

**MEMORANDUM**

July 1, 2013

TO: Planning, Housing, and Economic Development Committee  
FROM: Jeff Zyontz,  Legislative Attorney  
SUBJECT: Worksession 4 – Employment and Industrial Zones  
Zoning Text Amendment 13-04, Zoning Ordinance - Revised  
District Map Amendment G-956

**Alert:** Please bring the PHED Committee packet from June 28 to the meeting on July 2.

The future schedule for the Committee's worksession is as follows: July 12 – Overlay zones; July 19 – Floating zones; July 26 – Parking/Signs

The Committee's directions for staff from the June 28 worksession (only changes in the Committee's directions are noted) are as follows:

- 1) Replace 3.1.2.D with the following provision:  
Uses listed are general. The DPS Director or the Director's designee must determine whether a specific use falls within the general use. Specific uses fall within the general use when the use is included within the ordinary meaning of the general use and or is similar in impact, nature, function, and duration. Uses that are not allowed as permitted, limited, or conditional are prohibited. (2-1, Councilmember Elrich may propose amendments at a future worksession.)  
  
DPS will work with Planning Staff to determine what aspect of §3.1.1.D.2 should be amended. (The Committee's resolution of the "uses not listed" question makes a DPS review of land use definitions unnecessary.)
- 2) Address the rights of a property owner in the Country Inn zone that would not be "existing" when the new code becomes effective. Allow any approved plan of any type to be completed. Address the phrase "legally existing" when the subject of grandfathering is raised.
- 3) Direct DPS to recommend standards for "Seasonal Outdoor Sales" uses to address pedestrian and vehicle safety, traffic management, and duration of sales.

- 4) Planning Staff will propose a resolution to the problem of determining the lot requirements for a general building in the AR zone at a future Committee meeting.
- 5) Do not use “temporary” as part of a zone’s name.
- 6) The Committee (2-1, Councilmember Elrich dissenting in favor of retaining CBD zones) agreed with the Planning Board’s treatment of MPDU bonus density and FAR calculation but agreed with Staff restatement of MDPU math to distinguish FAR density from the percentage of units.

Residential floor area may be increased above the maximum and residential FAR limit indicated on the zoning map. Up to 22% increase in residential floor area may be allowed if MPDUs are provided above the total number of units required by Chapter 25A. The floor area increase allowed varies with the number of additional MPDUs provided and is equal to the percent indicated in Chapter 25A (Sec. 25A-5(c)(3)), using the residential floor area allowed by the zone as the basis for calculating the increase.

- 7) The Committee (2-1, Councilmember Floreen dissenting) directed staff resources to determine the cost per public benefit point for each public benefit.
- 8) The Committee agreed to expand public benefits to include the voluntary purchase of TDRs in areas outside of the TDR Overlay zone. (TDRs are required in the TDR Overlay areas when developing under the optional method.)

The Committee’s review stopped before addressing item number #3 on page 10 of the June 28 memorandum.

## **EMPLOYMENT AND INDUSTRIAL ZONES**

### *Headlines*

- 1) Three of the 4 Employment zones are new.
- 2) The Neighborhood Retail (NR) zone is broader than the C-1 zone it replaces.
- 3) The new Employment General Retail (GR) zones would replace almost half of C-2 zones and all C-3 zoning.
- 4) The new Employment Office (EOF) zones would replace all I-3, C-P, C-O, and 97% of O-M zones.
- 5) The LSC zones would amend the current LSC zone.
- 6) All 3 Industrial zones are new.
- 7) The IL zone would replace I-4.
- 8) The IM zones would replace RS, I-1 and R&D zones.
- 9) The I-2 zone would be translated to the IH zone.

### *Below the headlines*

- 10) Filling stations
- 11) Commercial building heights

1) **Three of the 4 Employment zones (NR, GR, and EOF) are new.**

Section 2.1.7.A establishes 3 Employment zone: Neighborhood Retail (NR); General Retail (GR); and Employment Office (EOF). Life Science Center (LSC) is an existing zone that would be amended.

The stated intent of the GR, NR, EOF, and LSC zones is to:

- a) implement the **policy recommendations** of the applicable master plans;
- b) target opportunities for employment, technology, and general commercial uses;
- c) reduce dependence on the automobile by providing employment areas with supporting residential and retail uses;
- d) allow a flexible mix of uses, intensities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods; and
- e) establish minimum requirements for the provision of public benefits.<sup>1</sup>

Staff would like to document what the “policy recommendations” of the applicable master plan means. There is no policy recommendation section in any master plan. Is a policy recommendation different than the vision, the land use, and the zoning recommendations of the plan? To the extent this is a reference to particular sections of a master plan, a more specific phrase should be used. In other parts of the proposed code, the phrase “substantially consistent” is used. What is the intended difference between the 2 standards?

