City of Culver City, California

City Council Agenda Item Report

Meeting Date: 10/08/07	Item Number: A-2
AGENDA ITEM: Discussion of and Comment on Density and Draft Revisions to the Mixed-Use Development Standards.	
Contact Person/Dept.: Thomas Gorham and Todd Tipton	Phone Number: (310) 253-5727 and (310) 253-5783.
Fiscal Impact: Yes [] No [X]	General Fund: Yes [] No [X]
Public Hearing: [] Action Item: [X]	Attachments: [X]
Public Notification: All Commercial Property Owners in Culver City (9/25/07); Signs on Planning Counter (9/25/07); All homeowners associations (9/25/07); Architects, designers and planning related consultants on file with the City (9/25/07); Development professionals working with the Redevelopment Agency (9/25/07); Speakers at the July 23, 2007 Council meeting regarding 9900 Culver Boulevard (9/25/07); Speakers at the Council Study Session (9/25/07); Master Notification List (10/3/07).	
Department Approval: Sol Blumenfeld (10/01/07)	City Attorney Approval: Carol Schwab (by H. Iker) (10/02/07)
Fiscal Impact Approval: Marlee Chang (10/03/07)	City Manager Approval: Jerry B. Fulwood (10/03/07)

RECOMMENDATION:

Staff recommends the City Council discuss and provide input regarding the draft revisions to the Mixed-Use Development Standards and direct staff to proceed with a text amendment modifying Zoning Code Section 17.400.065 – Mixed-Use Development Standards.

BACKGROUND:

Over the last three months, the Council has made significant progress on resolving difficult development and equity issues related to mixed-use development and established the goal of receiving a draft ordinance for review by the earliest possible date. On July 2 and August 6, 2007, the Council conducted hearings and took testimony on proposed revisions to consider reducing density in mixed-use development projects and adopting other related development standards. On August 20, 2007, the Council also made final disposition of projects in the development pipeline that were affected by the proposed changes.

During the Special Study Session on August 6, 2007, the Council reviewed several key development measures that impact the size and scale of a project and noted concerns about building height particularly in proximity to single-family development, traffic generation and building massing. More general concerns were also expressed about project compatibility. After lengthy consideration of the staff report, public testimony and materials presented at the Study Session, the Council directed staff to focus upon “Option 2,” tailoring the recommendations to reflect the residential areas immediately abutting each commercial zone and to more fully develop the "community benefits" concept. Staff reported in the Study Session that density reductions lower the value of commercial property and tend to reduce the opportunity for mixed-use development; and the Council expressed the need to more clearly see the economic implications of the proposed changes.

Over the last month, staff has been working with KMA, the City's financial consultant, on preparing a financial model that describes the expected financial outcome with the density and building height changes under consideration. The financial model is based on prototypical development and expected current land costs in the City. The models are presented in the Financial Analysis section of the staff report.

DISCUSSION:

Current Mixed-Use Development Standards

The Mixed-Use Development Standards are intended to promote commercial revitalization, redevelopment and reinvestment by providing a new market base with new residential development and by activating commercial neighborhoods with new pedestrian activity, thereby furthering the principles of smart growth and sustainability by minimizing auto trips and bringing shopping, employment and housing closer together. Mixed-use development is also seen as an important tool to enable the City to meet its Regional Housing Needs Assessment (RHNA) housing requirements mandated by the State.

The Mixed-Use Development Standards in the City's Zoning Code provide for residential and commercial development on commercially zoned property. Those standards permit 65 dwelling units per acre, a 56-foot building height in most commercial zones and a zero setback along commercial frontage and a minimum 10-foot setback abutting residential zones, with a 60 degree clear-zone angle maintained as measured from the rear property line.

Council Recommendations Related to Option 2 for Mixed-Use Development

The Council generally agreed the revisions to the Mixed-Use Development Standards should address the following:

1. Precisely quantify the outcome of the proposed changes.
2. Establish a new density limit consistent with multifamily residential development and allow increased density only where there is a demonstrated community benefit provided as enumerated in the revised standards.

