
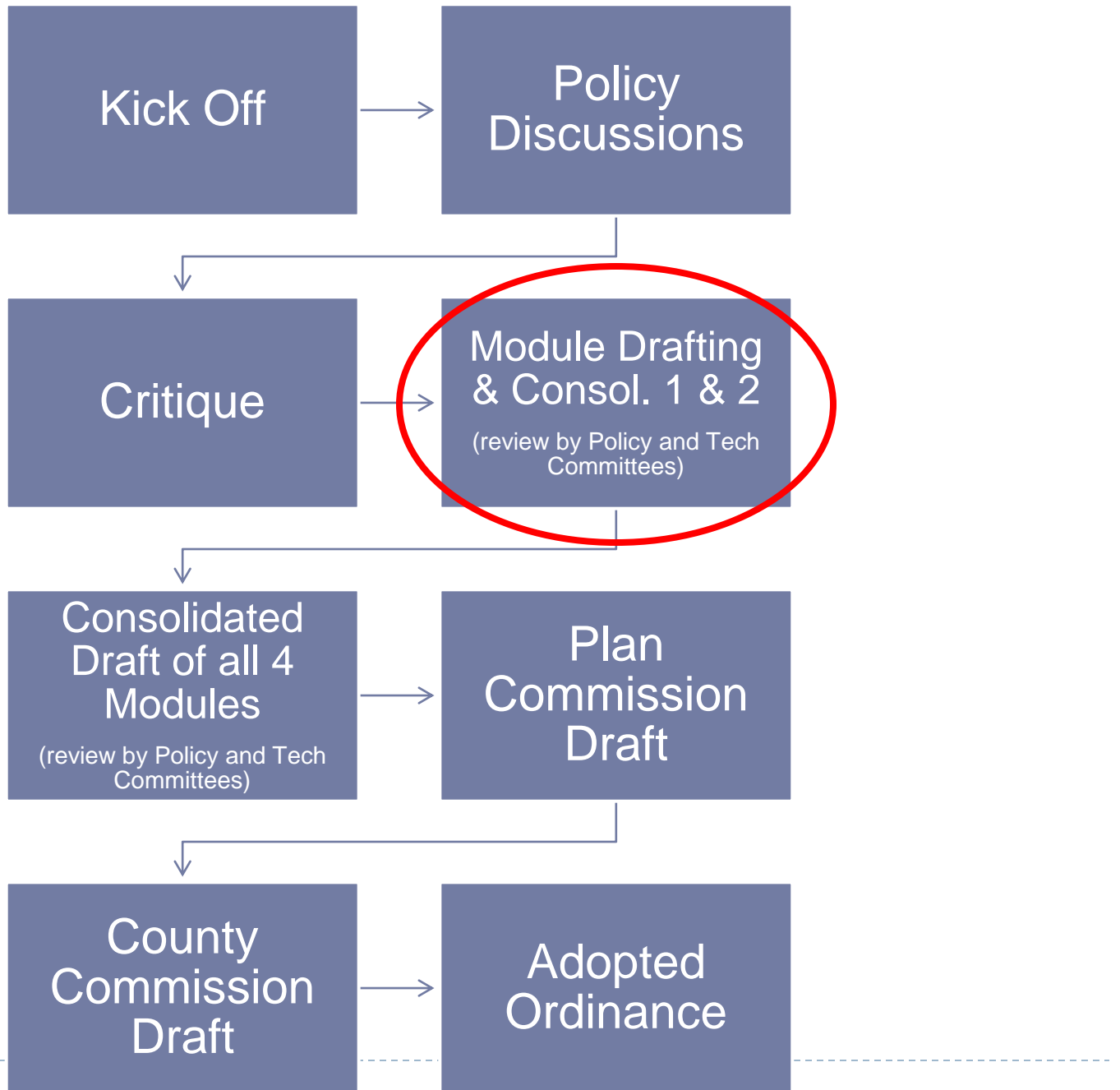




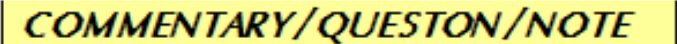

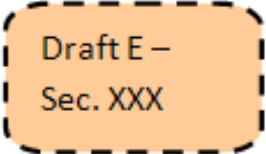

ZONING ORDINANCE REWRITE
Module 2 – District Developmental
Standards & Use Standards



