENT PHASING IF NECESSARY. THE STUDY SHALL
214 INCLUDE PRELIMINARY COMMENTS FROM THE STATE
215 HIGHWAY ADMINISTRATION TO THE EXTENT THAT THE
216 ADMINISTRATION IS WILLING TO PROVIDE SUCH COMMENTS;
217 [11] A PRELIMINARY MARKET STUDY DEMONSTRATING THE
218 VIABILITY OF THE DEVELOPMENT CONCEPT AND ESTIMATING
219 THE GENERAL RATE OF ABSORPTION OF THE PROPOSED
220 DEVELOPMENT PROGRAM LAND USES WITHIN THE STATED
221 DEVELOPMENT TIME FRAMES. THE STUDY SHOULD TAKE
222 INTO CONSIDERATION ASSUMPTIONS ABOUT MARKET
223 CHANGES OVER THE COURSE OF THE DEVELOPMENT
224 PROJECTED BUILD-OUT TIME FRAME. THESE ASSUMPTIONS
225 MAY INCLUDE ESTIMATES OF NEW DEVELOPMENT AND
226 POPULATION GROWTH IN THE SURROUNDING MARKET AREA
227 IN CONJUNCTION WITH THE TIMING OF DEVELOPMENT
228 PHASES ON THIS SITE. WITH APPROVAL OF THE TOWN, THE
229 APPLICANT MAY RELY UPON EXISTING STUDIES TO SATISFY
230 ALL OR PART OF THE REQUIREMENTS OF THIS PARAGRAPH;
231 AND
232 [12] A COST-REVENUE RATIO ANALYSIS OF THE PROPOSED
233 DEVELOPMENT PLAN DEVELOPMENT PROGRAM
234 DEMONSTRATING THE ANTICIPATED DIRECT AND INDIRECT
235 ECONOMIC BENEFITS AND IMPACTS TO THE TOWN.
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237 (2) THE FOLLOWING MATERIALS SHALL BE SUBMITTED WITH A
238 REQUEST FOR FINAL APPROVAL OF SUBDIVISION PLATS AND SITE
239 DEVELOPMENT PLANS:

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241 (A) SITE MAP – DRAWN AT A SCALE NO SMALLER THAN 1" = 100',
242 AND INCLUDING ALL ITEMS LISTED IN SUBSECTION B(1)(A)[1]
243 THROUGH [10] ABOVE, PLUS THE FOLLOWING ADDITIONAL
244 INFORMATION:

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246 [1] TOPOGRAPHY (2' CONTOURS), DRAINAGE COURSES, AND
247 100 YEAR FLOODPLAIN BOUNDARIES (BASED ON DEVELOPED
248 UPSTREAM CONDITIONS) FOR THE SUBJECT PROPERTY AND
249 ALL OTHER PROPERTY WITHIN 500' OF THE SITE BOUNDARY;

250 [2] PROPOSED GRADING AND SEDIMENT CONTROL PLAN FOR
251 THE SUBJECT PROPERTY;

252 [3] PROPOSED STREET NETWORK, INCLUDING DESIGNATION
253 OF STREET TYPES (ARTERIAL, CONNECTOR, PRIMARY OR
254 SECONDARY LOCAL, PRIVATE OR PUBLIC ALLEY) AND
255 LOCATIONS OF STUB-OUTS FOR FUTURE CONNECTOR
256 STREETS TO ADJACENT PROPERTIES;

257 [4] PROPOSED LOT LAYOUT PLAN, SHOWING BLOCKS IN
258 MIXED-USE, RESIDENTIAL, AND NON-RESIDENTIAL USES;

259 [5] LOCATIONS OF SIGNIFICANT NATURAL FEATURES, VIEWS,
260 AND VANTAGE POINTS, AS APPLICABLE;

261 [6] PROPOSED INTERNAL PARKING AND CIRCULATION
262 PATTERN, INCLUDING PATHS AND SIDEWALKS, NUMBER AND
263 DIMENSIONS OF PARKING SPACES;

264 [7] LANDSCAPING PLAN, INCLUDING NUMBER AND SPECIES
265 OF STREET TREES, PLANTING AREA ELEMENTS AND
266 MATERIAL SPECIFICATIONS, WATER FEATURES, PLAZAS,
267 WALLS, AND SITE FURNISHINGS; AND

268 [8] STORMWATER MANAGEMENT CONCEPT PLAN.