3. Ensure the revisions are consistent with State Housing Law in the Regional Housing Needs Assessment (RHNA).[1]
4. Identify community benefits to ensure the City gets the maximum project benefit, consistent with area revitalization and redevelopment goals.
5. Establish public participation programs with public meetings to identify public benefits that should be considered with community benefit zoning.
6. Encourage mixed use development along major corridors and in the downtown to promote the concepts of sustainability and smart growth and promote economic development.
7. Revise the Zoning Code so the mixed-use provisions are an overlay zone that can be applied more selectively corresponding to the Zoning map.
8. Limit building height generally to 45 feet adjacent to residential zones, but further tailor height to protect adjacent residential uses.
9. Allow buildings to step up to 56 feet on lots with excessive lot depth (exceeding 100 in depth, providing no part of the stepped portion of the building is closer than 50 feet to any residential zoned lot).
10. Limit density to 35 units per acre with up to 50 units per acre with a community benefit and when located adjacent to commercial property.
11. Establish building setbacks above the ground floor commercial to provide building relief along street frontage and to incorporate open space for residential units and establish a minimum commercial depth or area for each project to ensure adequate commercial use in mixed use projects.
12. Provide incentives to ensure commercial development occurs in Culver City on mixed-use sites to ensure the City receives the maximum financial benefits of the project.

<u>Outcomes of Proposed Changes to Mixed-Use Development Standards</u>

The proposed standards will affect commercial activity and redevelopment efforts along the City's commercial corridors, reducing land values and likely forestalling development of most mixed-use projects. As the value of land is reduced because of reduced density, current projects may be constructed, but new mixed-use development projects will not be actively pursued until the market reaches a new point at which the cost of land and the expected developer revenues are in equilibrium. The City's goals of encouraging commercial revitalization, promoting new sources of tax revenue and facilitating smart growth through mixed-use development will likely be deferred until the real estate market adjusts.

These outcomes must be weighted against the benefit the City receives from the types of mixed-use projects that it determines acceptable or desirable and permits. (A full discussion of the financial impacts is provided in the following Financial Analysis section of the report.) If the City Council decides to reduce density and building height for mixed-use projects, then the following is proposed based upon Council direction:

Summary of Proposed Density, Height Limits and Setbacks (Option 2 Modified)

The revised Mixed Use Development Standards will provide 35 units per acre base density and up to 50 units per acre with community benefits abutting commercial zones or where the lot is split between Culver City and Los Angeles. Base building height will remain at 56 feet on CG zoned lots abutting non-residential zoned lots and where the lot is split between Culver City and Los Angeles. Base building height for mixed-use projects abutting single family (R1 zoned) lots will be 35 feet, with an allowance of up to 45 feet for those portions of the building 35 feet or more from an abutting residential property line (Attachment No. 4). This limit on height adjacent to single family development is intended to address issues of building mass and compatibility. Base building height on CG zoned lots abutting multi-family (R2, R3, RLD, RMD and RHD) will be 45 feet; however, on lots with 150 feet or more in depth that abut multi-family zoned lots it will be permissible to step the building up to 56 feet, provided no part of the stepped portion of the building is closer than 50 feet to an abutting residential lot (Attachment No 5). In addition to the above setback provisions, the existing 10-foot setback abutting residential zones with a 60-degree clear-zone angle will remain. Further, a minimum 30-foot commercial depth on the ground floor will be required and an additional 5-foot step back above the commercial frontage will be required to provide building relief and added open space for residential units. This open space may be partially covered by up to 50% to provide privacy screening or landscaping. Studio units will be limited to no more than 50% of the project. Attachment No. 6 illustrates the proposed building height and setback provisions adjacent single family development.[2]

Mixed use will continue to be allowed in all CG, CN, and CD commercial zones and along the East Washington Overlay (EWO) that has a General Corridor General Plan designation (east of La Cienega Boulevard and north of Washington Boulevard).

Community Benefit Zoning

The City Council considered community benefit zoning as a tool to provide community benefits in exchange for the ability to develop property more intensively. Community Benefit Zoning uses a base density and other typical development standards, but allows the standards to vary when a project provides certain specified public benefits. The development incentive allows the community to achieve particular goals, such as providing day-care, developing a project with extraordinary energy efficiency, creating public parks, libraries or museums or supplying needed public parking in a commercial area, thereby providing specific physical, social or cultural amenities that benefit the residents of the project neighborhood. This zoning mechanism requires clearly identifying the advantages to the developer and the community to make the system work.

