

Zoning Ordinance Agricultural and Commercial Uses



February 2019

Today's discussion

- zMOD Background
- Agricultural Uses
- Commercial Uses
- Next Steps



zMOD Scope

- Improve format and structure of the Zoning Ordinance
- Categorize and modernize land uses
- Changes in language, but not content, for readability (plain English)
- Integrate additional amendments to the Zoning Ordinance



New Ordinance Structure

- 1) General Provisions
- 2) Zoning Districts
- 3) Overlay Districts
- 4) Use Regulations
- 5) Development Standards
 - Affordable Housing
 - Floodplain
 - Landscaping
 - Lighting
 - Vibration
- 6) Parking and Loading Standards
 - Article 11 content
- 7) Sign Standards
- 8) Procedures and Enforcement
 - Application and Submission requirements
 - Enforcement, Violations, and Penalties
 - Nonconformities
- 9) Definitions

Organization of Uses

- **Use Classifications** – Very Broad
- **Use Categories** – Major subgroups of the use classifications that have common functional, product, or physical characteristics, such as the type and amount of activity, type of occupants or users/customers, or operational characteristics
- **Uses** – Specific Land Uses

Timeline for Drafts of Uses



Examples of Agricultural Uses



Agricultural Operation



Farm Winery



Riding or Boarding Stable

Agricultural and Related Uses Structure

Use Classification



Agricultural and Related Uses

Use Category



Agricultural and Related Uses

Specific Land Uses



4 Specific Agricultural Uses

Use Names:

Agricultural and Related Uses

Proposed Use Name	Current Use Name
Agricultural Operation	Agriculture
Agritourism, Other	New use
Farm Winery, Limited Brewery, or Limited Distillery	Combines: <ul style="list-style-type: none">• Farm Winery• Limited Brewery• Limited Distillery (combined for special exception provisions)
Stable, Riding or Boarding	Combines: <ul style="list-style-type: none">• Riding/boarding stables• Veterinary hospital, ancillary to riding or boarding stables

Permission Changes

Agricultural Operation

- Agriculture is currently allowed in R-A, R-C, R-E, and R-1. Should it be deleted as a permitted use in the R-1 District?

Farm Winery, Limited Brewery, or Limited Distillery

- No changes to current permissions or standards, except an option is added for the Board to modify the types of prohibited activities
- Note – This use and the types of allowed activities will be reviewed as part of a separate Zoning Ordinance amendment for agritourism

Riding or Boarding Stable

- An option is added for the use to be approved as a special exception instead of a special permit when it is in conjunction with a rezoning or other SE

Commercial Uses



Examples of Commercial Uses



Kennel



Restaurant



Golf Course

Commercial Uses Structure

Use Classification



Commercial Uses

Use Category



1. **Animal-Related Services**
2. **Food and Lodging**
3. **Office and Financial Institutions**
4. **Personal and Business Services**
5. **Recreation and Entertainment**
6. **Retail Sales**
7. **Vehicle-Related Uses**

Specific Land Uses



50 Specific Commercial Uses

Use Names: Animal-Related Services

Proposed Use Name	Current Use Name
Animal Shelter	Animal shelters
Kennel	Combines: <ul style="list-style-type: none">• Kennels• Kennels (indoors)• Kennels, outdoor• Veterinary hospital, ancillary to a kennel
Pet Grooming Establishment	New use
Veterinary Hospital	Veterinary hospitals

Use Names: Food and Lodging

Proposed Use Name	Current Use Name
Bed and Breakfast	Bed and breakfasts
Catering	New use
Hotel or Motel	Hotels, motels
Restaurant	Restaurants
Restaurant, Carryout	Carryout restaurants
Restaurant with Drive-through	Restaurants with drive-through
Retreat Center	Conference centers and retreat houses, operated by a religious or nonprofit organization

Use Names:

Office and Financial Institutions

Proposed Use Name	Current Use Name
Alternative Lending Institution	Alternative lending institution
Drive-through Financial Institution	Drive-in financial institutions
Financial Institution	Financial institutions
Office	Combines: <ul style="list-style-type: none">• Offices• Establishments for scientific research and development (See slide 26 below)
Office in a Residential District	Offices (separates out the SE use in R districts)

Use Names:

Personal and Business Services

Proposed Use Name	Current Use Name
Business Service	Business service and supply service establishments
Household Repair and Rental Service	Repair service establishments
Personal Service	Combines: <ul style="list-style-type: none">• Garment cleaning establishments• Personal service establishments

Use Names:

Recreation and Entertainment

Proposed Use Name	Current Use Name
Banquet or Reception Hall	New use
Campground	Camp or recreation grounds
Commercial Recreation, Indoor	Combines multiple uses – see slides 27 and 28
Commercial Recreation, Outdoor	Combines multiple uses – see slides 29 and 30
Entertainment, Adult	Combines: <ul style="list-style-type: none">• Adult mini motion picture theatre• Commercial nudity establishments
Entertainment, Public	New use and combines: <ul style="list-style-type: none">• Dance halls• Billiard and pool halls
Golf Course or Country Club	Golf courses, country clubs