Plan Commission
May 9, 2013



Editing Marks

Existing Text	Text from the existing Zoning Ordinance that has not been modified.
<u>Added Text</u> Deleted Text	Text that has been added to or deleted from the existing regulations
	Poses questions and provides commentary to the draft reviewers. Boxes marked as “COMMENTARY” are intended to remain in the adopted document. Questions and Notes should be addressed and deleted prior to adoption.
	<p>Notes within the margin that show the location in the Zoning Ordinance of text that is existing, modified or deleted.</p> <p>The reference in the call-out applies to all subsequent text in the <u>draft until</u> the next call-out appears in the margin.</p>
	Shows where language from Draft E has been copied over to this draft. A citation is provided.
	Idea brought up in Zoning Ordinance Critique

Module 2 – Articles 4 & 5

- ▶ Draft has no Tech Committee feedback
- ▶ Article 4, Zoning Districts & Developmental Standards
 - ▶ Zoning districts and purpose statements
 - ▶ Measurements and special cases
 - ▶ Residential developmental standards
 - ▶ Nonresidential developmental standards
- ▶ Article 5, Use Standards
 - ▶ Use table
 - ▶ Use categories
 - ▶ Specific use standards (apply to “L” and “S” uses **NOT** “P”)
 - ▶ Wireless Communication Facilities
 - ▶ Accessory uses and structures
 - ▶ Temporary uses
- ▶ Agricultural districts will be in Module 3
 - ▶ However will end up as part of Article 4 & 5



Article

Name of District	Designation Hereinafter
Residential Districts	
<u>Rural Residential</u>	<u>RR</u>
Single-Family Residential	R-1
Two-Family Residential	R-2
Multiple-Family Residential	R-3
<u>Residential Mixed Use</u> Multiple-Family Residential and professional office	R-4
Nonresidential Districts "B" Business Districts	
Limited Neighborhood Business	B-1C
General Business	B-2C
Business and Wholesale Heavy Business	B-3C
"M" Manufacturing Districts	
Limited Manufacturing	M-1C
General Heavy Manufacturing	M-2C
Restricted Manufacturing District	M-3C
Special Purpose and Overlay Districts	
Office Park	E-1
Business Park	E-2
Gateway Interchange Park	E-3 E-2
General Planned Unit Development <u>Overlay</u>	-GPUD
Detailed Planned Unit Development <u>Overlay</u>	-DPUD
<u>Town Residential Overlay</u>	-TR
<u>Wellhead Protection Overlay</u>	-WP
Agricultural	A-1
Confined Feeding Protection	A-4
<u>Intense Livestock Operation</u>	A-5