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270 (B) PROJECT REPORT - A DEVELOPMENT PLAN SUBMITTAL FOR
271 SUBDIVISION PLAT OR SITE DEVELOPMENT PLAN AND PERMIT
272 APPROVAL SHALL INCLUDE A NARRATIVE REPORT THAT
273 INCORPORATES THOSE ITEMS LISTED IN SECTION B(1)(B) [1]
274 THOUGH [9] ABOVE, PLUS THE FOLLOWING SPECIFIC
275 ADDITIONAL INFORMATION, STATISTICS AND AREA
276 CALCULATIONS FOR THE PROPOSED PROJECT:

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278 [1] NET PROJECT ACREAGE (GROSS PROJECT ACREAGE -

279 PROPOSED STREET NETWORK, PUBLIC FACILITIES, OPEN
280 SPACE, AND FLOODPLAIN AREAS);
281 [2] RESIDENTIAL DENSITY PER NET ACRE OF RESIDENTIAL
282 DEVELOPMENT, IF APPLICABLE, AND NUMBER AND
283 PERCENTAGE OF HOUSING UNITS BY TYPE OF HOUSING;
284 [3] FLOOR-TO-AREA (FAR) RATIO FOR EACH NON-RESIDENTIAL
285 SITE WITHIN THE PROJECT;
286 [4] A FINAL TRAFFIC IMPACT STUDY AND TRANSPORTATION
287 PLAN PREPARED BASED ON SCOPING INSTRUCTIONS FROM
288 STATE HIGHWAY ADMINISTRATION AND TOWN STAFF, AND
289 INCLUDING STATE HIGHWAY ADMINISTRATION COMMENTS
290 AND APPROVAL. THE STUDY SHALL DEFINE THE
291 ANTICIPATED AMOUNT OF TRAFFIC GENERATION FOR THE
292 SITE BASED ON THE AMOUNT AND MIX OF DEVELOPMENT
293 AND REFLECTING VARIED TRAFFIC PEAKS BY USE,
294 REASONABLE TRANSIT USE AND ONSITE CAPTURE
295 ASSUMPTIONS, AND ESTABLISHES LINKS BETWEEN TRAFFIC
296 IMPROVEMENTS, DEVELOPMENT PHASING IF NECESSARY
297 AND DEFINES THE MAXIMUM TRIP COUNT NEEDED FOR
298 TOTAL DEVELOPMENT AND EACH DEVELOPMENT PHASE;
299 AND
300 [5] A PARKING TABULATION AND PLAN DEFINING THE
301 ANTICIPATED PARKING DEMAND AND SUPPLY BASED ON THE
302 AMOUNT AND MIX OF DEVELOPMENT. THE PLAN SHALL
303 REFLECT PEAK HOUR PATTERNS OF USE AND DEMONSTRATE
304 ADEQUACY OF THE PROPOSED PARKING SUPPLY ASSUMING
305 REASONABLE JOINT PARKING USE TO PROMOTE PARKING
306 EFFICIENCY. IT SHALL SET PARKING SUPPLY REQUIREMENTS
307 FOR ANY USES FOR WHICH PARKING REQUIREMENTS ARE
308 NOT SET FORTH IN THIS CHAPTER. IT MAY INCLUDE BOTH ON-
309 STREET AND OFF-STREET PARKING TO MEET REQUIREMENTS
310 AND SHALL INCLUDE BIKE PARKING AND TRANSIT STOPS
311 WHERE APPLICABLE. THE PLAN ALSO SHALL REFLECT
312 APPROPRIATE LOADING SPACES TO SATISFY THE NEEDS OF
313 THE INTENDED USES APPROVED IN THE DEVELOPMENT PLAN.
314

315 **C. DEVELOPMENT STANDARDS.** A DEVELOPMENT PLAN MAY NOT BE
316 APPROVED UNLESS THE DEVELOPMENT PLAN COMPLIES WITH THE
317 FOLLOWING DESIGN PARAMETERS AND REQUIREMENTS:
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319 (1) TRACT AREA: THERE IS NO MINIMUM REQUIRED TRACT OR PARCEL
320 AREA FOR DEVELOPMENT WITHIN A PLANNED BUSINESS PARK AND