Use Names:

Recreation and Entertainment, cont'd

Proposed Use Name	Current Use Name
Health and Exercise Facility, Large Health and Exercise Facility, Small	Combines: <ul style="list-style-type: none">• Health clubs• Private school of special education (exercise-related classes)
Marina, Commercial	Marina, dock, and boating facilities, commercial
Marina, Private Noncommercial	Marina, dock, and boating facilities of a private, nonprofit nature
Quasi-public Park, Playground, or Athletic Field	Quasi-public parks, playgrounds, or athletic fields and related facilities
Stadium or Arena	Sports arenas, stadiums as a principal use
Zoo or Aquarium	Zoological park

Use Names:

Retail Sales

Proposed Use Name	Current Use Name
Convenience Store	Combines: <ul style="list-style-type: none">• Quick-service food stores• Retail sales establishments selling convenience merchandise
Drive-through, Other	Automobile-oriented uses
Drive-through Pharmacy	Drive-through pharmacy
Drug Paraphernalia Establishment	Drug paraphernalia establishments
Garden Center	Plant nurseries
Pawnshop	Pawnshops

Use Names:

Retail Sales, cont'd

Proposed Use Name	Current Use Name
Retail Sales, General	Combines: <ul style="list-style-type: none">• Adult bookstores• Auction establishments• Retail sales establishments
Retail Sales, Large	Retail sales establishments, large

Use Names: Vehicle-Related Services

Proposed Use Name	Current Use Name
Car Wash	Car washes
Commercial Off-street Parking	Parking, commercial off-street as a principal use
New Vehicle Storage	New vehicle storage
Truck Rental Establishment	Truck rental establishment
Vehicle Fueling Station	Combines: <ul style="list-style-type: none">• Service stations• Service station/mini-marts
Vehicle Repair and Maintenance, Heavy	Vehicle major service establishment
Vehicle Repair and Maintenance, Light	Vehicle light service establishment

Use Names:

Vehicle Related Services, cont'd

Proposed Use Name	Current Use Name
Vehicle Sales, Service, and Rental	Vehicle sale, rental and ancillary service establishments
Vehicle Transportation Services	Vehicle transportation service establishments

Hotel or Motel

- No changes from current permissions, except to change from SE to by right in the C-3 and C-4 Districts
- Compatible with the purpose and intent of these districts, as well as other permitted uses



Office

Consolidates general office and scientific research and development

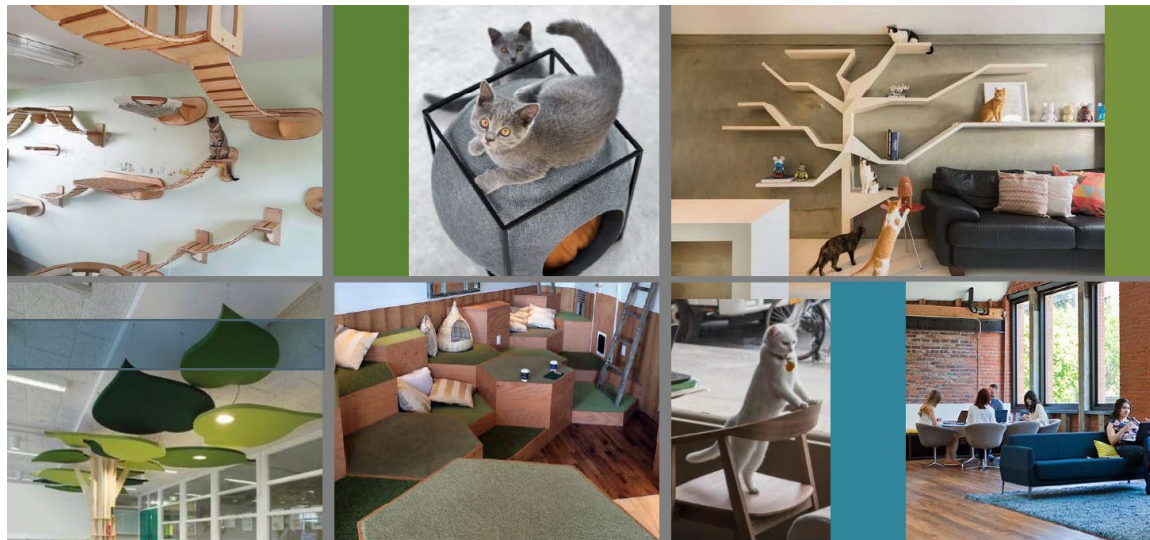
- Expands ability to have R & D, subject to use standards
- Additional standards under review



Indoor Commercial Recreation

Consolidates 10 current indoor recreational uses

- Includes uses like bowling alleys, amusement arcades, and movie theaters
- No longer lists individual uses
- Allows for trends in emerging recreation
- Gives the option of either an SP or SE application at the applicant's discretion