The idea behind community benefit zoning is that development brings with it the need to provide additional municipal services and facilities to absorb the impacts of added population and services. The process promotes collaboration between the community and neighborhood during the discretionary permit process. In order to make the process workable, there must be a proportional relationship between the benefit and the cost of providing it and a measurable positive impact upon the community.[3]

As proposed, the community benefit incentive zoning is initially only available when approved by the Planning Commission through the discretionary permit process. The benefits can be established on a project-by-project basis or on a neighborhood basis. Each system has advantages and disadvantages.

The project based community benefit discussion can precede the current Planning Commission discretionary hearing. A public meeting, administered by staff, will identify desired community goals and related benefits. The project based system can be immediately implemented upon the effective date of the proposed Mixed-Use Development Standards with each Planning Commission project resolution expressly describing the community benefits and increased development opportunities after holding a public meeting to review the specific proposal. The resolution should also make clear that the increased development is granted at the developer’s request and agreement to provide community benefits that are proportional to the costs of providing those benefits and the measurable positive impact upon the community.

Alternately, a neighborhood based community benefit can be established by setting up citywide districts, identifying neighborhood stakeholders and identifying the benefits through some public outreach and consensus building process. This may take several months to organize and implement. In this case, the City Council would be the logical decision making body because the community benefit is not tracking with a project discretionary permit. Since the neighborhood based community benefit is set independently from a project, the benefit must be revisited periodically to ensure it still reflects community interests. The ordinance or code provisions likewise should include a discussion of the proportionality between the benefits and the costs of providing those benefits and the measurable positive impact upon the community. Another version of the district based system would be to implement it in only a few areas of the City where there is a clearly identified public need (such as parking in the downtown area).

In this case the number of district hearings would be reduced and they could be scheduled to fit into the City's work plan, rather than immediately implemented as part of the Mixed-Use Development Standards.

The project based system is more closely aligned with each proposed development project. The neighborhood system defines the benefit independently, months or perhaps years in advance of a project and may become obsolete. It also requires more time initially and significant costs to identify district boundaries, determine stakeholders, organize citywide stakeholder meetings, carry out a selection process and codify the accepted community benefit by resolution or ordinance on a citywide basis. The project based system may create more collaboration between the developer and the community during the hearing process but also could cause uncertainty for the process. The neighborhood based system may make development outcomes more predictable in advance of the hearing process. The fiscal impacts associated with each system are described in the Fiscal Impacts sections of the staff report.

Summary of Elements of Community Benefit Zoning in Mixed-Use Projects:

1. *Specific incentives (density increases) that may be granted for development:*

   - 35 units per acre base density, up to 50 units per acre adjacent commercial development.
   - Allow density incentive (up to 50 du/ac) where property is located in multiple jurisdictions (Culver City and Los Angeles) and commercial use is located in Culver City.

2. *Specific benefits required to grant development incentives are:*

   - Pocket park (public serving open space with a minimum of 5,000 sq. ft.), community or day care center, museum, or other community serving facility. This special benefit would be in addition to any applicable park in lieu fees.
   - Public parking serving the immediate commercial area (minimum required 20,000 sq. ft. project sites)
   - Streetscape improvements for the immediate commercial area, including widened sidewalks, landscaping and street furniture and a contribution toward related maintenance costs. Undergrounding of all off-site utility lines that abut the project site and extending to the first utility poles connected to those abutting lines that do not abut the project site.
   - Green building construction meeting minimum LEED Silver energy efficiency standards from U.S. Green Building Council.[3]

- Other amenities or benefits that serve the immediately impacted neighborhood as determined by the Planning Commission or Council.

3. *Community benefit zoning is part of the discretionary permit process that includes a public participation program, standards and procedures for approving the benefits and incentives and final approval required by the Planning Commission or City Council.*