- 321 ENTERPRISE DISTRICT; HOWEVER, TRACTS LESS THAN 10 ACRES IN
322 SIZE ARE NOT GENERALLY SUITABLE FOR THE TYPE OF DEVELOPMENT
323 INTENDED FOR THIS DISTRICT.
- 324 (2) MINIMUM LOT AREA: NONE.
- 325 (3) MINIMUM LOT WIDTH: NONE.
- 326 (4) MAXIMUM LOT COVERAGE: FIFTY PERCENT (50%) OF LOT AREA.
- 327 (5) MINIMUM PRINCIPAL STRUCTURE BUILDING HEIGHT: THIRTY-FIVE
328 FEET (35') OR THREE STORIES.
- 329 (6) GREEN SPACE/OPEN SPACE: A MINIMUM OF TWENTY PERCENT (20%)
330 OF THE OVERALL TRACT AREA SHALL BE DEVOTED TO LANDSCAPED
331 GREEN SPACE, USABLE BY THE PUBLIC, IN ADDITION TO REQUIRED
332 INTERIOR PARKING LOT LANDSCAPING. THE GREEN SPACE
333 REQUIREMENTS FOR INDIVIDUAL LOTS WITHIN THE PLANNED
334 BUSINESS PARK AND ENTERPRISE DISTRICT MAY BE CLUSTERED IN A
335 COMMUNAL PARK AREA WITHIN THE BOUNDARY OF THE OVERALL
336 TRACT, IF SUCH AREA IS PART OF A DEVELOPMENT PLAN FOR THE
337 ENTIRE TRACT.
- 338 (7) REQUIRED YARDS AND BUILDING SEPARATION:
- 339 (a) ANY LOT OR PARCEL WITHIN THE PLANNED BUSINESS PARK
340 AND ENTERPRISE DISTRICT WHICH FRONTS ON AN ARTERIAL OR
341 COLLECTOR STREET SHALL PROVIDE A MINIMUM FORTY-FIVE FOOT
342 (45') BUILDING SETBACK FROM THE PUBLIC RIGHT OF WAY.
- 343 (b) ALL LOTS OR PARCELS WHICH FRONT ON A LOCAL STREET
344 INTERNAL TO THE PLANNED BUSINESS PARK AND ENTERPRISE
345 DISTRICT SHALL PROVIDE A MINIMUM TWENTY-FIVE FOOT (25')
346 BUILDING SETBACK FROM THE PUBLIC RIGHT OF WAY.
- 347 (c) ALL LOTS OR PARCELS SHALL PROVIDE A MINIMUM TWENTY
348 FOOT (20') SIDE YARD BUILDING SETBACK.
- 349 (d) ALL LOTS OR PARCELS SHALL PROVIDE A MINIMUM TWENTY
350 FOOT (20') REAR YARD BUILDING SETBACK, EXCEPT THAT THE
351 REAR YARD SETBACK IS NOT REQUIRED WHERE ACCESS TO THE
352 LOT OR PARCEL IS PROVIDED FROM AN ALLEY AT THE REAR OF THE
353 LOT OR PARCEL.
- 354 (e) ALL DEVELOPMENT IS SUBJECT TO THE REQUIREMENTS OF §
355 191-27F.(1) LANDSCAPE BUFFERS, AS IT APPLIES TO SEPARATION OF
356 ADJOINING USES.
- 357 (8) MAXIMUM IMPERVIOUS SURFACE RATIO (THE RATIO DERIVED BY
358 DIVIDING THE AREA OF IMPERVIOUS SURFACE BY THE NET PROJECT
359 ACREAGE): SEVENTY PERCENT (70%).
- 360 (9) COMPLIANCE WITH DESIGN GUIDELINES: THE DEVELOPMENT PLAN
361 SHALL COMPLY WITH THE TOWN OF LA PLATA COMMUNITY DESIGN
362 GUIDELINES FOR THE PLANNED BUSINESS PARK AND ENTERPRISE

363 DISTRICT, AS THE STANDARD FOR SITE DEVELOPMENT, INCLUDING
364 BUILDINGS, STREETSCAPES, SIGNAGE AND LANDSCAPING, EXCEPT
365 THAT IF SUCH DESIGN GUIDELINES DO NOT EXIST, THE DEVELOPMENT
366 PLAN SHALL COMPLY WITH THE TOWN OF LA PLATA COMMUNITY
367 DESIGN GUIDELINES FOR THE COMMERCIAL HIGHWAY DISTRICT.

368 (10) PARKING AND LOADING: PARKING AND LOADING SPACES SHALL
369 BE PROVIDED AS DEPICTED ON THE DEVELOPMENT PLAN'S PARKING
370 TABULATION AND PLAN AS APPROVED BY THE PLANNING
371 COMMISSION.