New

New name & new standards

Unused on map so removed

Merge Office & Business Park

New

Unused - Floodplain



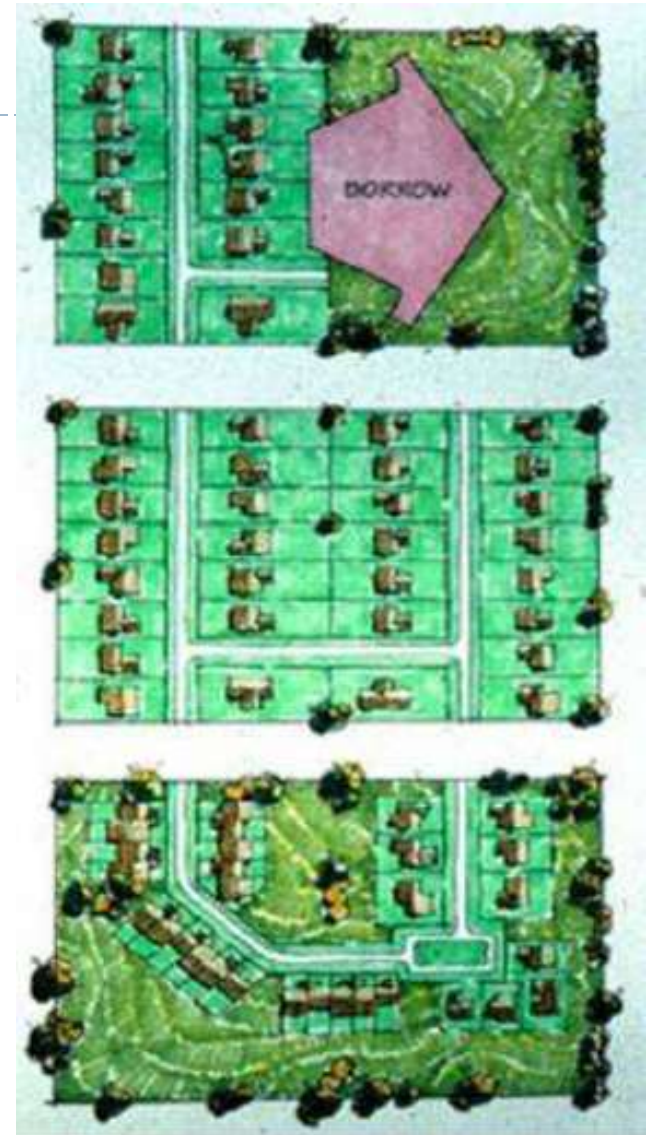
Article 4

- ▶ **Sec. 4.2 Purpose Statements** (p. 4-4)
 - ▶ Set tone for permitted uses and developmental standards
 - ▶ Considered by PC and BCC during a rezoning request
- ▶ **Sec. 4.3 Measurements & Special Cases** (p. 4-10)
 - ▶ Shows how lot area, setbacks, height are measured
 - ▶ Provides special cases where standards are flexible



Article 4

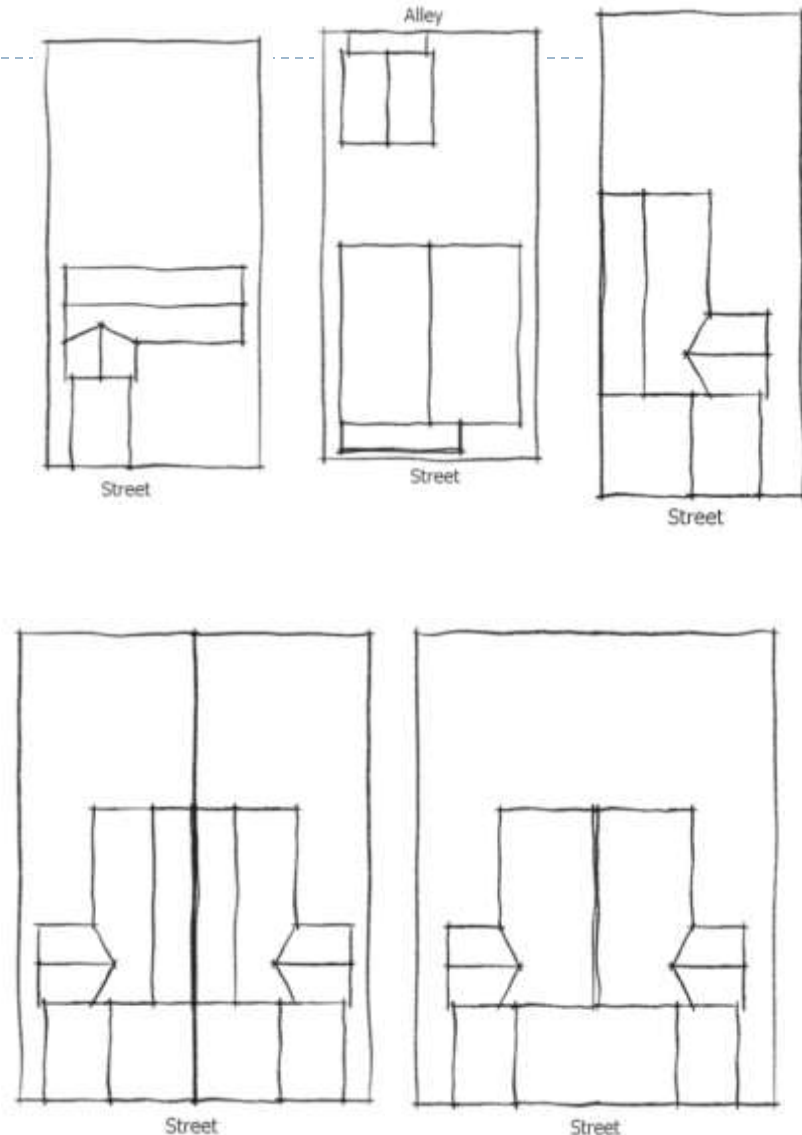
- ▶ 4.4.2, Conventional and Cluster Subdivisions (p. 4-20)
 - ▶ Cluster anticipated as an **OPTION** for residential in A-1
 - ▶ Cluster = Less private yard in trade for more public permanent open space
 - ▶ Allows for rural environment without “borrowing” it from adjacent undeveloped land
 - ▶ Place holder – More work needed
 - ▶ By right – not DPUP