Even if the Council retains the intent of “reduce dependence on the automobile”<sup>2</sup>, the Planning Board did not propose that the phrase apply to the NR and GR zones.

Each GR, NR, LSC, and EOF zone classification would be followed by a number and symbol, H, which is followed by another number where the number following the classification is the maximum total FAR allowed, and the number following the H is the maximum building height in feet allowed.

The NR, GR, LSC, and EOF zones will be applied on the Zoning Map by showing, for each property classified, the maximum total FAR and maximum height (H). Each unique sequence of maximum total FAR and maximum height (H) is a zone.

The maximum FAR and building height is very much like the CR family of zones, except that there is no designation for a maximum of commercial FAR or a number for a maximum of residential FAR. The maximum commercial FAR is the same as the total FAR. The maximum of residential FAR in these zones is always 30% of total FAR. Unlike the CR family of zones, the maximum FAR can always be achieved without using any residential density.

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<sup>1</sup> §2.1.7.B.

<sup>2</sup> The June 28, 2013 memorandum to the PHED Committee raised this issue of the wisdom of having “reduced dependence on the automobile” as an intent of a zone. The Committee did not get to address this question on June 28. The zoning does not directly regulate automobile dependence. Even if it did, staff would prefer to state positive attributes of the zone rather than negative attributes. A goal can either be stated as achieving abundance (e.g., a maximum of clean air and water) or as a limitation (e.g., reducing pollution). The mental images are different. The “Premature Subdivision Act” failed to pass the Maryland Assembly; however, in a following year, the General Assembly passed the “Adequate Public Facilities Act” with the same content. If Staff is beating a dead horse, it is because the speed of a dead horse depends upon the skill of the jockey.

Employment zones would allow 30% percent of the FAR for housing without a special exception. These zones, when compared to the zones they would be replacing, would also add agricultural uses to the list of allowed uses.<sup>3</sup> A number of other uses are common additions among all zones. It is fair to say that all of these zones would allow a broader mix of uses than the zones that they would replace. All of the zones allow flexibility in building, circulation, and parking lot layout.

Just like the CR family of zones, there would be an optional method process for the EOF and LSC zones that require public benefit points. The number of points required increases with the size or FAR of the proposed project. The appropriate table of requirements is printed with each zone.

The differences between the current standards and the new standards depend upon how the current zoning would be translated into new zoning.

**2) The Neighborhood Retail (NR) zones are broader than the C-1 zone it replaces.**

*Basics*

The proposed NR zone is intended for commercial areas that have a neighborhood orientation and that supply necessities usually requiring frequent purchasing and convenient automobile access. The NR zone would address development opportunities within primarily residential areas with few alternative mobility options and without a critical mass of density needed for pedestrian-oriented commercial uses.

The proposed NR zone would essentially be a replacement for most C-1 zoning.<sup>4</sup> No other current zones are proposed to be translated into this zone. The proposed code would add an FAR standard which only exists in the C-1 zone as a combination of limits on height and setbacks.

Zone	Total FAR (max)	Height (max)
NR	0.25 to 1.5	25' to 50'

The maximum building height would be part of a zone as applied. In translating C-1 zoned property, the Planning Board recommends a maximum building height of 45 feet. This would allow a 3-story building; however, there are protections for abutting residential property.<sup>5</sup> The current C-1 zone allows a height of 45 feet, but only if the average height of the building is 30 feet. The maximum allowed height in the NR zone would be 50 feet; this could be applied to properties in the future based on the recommendations of future master plans.

Site plan review would be required for a permitted or limited use if the building abutted Agricultural, Rural, Residential, or residential floating zones and was proposed to be over 40 feet in height or greater

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<sup>3</sup> Community Garden, Urban Farming, Animal Husbandry, Farm Market, On-site Agricultural Vending and Seasonal Outdoor sales.

<sup>4</sup> 68% of C-1 property would be translated to NR. 28% of C-1 would be translated to CRT. The other 4% of C-1 zoned property would translate to a CRN zone.

<sup>5</sup> Height would be limited to the height of the abutting zoning with increasing height allowed only with increasing setback if the property abutted Agricultural, Rural, or Residential zoning.

than 10,000 square feet of floor area. Site plan approval may also be required, based on the use. Unlike the EOF and LSC zones, surface parking would be allowed between a building and the right-of-way line.

In terms of land use, the addition of residential uses without a special exception is the biggest change. Dwelling units would be allowed, but only in combination with commercial uses.<sup>6</sup> Personal Living Quarters (for up to 50 Living Units) would be allowed as a limited use. More than 50 such units would be allowed as a conditional use with review by the Board of Appeals. This is no different than the use currently allowed by the code.