372 (11) GARBAGE CANS AND TRASH DUMPSTERS MUST BE KEPT IN
373 ENCLOSURES SCREENED FROM VIEW FROM ANY RESIDENTIAL LOT
374 LINE OR RIGHT-OF-WAY.

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376 **D. PERMITTED PRINCIPAL USES AND STRUCTURES.** THE FOLLOWING
377 PRINCIPAL USES AND STRUCTURES ARE ALLOWED IN A PLANNED
378 BUSINESS PARK AND ENTERPRISE DISTRICT ONLY TO THE EXTENT THAT
379 ONE OR MORE OF THOSE USES AND STRUCTURES ARE APPROVED BY THE
380 PLANNING COMMISSION AS PART OF THE APPROVED DEVELOPMENT
381 PLAN:

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383 (1) PROFESSIONAL OFFICES (E.G., ATTORNEYS, ACCOUNTANTS,
384 ARCHITECTS, ENGINEERS, FINANCIAL SERVICES AND SIMILAR TYPES
385 OF PROFESSIONAL SERVICES).

386 (2) HEALTH CARE OFFICES AND CLINICS (E.G., PHYSICIANS, DENTISTS,
387 CHIROPRACTORS, CLINICAL THERAPISTS AND COUNSELORS AND
388 SIMILAR TYPES OF HEALTH CARE FACILITIES).

389 (3) PERSONAL AND GENERAL SERVICE ESTABLISHMENTS (E.G.,
390 BARBERSHOPS, HAIR OR NAIL SALONS, DAY SPAS, BANKS, COPY AND
391 MAILING SERVICES, DRY CLEANERS).

392 (4) HOTELS, CONFERENCE CENTERS, BANQUET HALLS AND
393 CONVENTION CENTERS.

394 (5) RESTAURANTS.

395 (6) INSTITUTIONAL USES AND STRUCTURES (E.G., RELIGIOUS
396 INSTITUTIONS, GOVERNMENT OFFICES, POST OFFICES, FIRE AND
397 RESCUE DEPARTMENTS, LIBRARIES, MUSEUMS, ART
398 CENTERS/SCHOOLS, LODGES, AND VOCATIONAL/TRADE SCHOOLS).

399 (7) DAY CARE CENTERS FOR CHILDREN AND THE ELDERLY.

400 (8) BUILDINGS AND STRUCTURES USED IN THE FABRICATION,
401 ASSEMBLY, WAREHOUSING, AND DISTRIBUTION OF MANUFACTURED
402 GOODS WITHIN THE ALLOWABLE NOISE LEVELS REGULATIONS
403 DESCRIBED IN CHAPTER 137 OF THIS CODE.

404 (9) RETAIL, GROCERY, AND SPECIALTY STORES, EACH WITH LESS THAN

- 405 FIFTEEN THOUSAND (15,000) SQUARE FEET OF BUILDING FLOOR AREA.
- 406 (10) RESIDENTIAL USES ABOVE THE GROUND FLOOR WITHIN A MULTI-
- 407 USE BUILDING, PROVIDED THAT SUCH DWELLINGS ARE LOCATED IN A
- 408 MANNER THAT DOES NOT INTERRUPT THE NON-RESIDENTIAL
- 409 FRONTAGE OF THE BUILDING.
- 410 (11) INDOOR RECREATION AND ENTERTAINMENT FACILITIES (E.G.,
- 411 MOVIE THEATERS, SKATING RINKS, BOWLING ALLEYS, FITNESS
- 412 CENTERS, SWIM/TENNIS CLUBS AND MINIATURE GOLF).
- 413 (12) CONVENIENCE STORES.
- 414 (13) RESEARCH FACILITIES AND LABORATORIES.
- 415

416 **E. PERMITTED ACCESSORY USES AND STRUCTURES.** THE FOLLOWING
417 ACCESSORY USES AND STRUCTURES ARE ALLOWED IN A PLANNED
418 BUSINESS PARK AND ENTERPRISE DISTRICT ONLY TO THE EXTENT THAT
419 ONE OR MORE OF THOSE USES AND STRUCTURES ARE APPROVED BY THE
420 PLANNING COMMISSION AS PART OF THE APPROVED DEVELOPMENT
421 PLAN:

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- 423 (1) USES AND STRUCTURES CUSTOMARILY AND CLEARLY INCIDENTAL
- 424 TO PERMISSIBLE PRINCIPAL USES AND STRUCTURES.
- 425