Indoor Commercial Recreation, cont'd

Existing Permissions:														
Use	Commercial Districts								Industrial Districts					
	C-1	C-2	C-3	C-4	C-5	C-6	C-7	C-8	I-1	I-2	I-3	I-4	I-5	I-6
Amusement arcades							P							
Bowling alley			SP	SP		SP	P	P					SP	SP
Commercial recreation centers														
Commercial recreation use, any other similar (indoor)							SP	SP						
Commercial recreation parks, including mechanical or motorized amusement rides/devices (indoor)							SP	SP					SP	SP
Commercial swimming pools, tennis courts, and similar courts (indoor)			P	P	P	P	P	P						
Indoor archery ranges, fencing and other similar indoor recreation uses			SP	SP	SP		P	P						
Indoor firing ranges							SP	SP						
Indoor firing ranges, archery ranges, fencing and other similar indoor recreation uses						SP					SP	SP	SP	SP
Miniature golf courses, indoor			SP	SP	SP	P	P	P						
Skating facilities, indoor			SP	SP	SP	SP	P	P						
Theaters			SE	SE		P	P	P				SE	SE	SE
Proposed Permissions:														
Commercial Recreation, Indoor			SP SE	SP SE	P	P	P	P			SP SE	SP SE	SP SE	SP SE

Outdoor Commercial Recreation

Consolidates 10 current outdoor recreational uses

- Includes uses like miniature golf, paintball, and amusement parks
- Certain uses may be approved by SP; other uses require SE
- Use standards address off-street parking and potential impacts related to safety, noise, and traffic



Outdoor Commercial Recreation, cont'd

Existing Permissions:																													
Use	Residential Districts														Commercial Districts								Industrial Districts						
	R-A	R-C	R-E	R-1	R-2	R-3	R-4	R-5	R-8	R-12	R-16	R-20	R-30	R-MHP	C-1	C-2	C-3	C-4	C-5	C-6	C-7	C-8	I-1	I-2	I-3	I-4	I-5	I-6	
Baseball hitting and archery ranges, outdoor			SE	SE															SE	SE	SE	SE			SE	SE	SE	S	
Commercial recreation parks, including mechanical or motorized amusement rides/devices																					SP	SP					SP	S	
Commercial recreation use, any other similar																					SP	SP							
Commercial swimming pools, tennis courts and similar courts			SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP	S	
Drive-in motion picture theaters																					SE	SE					SE	S	
Driving range		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	SE	SE	SE	S	
Miniature golf course																				SP	SP	SP			SP	SP	SP	S	
Miniature golf course ancillary to golf driving ranges			SE	SE																									
Skating facilities																				SP	SP	SP					SP	S	
Skeet and trapshooting ranges		SP	SP	SP																									
Swimming pools and archery ranges																				SP	SP								
Proposal:																													
Commercial Recreation, Outdoor		SP SE	SP SE	SP SE												SE	SE	SE	SE	SE	SE	SE			SE	SE	SE	SE	S

Public Entertainment



- New use to be allowed by:
 - SE in C-5 through C-8
 - Development plan or SE in PRC, PDC, PRM, and PTC
- Principal focus on activities such as dancing, karaoke, and live entertainment
- Uses that **exceed** revised standards for accessory entertainment with a restaurant:
 - Accessory entertainment determined by the Zoning Administrator
 - Maximum 15% of publicly accessible area or 250 SF
 - Hookah may be accessory while food is served and until 10:00 p.m.

Garden Center



- New name for Plant nurseries
- Allows the growing and selling of nursery stock and related items
- Allowed:
 - By right in the C-5 through C-8 Districts
 - With Development Plan or SE in planned districts
 - By SE in the R-E, R-1, and R-2 Districts
 - By right in the R-A and R-C if part of bona fide agricultural operation
- Changed from SE to not allowed in the R-3, R-4, I-4, I-5, and I-6 Districts based on compatibility concerns

Associated Service Uses

- New name for today's Accessory Service Uses
- Streamlined and uniform approach
- Included as “A+” uses in the table



R-20 & R-30 Districts (multifamily)

Child Care
Convenience Store
Personal Service
Restaurant

C-1 – C-4, I-2 – I-6 Districts

Business Service
Carryout Restaurant
Convenience Store
Personal Service
Restaurant

Associated Service Uses, cont'd

Simplified Standards:

- Must be located in the same building as the principal use
- Cumulatively may not exceed 15% of the building
- Individual personal service and business service uses may not exceed 5,000 square feet
- Hours generally conform to the principal use, and not exceed 6:00 a.m. to 10:00 p.m.
- May not be located in an individual dwelling unit
- May be parked at the rate for the principal use

Outreach

- All drafts are posted on the zMOD website, zMOD Listserv, and Zoning Facebook page
- Public meetings are held for each draft
- Staff is available to present the drafts to community groups, receive feedback, and answer questions

Next Steps

Work is underway following a similar process for the other classification groups of uses:

- **Residential**
- **Accessory**
- **Temporary**

Timeline

Spring 2019:

Drafts of remaining recategorized use regulations posted for public review

May 14 -16 2019:

Clarion presents draft of all use definitions and regulations

Questions & Discussion



February 2019

Z M O D