Conditional approval is also required for all retail establishments larger than 120,000 square feet in the NR zones. Retail establishments between 85,001 and 120,000 square feet would be allowed as a limited use.<sup>7</sup> Site plan approval would be required when such development abutted or confronted Agricultural, Rural, or Residential detached zoned property that was vacant or used for residential purposes. Retail establishment larger than 85,000 square feet within ½ mile of Metrorail would have the same design requirements that are currently in the C-4 zone (20% of stores must be for small retail spaces, parking must be in structures, and minimum residential floor area.)

The addition of agricultural uses is interesting, but unlikely to result in any change in land use. Staff is surprised that there is no dancing in the street concerning one aspect of the proposed code. Restaurants would be allowed without the current limit on the floor area for dancing in the C-1 zone.<sup>8</sup>

A site smaller than 10,000 square feet would not be required to provide any open space. Larger sites would have a 10% open space requirement. Currently, 10% open space is required for all development.

### *Translation*

Only C-1 zoned property would be translated to an NR zone, but not all C-1 property as discussed in the June 28 memorandum to the PHED Committee. If a site abuts or confronts R-150 or a less intense zone or it is contiguous with more than 5 acres of C-1 zoning, it would be translated to NR-1.0 H 45.

### **3) The new Employment General Retail (GR) zones would replace almost half of C-2 zones and all C-3 zoning.**

#### *Basics*

The GR zone would be intended for commercial areas of a general nature, including central urban commercial areas, regional shopping centers, and clusters of commercial development. The GR zone

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<sup>6</sup> The math here is easy. Residential is 30% of the total FAR on a site. If there is no commercial FAR, then 30% of zero is zero.

<sup>7</sup> Anti-big box testimony recommended that every building over 75,000 square feet should be allowed only as a conditional use.

<sup>8</sup> A current footnote to "Eating and Drinking Establishments" in the C-1 zone reads as follows:

"No entertainment, except music may be offered; however, patron dancing is permitted if the area designated for dancing purposes does not occupy more than 10 percent of the total gross floor area of the restaurant, not to exceed 200 square feet." This constraint is not proposed in the new code.

would provide development opportunities adjacent to the County’s most auto-dominated corridors and those areas with few alternative mobility options.

Zone	Total FAR (max)	Height (max)
GR	0.5 to 2.5	25’ to 120’

Conditional approval is required for all retail establishments larger than 120,000 square feet in GR zones. Regional malls would have a floating zone applied to them.

A site smaller than 10,000 square feet would not be required to provide any open space. Larger sites would have a 10% open space requirement. Currently, 10% open space is required for all development.

C-2 is a zone that recognizes such special circumstances as proximity to regional malls, Metro, and property recommended for TSM zoning. The C-2 land that would be translated to GR would not have any special circumstances. The proposed 1.5 FAR is identical to the current standards. The current 60-foot height limit would be increased to 65 feet by the zoning translation.

Retail uses in the GR zone would be allowed, limited, and conditional to the same extent as treated in the NR zone. Conditional approval is also required for all retail establishments larger than 120,000 square feet in the NR zones. Retail establishments between 85,001 and 120,000 square feet would be allowed as a limited use.<sup>9</sup> Site plan approval would be required when such development abutted or confronted Agricultural, Rural, or Residential detached zoned property that was vacant or used for residential purposes. Retail establishment larger than 85,000 square feet within ½ mile of Metrorail would have the same design requirements that are currently in the C-4 zone (20% of stores must be for small retail spaces, parking must be in structures, and minimum residential floor area.)

In recognition of the auto dominance where the GR zone would be applied, surface parking would be allowed between a building and the right-of-way line.

*Translation*

**C-2 zoned property**

If the site abuts or confronts R-150 or a less intense zone or is a regional mall, then it would be translated to GR-1.5 H 65.

**C-3 zoned property**

If the site is used for auto sales and service malls, then it would be converted to GR-1.5 H 85; all other C-3 property would be converted to GR-1.5 H 45.

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<sup>9</sup> Anti-big box testimony recommended that every building over 75,000 square feet should be allowed only as a conditional use.

- 4) **The new Employment Office (EOF) zones would replace all I-3, C-P, C-O, and 97% of O-M zones.**

*Basics*

The EOF zone is intended for office and employment activity combined with limited residential and neighborhood commercial uses.

Zone	Total FAR (max)	Height (max)
EOF	0.5 to 4.0	35' to 200'

Testimony was received for a C-O zoned property that would be translated to an EOF zone. The maximum height proposed for the EOF zone is lower than the current height of the building. The building does not even conform to maximum height in the C-O zone. The building was built before the C-O zoning was first applied. **If the Committee believes that this issue should be addressed<sup>10</sup>, staff would recommend adding multi-family unit living to §3.1.2.D.2.a.ii which was drafted in the June 28 memorandum to the Committee.**

Optional method development in the EOF zone would require development points:

Zone	Tract Size OR Max Total FAR	Public Benefit Points (min)	Number of Benefit Categories (min)
EOF	< 10,000 SF OR < 1.5 max FAR	30	2
	10,000 SF to < 1,250,000 SF OR 1.5 to < 3.25 max FAR	60	3
	≥ 1,250,000 SF OR > 3.5 max FAR	75	4

Retail/Service establishments with 50,000 square feet of floor area or less are not restricted. Larger retail establishments would be prohibited.