- Use project based community benefits tracked with discretionary permits.
- Establish staff administered community meetings conducted at City Hall as part of discretionary permit application with the meeting scheduled prior to the Commission project hearing.
- Use special public notification of stakeholders (property owners, businesses, residents) within 500 feet of project site.
- Provide examples of public benefits for neighborhood consideration at the community meeting.
- Prepare community meeting action minutes reflecting testimony and disposition by majority vote of meeting participants on Community Benefit determination.
- Planning Commission to confirm community benefit with findings in conditions of approval as part of project resolution. If the project applicant fails to agree to provide the public benefit by executing the affidavit acceptance of conditions for the project resolution, then the resolution allowing the increased density would not become effective and a new public hearing must be held and resolution adopted to permit the construction of the project without any of the community benefits and development incentives.
- Quantify the costs of providing the benefit and expected developer revenue for increased density as part of the discretionary review process in order to establish the community benefit contribution.
- Require a proportionally based system relating the increased property value and project revenues to community benefit contribution.
- Require a standardized system of contribution for providing benefit directly or indirectly through in lieu payment.
- The public benefit must be noted on project plans (where applicable) or provided through in lieu contribution prior to issuance of any demolition, grading, drainage or building permit.

4. *Community Benefits provided indirectly ("in lieu") or directly.*

The community benefit option is proposed as part of the discretionary review process for a project with proposed facilities or off-site improvements provided directly as part of project development or through an in lieu fee program.

Both methods must be established in the conditions of approval as described below:

- *Indirect (In Lieu Fee) Benefit Program*

When the community benefit cannot feasibly or practically be provided directly by the developer because the cost of a desired community improvement exceeds a developer's contribution, a system of "in lieu" payments may be used. These funds are held in an account to be used exclusively for the community benefit specified. This is similar to the concept of an "impact fee" used to fund infrastructure. Community Benefit Zoning goes beyond this concept though, by allowing a developer to use the zoning flexibility as an economic incentive to provide or pay for special community benefits when there is no nexus to allow the City to add those benefits as conditions to the approval of the project being proposed.

- *Direct Benefit Program*

Requirements for ensuring community benefits remain for the life of the project.

For projects that include benefits that are part of the building or site area, a deed restriction or covenant must be recorded on the property stipulating the community benefit must remain as part of the property and the property owner is required to supply evidence, annually, to the City that such use is being maintained.

5. *Calculating Community Benefit Contribution.*

The method for establishing the developer's contribution must be based on the proportionality of the benefit relative to the developer's profit. Unless there is proportionality, the system will be ineffective as there will be no reason to provide the benefit if the cost of providing it exceeds the revenue for the project or reduces that net revenue to a point of becoming a disincentive.

The Community Benefit Contribution is proposed as a proportional share of the Additional Base Density Value and calculated as follows:

A. <u>Community Benefit Contribution:</u>
50% of the Additional Base Density Value.

B. <u>Additional Base Density Benefit Value:</u>

Additional Number of Dwelling Units Allowed X Market Value Sales Price X .15 (Developer Profit).

C. Community Benefit Value:
The cost for providing the community benefit.

The Community Benefit Contribution may be satisfied by funding the Community Benefit improvement on site or by providing an off-site improvement. Costs for some of the suggested community benefits vary depending upon type the type of benefit provided[5].

FISCAL ANALYSIS:

As part of the August 8, 2007 City Council Report, staff analyzed City costs and revenues associated with mixed-use development and how those might be affected if the existing density factor (65 units per acre) were reduced. The analysis indicated the most significant financial impact would be to the Agency due to a reduction in tax increment because of reduced project sizes and values are reduced. Staff also indicated a density reduction will likely reduce the land values supported by new development and given the overall price of land in the region and the demand for housing, the reduction will require time for adjustments in the real estate market. Recognizing there is very little vacant land in Culver City, the vast majority of new development is occurring on currently improved properties. With the lower density it will become increasingly difficult for developers to find improved properties at sales prices that can be supported by new development. As is typically the case, the most likely properties to sell will be those that are unimproved or minimally improved (small structure on a large lot).

To better understand what a developer could pay for improved land that was to be developed with a mixed-use project and incorporated a community benefit, Keyser Marston Associates (KMA) analyzed the land value supported at the base densities of 35 and up to 50 units per acre. The scenarios were comprised of prototypical development on 20,000, 10,000 and 5,000 square foot lots with varying levels of retail/commercial intensity. A table summarizing KMA's analysis is provided below. The entire analysis has been attached for your information.