426 **F. SPECIAL EXCEPTION USES AND STRUCTURES.** THE FOLLOWING USES
427 AND STRUCTURES ARE ALLOWED AS A SPECIAL EXCEPTION IN A
428 PLANNED BUSINESS PARK AND ENTERPRISE DISTRICT, PROVIDED THAT
429 THE PLANNING COMMISSION FIRST HAS APPROVED ANY SUCH USE OR
430 STRUCTURE AS APPROPRIATE FOR INCLUSION IN THE DEVELOPMENT
431 PLAN AND HAS RECOMMEND THAT THE BOARD OF APPEALS APPROVE
432 THE SPECIAL EXCEPTION:

- 433
- 434 (1) OUTDOOR RECREATION FACILITIES (E.G., SKATING RINKS, DRIVING
- 435 RANGES, SWIM/TENNIS CLUBS, MINIATURE GOLF).
- 436 (2) IN-PATIENT MEDICAL FACILITIES (E.G., NURSING HOMES,
- 437 HOSPITALS, MENTAL HEALTH, REHABILITATION FACILITIES, AND
- 438 URGENT CARE CENTERS,).
- 439 (3) VETERINARY CLINICS AND HOSPITALS.
- 440 (4) HELISTOPS WHERE HELICOPTERS LAND AND TAKE OFF, USUALLY
- 441 WITHOUT THE SUPPORT FACILITIES OF A HELIPORT.
- 442 (5) PARKING GARAGES (OTHER THAN PARKING GARAGES ACCESSORY
- 443 TO PRINCIPAL STRUCTURES AND USES), PARK AND RIDE FACILITIES,
- 444 AND TRANSIT STATIONS.
- 445 (6) PUBLIC UTILITY INSTALLATIONS AND FACILITIES.
- 446

447 **G. SIGNAGE.** ALL SIGNS WITHIN A PLANNED BUSINESS PARK AND
448 ENTERPRISE DISTRICT ARE SUBJECT TO THE REGULATIONS SET FORTH IN
449 SECTION 191-71 AND THE REVIEW AND APPROVAL OF THE DESIGN REVIEW
450 BOARD.

451
452 **H. ADMINISTRATIVE PROCEDURES FOR REVIEW AND APPROVAL OF**
453 **DISTRICT AND DEVELOPMENT PLAN.** THE PROCEDURES SET FORTH IN
454 THIS SUBSECTION H GOVERN THE REVIEW AND APPROVAL OF THE
455 CLASSIFICATION OF LAND AS PLANNED BUSINESS PARK AND ENTERPRISE
456 DISTRICTS AND DEVELOPMENT PLANS WITHIN SUCH DISTRICTS.

457
458 (1) APPLICATION FOR CLASSIFICATION AS PLANNED BUSINESS PARK
459 AND ENTERPRISE DISTRICT. AN OWNER OF LAND MAY INITIATE A
460 REQUEST FOR THE CLASSIFICATION OF THE OWNER'S LAND AS A
461 PLANNED BUSINESS PARK AND ENTERPRISE DISTRICT AS PART OF A
462 COMPREHENSIVE REZONING, PIECEMEAL REZONING OR APPLICATION
463 FOR ANNEXATION. NOTWITHSTANDING SECTION 191-54.B. OF THIS
464 CODE, NEITHER THE TOWN COUNCIL NOR THE PLANNING COMMISSION
465 MAY INITIATE A PROPOSAL FOR CLASSIFICATION OF LAND AS A
466 PLANNED BUSINESS PARK AND ENTERPRISE DISTRICT. THE OWNER
467 SHALL INITIATE THE REQUEST FOR CLASSIFICATION BY FILING WITH
468 THE TOWN A DEVELOPMENT PLAN AND SUBMITTAL MATERIALS
469 SPECIFIED IN SUBSECTION B.(1) OF THIS SECTION. THE OWNER SHALL
470 FILE THE REQUEST FOR CLASSIFICATION AS FOLLOWS:

471 (a) FOR A CLASSIFICATION AS PART OF A COMPREHENSIVE
472 REZONING, THE APPLICATION SHALL BE FILED AT SUCH TIME AS
473 DESIGNATED BY THE TOWN COUNCIL.

474 (b) FOR A CLASSIFICATION REQUESTED AS A PIECEMEAL
475 REZONING, THE APPLICATION SHALL BE FILED AT SUCH TIME AS
476 THE OWNER DETERMINES.