Article 4

▶ 4.4.3, Housing Types (p. 4-20)

- ▶ Sets up common set of terms
- ▶ Mixing of housing types in a single development without a DPUD
- ▶ Article 5 shows where allowed and provides additional standards
- ▶ Smaller lot sizes require public wastewater or advanced technology
- ▶ Public wastewater req. may be loosened




Article 4

- ▶ 4.4.4, Residential Developmental Standards (p. 4-23)
 - ▶ Each housing type
 - ▶ With public wastewater and without, as allowed
 - ▶ Combination of housing types and subdivision type = **complexity**
 - ▶ Specifications need to be right – usable, realistic, understandable
- ▶ 4.4.7, Standards for Permitted Nonresidential Uses in Residential Districts (p. 4-29)
- ▶ 4.5, Nonresidential Developmental Standards (p. 4-30)



Article 5

▶ 5.1.4, Use Table (p. 5-1)



Symbol	Meaning
P	Permitted by right in district indicated
L	Permitted by right subject to limitations in district indicated
S	Requires a Special Use Permit in district indicated
S/L	May be allowed by right subject to limitations or require a Special Use Permit, depending on the standards in Sec. 5.3
[blank cell]	Prohibited in district indicated

▶ Generally...

- ▶ Fewer Special Uses across the board
 - ▶ Places of Worship currently Special Use in all districts
 - ▶ Draft shows Special Use in R-1 thru R-3, by right in B-1 thru M-2, S/L in R-4
 - ▶ Fewer uses than currently allowed in M-2, but more allowed in R-4
 - ▶ Most Retail Sales currently allowed in B-1 through M-2 by right
 - ▶ Draft allows in R-4 (subject to limitations) thru B-3 or M-1
-



Article 5

- ▶ 5.2, Use Categories (p. 5-4)
 - ▶ Consistent treatment of similar uses
 - ▶ Creation of an exhaustive and mutually exclusive list of parking requirements and other use-based general development standards
 - ▶ Convenient “short hand” to use throughout the Ordinance (see ILP provisions regarding change of use)
 - ▶ Provide direction to the Zoning Administrator when interpreting uses



Article 5

B. Offices

Characteristics: Activities conducted in an office setting and generally focusing on business, professional or financial services. Accessory uses generally have no external access or signs.

Principal Uses	Accessory Uses	Uses not Included
<p>Offices or agencies for services such as advertising, bill collection, consulting, counseling, data processing, investment or brokerage, real estate or insurance, sales, temporary employment or travel</p> <p>Bank or savings and loan</p> <p>Professional service such as lawyer, accountant, designer, bookkeeper, engineer or architect</p> <p>Travel agent</p> <p>TV or radio studio</p> <p>Utility office</p> <p>Other uses meeting the characteristics of the Office Use Category</p>	<p>Day care for children of employees</p> <p>Medical clinic for employees</p> <p>Minor utilities</p> <p>Food preparation and dining facility for employees</p> <p>Recreation facility for employees</p> <p>Transmission tower (TV or radio studio only)</p>	<p>Building and development contractors specializing in building, excavating, heating, plumbing, landscaping or electrical and others who perform services off-site, but store equipment and materials on-site (see Light Industrial Service)</p> <p>Government office (see Governmental Facilities)</p> <p>Mail order house (see Wholesale Trade)</p> <p>Medical or dental office or laboratory (see Medical Facilities)</p> <p>Research, testing or development laboratory</p> <p>Urgent care or emergency medical center (see Retail Sales and Service)</p>