20,000 square foot site	35 units per acre	48 units per acre[6]
Number of Units	16	22
Total revenues (commercial rent, residential sales)	$10,336,000	$13,268,000

Total construction cost	- $9,020,222	- $11,687,000
Total available to pay for land	$1,316,000	$1,581,000
Price per square foot (land payment divided by lot size)	$66	$79
<u>10,000 square foot site</u>	<u>35 units per acre</u>	<u>48 units per acre</u>
Number of Units	8	11
Total revenues (commercial rent, residential sales)	$4,774,000	$6,092,000
Total construction cost	- $4,192,000	- $5,385,000
Total available to pay for land	$582,000	$707,000
Price per square foot (land payment divided by lot size)	$58	$71
<u>5,000 square foot site</u>	<u>35 units per acre</u>	<u>44 units per acre</u>
Number of Units	4	5
Total revenues (commercial rent, residential sales)	$2,261,000	$2,669,000
Total construction cost	- $1,995,000	- $2,399,000
Total available to pay for land	$266,000	$270,000
Price per square foot (land payment divided by lot size)	$53	$54

The analysis demonstrates as site size and density is reduced, the land value per sq. ft. diminishes. This occurs because smaller sites and less density produce less development revenue. At 35 units per acre a 20,000 sq. ft. site supports a land value of $66 whereas at up to 50 units per acre the same site supports a land value of $79. A 5,000 sq. ft. parcel at 35 units per acre supports a land value of $53, but at up to 50 units per acre the value only increases to $54, because the site is so small it generates only incrementally more revenue.

KMA tested three community benefits scenarios set at 50% of the incremental profit. The scenarios tested indicate community benefits could have values of approximately $40,000 on a 5,000 square foot lot, $110,000 on a 10,000 square foot lot, and $225,000 on a 20,000 square foot lot. These analyses take into account typical development and construction costs, and a reasonable 15% profit a developer could expect to receive. When the community benefit is set at 50% of the increased profit on 10,000 and 20,000 sq. ft. sites, both the City and developer reap a benefit. If the benefit costs are greater than 50% of the added value, then profit diminishes too much to provide an incentive to provide the benefit.

Overall, land values drop significantly with the proposed more restrictive Mixed-Use Development Standards and, for those properties which were purchased at the higher values, 50 units per acre do not create enough of an incentive to justify development. This outcome has broader implications for redevelopment since mixed-use development has been perceived as a tool to stimulate reinvestment and revitalization of the commercial corridors. Thus, it can be assumed it will take time for the real estate market to readjust to the proposed changes, since even at 65 units per acre there is not significant incentive for redevelopment. The relatively small number of mixed use development projects proposed or constructed under the current Zoning Code when residential real estate development was at a peak is evidence of this market condition.

Neighborhood Based Community Benefit System

There are fiscal impacts associated with the citywide "district based" community benefit system that are noteworthy. Significant staff time will be required to plan and implement this approach. For example, the City must be divided in some manner to identify district boundaries that relate to nearby commercial corridors. Each district would be comprised of residents, businesses and property owners who would likely participate in the benefit decision-making process. Because of the large number of people involved in the district, it may be necessary to involve the City Clerk in the community decision process if some balloting system is used. The decision making associated with neighborhood based community benefits could be analogous to overseeing an initiative or referendum with similar costs. It is estimated the initial cost for this effort would be approximately $60,000. This would not be a one-time cost, since community needs change over time and must be revisited. It is arguable since the community benefits have a "shelf life" and benefits desired in a certain district may change over time, and since the effect of the proposed revisions to the Mixed-Use Development Standards will be to forestall mixed-use development, a significant expenditure of staff resources and City funds to establish community benefits by districts may not be a prudent use of City resources at this time.

Community Benefit Summary

Community Benefit zoning that is project based provides a method to finance improvements to the community at relatively no cost to the City, though some of the overall benefit is offset by new services required for development.

CONCLUSIONS:

The draft revisions reduce mixed-used development base densities by up to 54% from the existing zoning, but increase density when a project includes a qualified community benefit. The 56-foot height limit will remain where mixed use commercial lots abut other commercial lots. However, building height will be reduced to 45 feet abutting residential zones with provisions to allow up to 56 feet on larger lots (150 foot minimum depth) abutting multi-family zones. Further, a 35-foot base height limit is proposed within 35 feet of single-family zones. Those reduced building heights are intended to address issues of building mass and compatibility with abutting residential districts. Additional building step backs are required to address building mass above the commercial frontage, and a minimum commercial depth (30 feet) is required to ensure a viable retail component. Community benefit zoning is proposed for increased density only when it is part of a discretionary approval and determined through a public process involving those in the immediate vicinity of the proposed mixed use projects. The effect of the proposed revisions to the Mixed-Use Development Standards will likely forestall mixed-use development since development returns will be reduced. Finally, the estimated maximum theoretical build-out may be 2,000 units over the 7 year planning period with the proposed changes.