477 (c) FOR A CLASSIFICATION REQUESTED IN CONJUNCTION WITH
478 AN APPLICATION FOR THE ANNEXATION OF LAND, THE
479 APPLICATION SHALL BE FILED CONCURRENTLY WITH THE
480 APPLICATION FOR ANNEXATION.

481 (2) PUBLIC HEARINGS ON APPLICATION FOR CLASSIFICATION AND
482 DEVELOPMENT PLAN. AFTER THE TOWN HAS DETERMINED THAT AN
483 APPLICATION FOR CLASSIFICATION AS A PLANNED BUSINESS PARK
484 AND ENTERPRISE DISTRICT IS COMPLETE, THE PLANNING COMMISSION
485 AND TOWN COUNCIL SHALL HOLD PUBLIC HEARINGS ON EACH
486 APPLICATION FOR CLASSIFICATION, AND ITS ASSOCIATED
487 DEVELOPMENT PLAN, AS PROVIDED IN SECTION 191-54.C. OF THIS
488 CODE. APPLICATIONS FOR CLASSIFICATION FILED IN CONJUNCTION

489 WITH AN APPLICATION FOR ANNEXATION ALSO SHALL BE SUBJECT TO
490 ANY OTHER PUBLIC HEARING REQUIREMENTS AS MAY BE REQUIRED
491 BY LAW.

492 (3) DETERMINATION AFTER PUBLIC HEARINGS. AFTER THE PLANNING
493 COMMISSION AND TOWN COUNCIL HAVE COMPLETED THEIR PUBLIC
494 HEARINGS ON A REQUEST FOR CLASSIFICATION AS A PLANNED
495 BUSINESS PARK AND ENTERPRISE DISTRICT, AND THE ASSOCIATED
496 DEVELOPMENT PLAN, THE TOWN COUNCIL MAY ACT UPON THE
497 REQUEST AS FOLLOWS:

498 (a) FOR A CLASSIFICATION AS PART OF A COMPREHENSIVE
499 REZONING, THE TOWN COUNCIL MAY CLASSIFY THE LAND AS A
500 PLANNED BUSINESS PARK AND ENTERPRISE DISTRICT AS PART OF
501 THE COMPREHENSIVE REZONING ORDINANCE AND APPROVE THE
502 DEVELOPMENT PLAN, PROVIDED THAT THE REZONING ORDINANCE
503 EXPRESSLY INCORPORATES COMPLIANCE WITH THE APPROVED
504 DEVELOPMENT PLAN AS A CONDITION OF THE REZONING.

505 (b) FOR A CLASSIFICATION AS PART OF A PIECEMEAL REZONING,
506 THE TOWN COUNCIL MAY GRANT THE RECLASSIFICATION AND
507 APPROVE THE DEVELOPMENT PLAN IF:

508 [1] IN ADDITION TO MAKING SUCH OTHER FINDINGS AS
509 REQUIRED BY LAW FOR A PIECEMEAL REZONING, THE TOWN
510 COUNCIL MAKES THE EXPRESS WRITTEN FINDINGS REQUIRED
511 BY SUBSECTION A.(2) OF THIS SECTION;

512 [2] AS PART OF THE APPROVAL OF THE RECLASSIFICATION,
513 THE TOWN COUNCIL APPROVES THE DEVELOPMENT PLAN;
514 AND

515 [3] THE APPROVAL OF THE RECLASSIFICATION EXPRESSLY
516 INCORPORATES AS A CONDITION OF THE REZONING THE
517 APPROVED DEVELOPMENT PLAN.

518 (c) FOR A CLASSIFICATION REQUESTED IN CONJUNCTION WITH
519 AN APPLICATION FOR THE ANNEXATION OF LAND, THE TOWN
520 COUNCIL MAY APPROVE THE DEVELOPMENT PLAN CONTINGENT
521 UPON THE LAND BEING ANNEXED INTO THE TOWN. THEREAFTER,
522 THE TOWN COUNCIL MAY APPLY THE PLANNED BUSINESS PARK
523 AND ENTERPRISE DISTRICT ZONING CLASSIFICATION TO THE
524 NEWLY ANNEXED PARCEL OF LAND IF AN ANNEXATION
525 AGREEMENT ENTERED INTO AS PART OF THE ANNEXATION
526 PROCEEDINGS REQUIRES, AS A COVENANT RUNNING WITH THE
527 LAND, THAT, IF THE TOWN COUNCIL CLASSIFIES THE LAND AS A
528 PLANNED BUSINESS PARK AND ENTERPRISE DISTRICT, THE LAND
529 WILL BE DEVELOPED IN ACCORDANCE WITH THE DEVELOPMENT
530 PLAN APPROVED BY THE TOWN COUNCIL. HOWEVER,