Article 5

- ▶ 5.3, Specific Use Standards (p. 5-36)
 - ▶ Applies ONLY to those uses with an “L” or “S” in the Use Table

Key: P = Permitted by right L = Permitted subject to limitations S = Special Use Permit [blank] = Prohibited

Use Category	Specific Principal Use	RR	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	Standards
Parks and Open Areas [see 5.2.3F]	All Parks and Open Areas except as listed below:	P	P	P	P	P	P	P	P	P	P	
	Cemetery, columbarium, mausoleum or memorial park	S	S	S	S	S	S	S	S	S		
Passenger Terminals [see 5.2.3G]	All Passenger Terminals except as listed below:						P	P	P	P		
	Airport or heliport								S	S	S	
Places of Worship [see 5.2.3H]	All Places of Worship	S	S	S	S	L/S	P	P	P	P	P	5.3.9
Social Service Establishment [see 5.2.3I]	All Social Service Establishments					S	S	S	S	S		
Utilities [see 5.2.3J]	Minor Utilities except as listed below	P	P	P	P	P	P	P	P	P	P	
	Major Utilities except as listed below	S	S	S	S	S	S	S	S	S	S	
	Wireless communication facility	See Sec. 5.4										
COMMERCIAL USES												
Indoor Recreation [see 5.2.4A]	All Indoor Recreation except as listed below:					S	P	P	P	P		
	Adult business										S	
	County club	P	P	P	P	P	P	P	P			
	Membership club or lodge				S	S	P	P	P	P		
	Tattoo parlor								S			5.3.10
Offices [see 5.2.4B]	All Offices except as listed below:					L	P	P	P	P		5.3.11
	TV or radio studio								P	P		

Article 5

Key: P = Permitted by right L = Permitted subject to limitations S = Special Use Permit [blank] = Prohibited