Should the City Council direct staff to initiate the text amendment process, in accordance with that process, the proposed amendments would be subject to public review and input, particularly during the hearings before both the Planning Commission and the City Council.

ATTACHMENTS:

1) Mixed Use Density, Height, and Setback Summary Table
2) Map - R1 Abutting Mixed Use Commercial Zones
3) Map - Multi-Family Abutting Mixed Use Commercial Zones
4) Height and Setback Illustration
5) KMA's summary and development tables.
6) Zoning Map

NOTES:

1. The State density bonus law provides that in order to qualify for a density bonus, a developer must provide a minimum amount of affordable housing units. For example, if a developer provides 5% of Very Low income units, he or she is eligible for a 20% density bonus. No density bonus may be more than a maximum of 35%. The law is additive to the base number of units permitted in a zone. Thus if the City adopted a standard for mixed-use development at 35 dwelling units per acre, the density bonus would be applied on top of the maximum number of allowable units under the zoning

and if the City established community benefit zoning with a base density of 35 units per acre, then the bonus would be applied only to the base, not on top of any other incentive zoning.

2. At 35 dwelling units per acre, a typical 5,000-sq. ft. lot could be developed with four units and at up to 50 units per acre, a typical 5,000-sq. ft. lot could be developed with five units. A 45-foot height limit results in a 3-story building with 15-foot floor levels, or a 4-story building with a 15-foot retail/commercial ground floor level and three 10-foot residential floor levels above. Depending upon the number of floors, unit sizes range from 2000 – 2,500-sq. ft. per floor. Further, projects abutting the R-1 zone must be limited to 35 feet in height but may increase to 45 feet for that portion of the building greater than 35 feet to the abutting residential property line.

3. Some of the obvious positive effects of Community Benefit Zoning are:
   - It provides benefits to the community without additional taxes.
   - It makes a project more acceptable to a community and can be designed to precisely address community needs.
   - The system is voluntary and is more acceptable to developers.
   - The incentives can be designed as part of an overall program for community improvement, flexibly providing one type of benefit in one area and another type of benefit in another area, and is a tool for community improvement and is not limited to one type of "problem" and one mitigation measure or solution.
   - It is a tested zoning tool with track record of success in achieving desired community outcomes in cities.

4. Established by the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, developed by the U.S. Green Building Council, which provides a suite of comprehensive high efficiency standards for environmentally sustainable construction.

5. Pocket park, community center, day care center, museum, or other community serving facility. Cost to construct these types of benefits would be $50 per square foot for a pocket park and $200 per square foot for a building. (This cost does not include land purchase). A typical pocket park of 5,000 sq. ft. will cost $250,000 and a typical building s space would cost $1,000,000 to construct or it could be provided on a project site and calculated as part of the project cost.
   - Public parking serving the immediate commercial area. The additional cost to construct each at-grade parking space would be approximately $8,000 or a total of $200,000 to provide 25 stalls, and between

$28,000 - $30,000 for each subterranean parking space or a total cost of up to $750,000. (This cost does not include the purchasing of land.)

- Streetscape improvements that serve the immediate commercial area including widened sidewalks, landscaping and street furniture and a contribution toward related maintenance costs. This type of construction ranges between $20 to $30 per square foot, and about $1 per square foot/month to maintain. The total cost for a typical 1200 foot by 10' wide sidewalk area would be $360,000 and would cost be approximately $12,000 to maintain.
- Green building construction that meets a LEED certification level of Silver or higher as identified by the U.S. Green Building Council. Typically, adding Silver LEED certification elements to a building increases its construction costs by a factor of 20%.

6. 48 units per acre is the result of the specific number of units and lot size being analyzed. When the math is performed the total number of units is rounded down resulting in a maximum of 22 units on a 20,000 square foot lot.

MOTION:

That the City Council:

Direct staff to proceed with a text amendment modifying Chapter 17.400.065 of the Culver City Municipal Code - Mixed Use Development Standards as such amendments are defined by the Council.