531 NOTWITHSTANDING ANYTHING ELSE IN THIS PARAGRAPH (C), THE
532 TOWN MAY NOT CONTRACT OR BE REQUIRED TO GRANT SUCH
533 CLASSIFICATION.
534

535 **I. EFFECT OF GRANTING CLASSIFICATION AND APPROVAL OF**
536 **DEVELOPMENT PLAN.** ONCE THE TOWN COUNCIL HAS CLASSIFIED LAND AS
537 A PLANNED BUSINESS PARK AND ENTERPRISE DISTRICT AND APPROVED A
538 DEVELOPMENT PLAN FOR THE DEVELOPMENT OF THAT LAND, PERMITS FOR
539 THE DEVELOPMENT OF THAT LAND SHALL NOT BE ISSUED UNTIL THE
540 MATERIALS REQUIRED BY SUBSECTION B.(2) OF THIS SECTION HAVE BEEN
541 SUBMITTED AND A FINAL SUBDIVISION PLAT AND SITE DEVELOPMENT PLAN
542 HAS BEEN APPROVED BY THE PLANNING COMMISSION. THE PLANNING
543 COMMISSION MAY NOT APPROVE A FINAL PLAT OR SITE DEVELOPMENT
544 PLAN THAT DEVIATES IN ANY MATERIAL RESPECT FROM THE DEVELOPMENT
545 PLAN APPROVED BY THE TOWN COUNCIL.
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547 **J. MODIFICATION OF APPROVED DEVELOPMENT PLAN.** IF AN OWNER OF
548 LAND DESIRES TO USE OR DEVELOP THE LAND IN ANY WAY THAT DEVIATES
549 MATERIALLY FROM THE DEVELOPMENT PLAN APPROVED BY THE TOWN
550 COUNCIL, THE OWNER MAY REQUEST AN AMENDMENT TO THE APPROVED
551 DEVELOPMENT PLAN. AN AMENDMENT TO AN APPROVED DEVELOPMENT
552 PLAN SHALL BE SUBMITTED, CONSIDERED AND ACTED UPON AS PROVIDED
553 IN THIS SUBSECTION J.
554

555 (1) AMENDMENT APPLICATION SUBMITTALS SHALL INCLUDE A
556 WRITTEN REQUEST, A RATIONALE FOR THE AMENDMENT AND
557 AMENDED VERSIONS OF EACH OF THE PLANS OR DOCUMENTS
558 PROPOSED FOR AMENDMENT. THE TOWN COUNCIL MAY EITHER
559 REQUIRE ONLY A REVISION TO THE AFFECTED DOCUMENT OR, IF THE
560 COUNCIL DEEMS THE MODIFICATION TO BE MORE EXTENSIVE, THE
561 COUNCIL MAY REQUIRE A FULL RESUBMITTAL AND SUCH OTHER
562 WRITTEN OR GRAPHIC MATERIAL AS MAY BE NECESSARY OR
563 DESIRABLE IN AIDING THEIR DECISIONS.

564 (2) THE TOWN COUNCIL SHALL SUBMIT A COMPLETED APPLICATION
565 FOR AMENDMENT TO THE PLANNING A COMMISSION FOR REVIEW AND
566 RECOMMENDATION. THE PLANNING COMMISSION AND THE TOWN
567 COUNCIL SHALL HOLD A PUBLIC HEARING ON THE REQUESTED
568 AMENDMENT IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN
569 SECTION 191-54.C. THE PLANNING COMMISSION SHALL RECOMMEND,
570 AND THE TOWN COUNCIL MAY APPROVE OR DISAPPROVE THE
571 REQUESTED AMENDMENT, BASED ON A FINDING THAT THE
572 DEVELOPMENT PLAN, AS AMENDED, SATISFIES THE REQUIREMENTS OF

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SUBSECTION A.(2) OF THIS SECTION.
(3) IN ANY PARTICULAR SITUATION WHERE THE TOWN COUNCIL DETERMINES THAT A REQUESTED AMENDMENT IS MINOR IN NATURE, THE TOWN COUNCIL MAY WAIVE OR MODIFY ANY OF THE SUBMITTAL OR APPROVAL PROCESS REQUIREMENTS OF THIS SUBSECTION J.