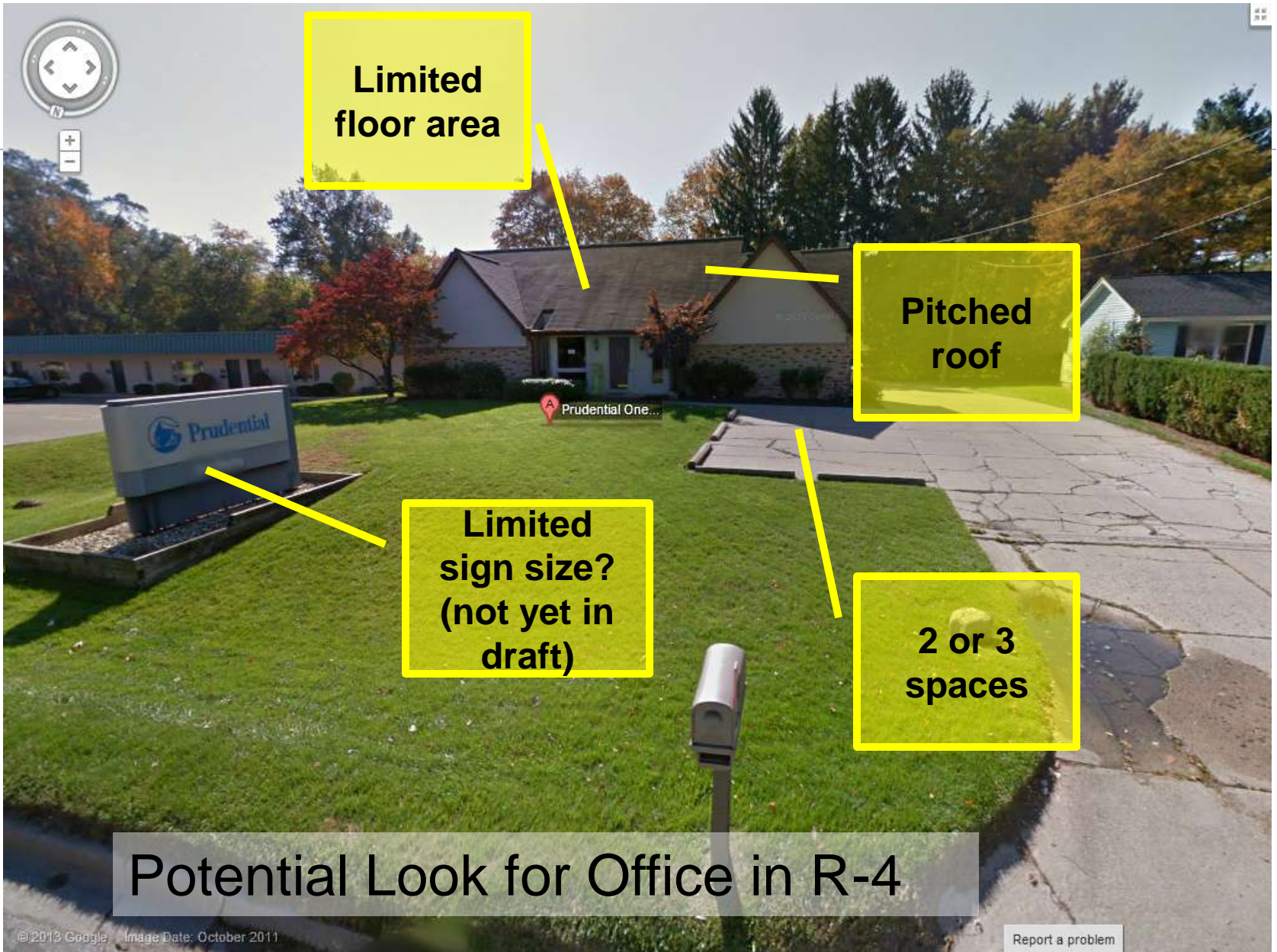
Use Category	Specific Principal Use	RR	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	Standards
Offices [see 5.2.4B]	All Offices except as listed below: TV or radio studio					L	P	P	P	P		5.3.11

5.3.11 Office Use

An Office use is permitted in accordance with the use tables in this Article and Article 6 subject to the following standards.

- A. The gross floor area of all primary and accessory structures must be less than 2,000 square feet.
- B. The principal building must have a roof pitch between a 3/12 and 4/12.
- C. A maximum of two off-street parking spaces are allowed between the primary structure and the public right-of-way. The remainder of off-street parking spaces, whether required or overflow, must be provided between the primary structure and the rear property line.

Note to Reviewers: This applies in the R-4 zoning district. The intent is to mimic a residential structure for this commercial use. The current zoning ordinance allows office in R-4 but says they have to be home occupations.



Limited floor area

Pitched roof

**Limited sign size?
(not yet in draft)**

2 or 3 spaces

Potential Look for Office in R-4

Article 5

- ▶ 5.5, Accessory Uses and Structures (p. 5-54)
 - ▶ 5.5.3, Accessory Dwelling Units (p. 5-55)
 - ▶ Existing ordinance = requires use variance
 - ▶ Associated with single-family dwelling: A-1 and R districts over 1 acre (allowed by right)
 - ▶ Associated with Educational Facility: A-1 (must be shown on SUP site plan)
 - ▶ 600 square-foot minimum, 1,000 square-foot maximum
 - ▶ Single-story of living space (can be a garage apartment)
 - ▶ Property owner must live in principal dwelling or accessory
 - ▶ No separate driveway
 - ▶ One off-street parking space



Article 5

- ▶ 5.6, Temporary Uses (5-62)
 - ▶ See Temporary Use Permit in Article 3
 - ▶ Removal upon the cessation of the use and site must be returned to its previous condition
 - ▶ Temporary use must not eliminate required parking for other uses on-site
 - ▶ Adequate on-site rest room facilities and refuse containers must be provided
 - ▶ Generally expires 90 days after approval
 - ▶ Standards for specific temporary uses





Discussion