SECTION 2. AND BE IT FURTHER ENACTED, That Sections 191-4 and 191-27.F.(1) of the Code of the Town of La Plata (1998 Edition and Supplements) be and they are hereby repealed and reenacted, with amendments, to read as follows:

191-4 Establishment of districts.

For the purpose of this chapter, the Town of La Plata, Maryland is hereby divided into the following districts:

588

R-21	Residential District
R-10	Residential District
R-8	Residential District
R-5	Residential District
R-3	Residential District
P-L	Public Lands District
F-P	Floodplain District
C-B	Central Business District
CBT	Central Business Transition District
C-H	Commercial Highway District
LI	Light Industrial District
I	Industrial District
((I-P)) PBPE	((Industrial Park District)) PLANNED BUSINESS PARK AND ENTERPRISE DISTRICT
M-U	Mixed Use District

589

590 **191-27 Lots and yards.**

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592 **F. Buffer yard requirements.** Where a lot, parcel or tract under proposed development adjoins
593 a lot, parcel or tract of a lower density, a buffer yard shall be provided in accordance with the
594 Table of Buffer Yard Requirements below, to help alleviate the impact of the development on the
595 adjoining use. Where, in the case of a simultaneous development of two (2) or more lots, parcels
596 or tracts of differing use, the developer of the higher density property shall have the
597 responsibility for institution of the buffer yard requirements.

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(1) Table of Buffer Yard Requirements. The letter designations contained in this table refer to the standards contained in Section B of Volume III, Standard Details of the Standard Specifications of the Town of La Plata. Additionally, the requirements contained in Section 109 of Volume II of the Standard Specifications of the Town of

603 La Plata shall apply to these requirements.*

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Table of Buffer Yard Requirements

Proposed Land Use Classification	Adjacent Land Use Classification									
	R-21	R-10	R-8	R-5	R-3	CB	CBT	PL	CH	LI((I)) PBPE
R-21	*	*	*	*	*	*	*	*	*	*
R-10	*	*	*	*	*	*	*	*	*	*
R-8	*	*	*	*	*	*	*	*	*	*
R-5	E	B	B	*	*	*	*	*	*	*
R-3	E	D	D	*	*	*	*	*	*	*
C-B	F	E	E	D	C	*	*	*	*	*
CBT	F	E	E	D	C	*	*	*	*	*
P-L	F	F	F	D	C	*	*	*	*	*
C-H	F	F	F	D	D	*	*	*	*	*
PBEP	G	G	G	G	G	F	F	D	*	*
LI((I))	G	G	G	G	G	G	G	F	E	*

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NOTE: An asterisk (*) denotes no buffer yard required.

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The Land Use Classifications refer to those shown on the Comprehensive Zoning Map adopted ((March 31, 1987))
SEPTEMBER 9, 2009, AS AMENDED FROM TIME TO TIME.

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SECTION 3. AND BE IT FURTHER ENACTED, That if any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Ordinance which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

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SECTION 4. AND BE IT FURTHER ENACTED, That this Ordinance shall become effective at the expiration of fifteen (15) calendar days after its approval by the Council.

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ADOPTED this 23 day of February, 2010.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale
Roy G. Hale, Mayor

R. Wayne Winkler
R. Wayne Winkler, Councilman

C. Keith Back
C. Keith Back, Councilman

ATTEST:

Paretta D. Mudd
Paretta D. Mudd, Councilwoman

Danielle Mandley
Danielle Mandley, Town Clerk
Date 2/23/10

Joseph W. Norris
Joseph W. Norris, Councilman

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

AMENDMENTS TO ORDINANCE 09-20

(At the request of the Council of the Town of La Plata and La Plata Planning Commission)

February 23, 2010

Amendment No. 1

On page 3, line 109, of the proposed Ordinance, immediately following “options” insert “, promote connectivity with adjacent projects, communities or adjoining where appropriate”.

Amendment No. 2

On page 4, immediately below line 121, of the proposed Ordinance, insert the following new paragraph:

“(i) Incorporation of green site and building design to the extent practicable.”

Amendment No. 3

On page 4, line 125, of the proposed Ordinance, strike “(i)” and substitute “(j)”.

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING
LAW

((Double Parenthesis)) indicate matter deleted from existing
law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment
or deleted from the law by amendment.