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<sup>10</sup> If the Council believes that the new zoning is in the public interest and would create a better pattern of development, it could make current buildings non-conforming. It would do so in recognition that at some point in the future, non-conforming building would be replaced by conforming structures.

*Translation*

Current Zone				Parameters	Proposed Zone
Symbol	Name	Max. FAR	Max. Height		Symbol
O-M	Office Building, Moderate Intensity	1.50	72'	If parcel is less than 1/2 acre, then convert to:	EOF-1.5 H-60
				If parcel is greater than 1/2 acre, then convert to:	EOF-1.5 H-75
C-O	Commercial, Office Building	3.00	97'		EOF-3.0 H-100
C-P	Commercial, Office Park	none	83'		EOF-1.25 H-90
I-3	Technology & Business Park	0.60	100'		EOF-0.75 H-100

5) **The LSC zones would amend the current LSC zone.**

*Basics*

The basic density and height limits for the proposed LSC zone would not change from the current standards. By adding height and density limits to the name of the zone, the proposed code would allow future master plans to directly limit those standards.

Zone	Total FAR (max)	Height (max)
LSC	0.5 to 2.5	35' to 200'

Currently, LSC zoned properties are not required to provide public benefits except for the purchase of BLTs. The proposed code would require public benefit points. The largest projects would be required to achieve almost 3 times the number of points required for relatively small projects.

Zone	Tract Size OR Max Total FAR	Public Benefit Points (min)	Number of Benefit Categories (min)
LSC	< 10,000 SF OR < 1.5 max FAR	15	1
	10,000 SF to < 1,250,000 SF OR 1.5 to < 3.25 max FAR	30	2
	≥ 1,250,000 SF OR > 3.5 max FAR	40	3

The maximum FAR is 2.5. An LSC zoned property could never achieve a 3.5 FAR. No project will be subject to increased public benefit points on the basis of FAR unless the FAR trigger for additional points is lowered.

*BLT Math Continued*

The current code for the LSC zone has a very different calculation to determine the required purchase of BLTs for development more dense than .5 FAR, excluding numerous specific land uses<sup>11</sup>:

One BLT easement must be purchased for each 72,000 gross square feet of residential floor area, or for each 60,000 gross square feet of non-residential floor area. If the floor area of life science uses is greater than 40% but less than 50% under Section 59-C-5.321, then one BLT easement must be purchased for every 120,000 square feet of the Life Sciences uses.

The proposed code changes that formula. **Planning Staff reported an error in the proposed code and would recommend the following in 6.6.3.F.1.b.ii:**

An applicant must purchase BLT easements, or make payments to the ALPF, in an amount equal to 50% of the incentive density floor area under the following parameters:

(a) For any floor area above 0.50 FAR, one BLT, equivalent to 9 points, must be purchased or an equivalent payment made for:

- (1) each 31,500 square feet of floor area of residential, nonresidential, and Life Sciences between 0% and 40% of the project's floor area; and
- (2) each 60,000 square feet of Life Sciences between 40% and 50% of the project's floor area....

Retail/Service establishments with 50,000 square feet of floor area or less are not restricted. Larger retail establishments would be prohibited.

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<sup>11</sup> Workforce housing units; moderately priced dwelling units; hospitals, including the hospital's accessory uses, other than medical office buildings; educational facilities for non-life sciences; and life sciences in excess of 50% of the project's floor area.

*Translation*

All LSC zoned property would be become LSC-2.0 H 200.

**6) All 3 industrial zones are new.**

The proposed code would create 3 Industrial zones: Light Industrial (IL), Moderate Industrial (IM), and Heavy Industrial (IH). Each IL, IM, and IH zone classification would be followed by a number and symbol, H, which would be followed by another number where the number following the classification is the maximum total FAR allowed, and the number following the H is the maximum building height in feet allowed.

The IL, IM, and IH zones will be applied on the Zoning Map by showing, for each property classified, the maximum total FAR and maximum height (H). Each unique sequence of maximum total FAR and maximum height (H) is a zone under the following limits:

Zone	Total FAR (max)	Height (max)
IL	0.25 to 1.5	25' to 50'
IM	0.25 to 2.5	25' to 120'
IH	0.5 to 4.0	35' to 200'

The Industrial zones, like the Employment zones, do not specify a mix of commercial and residential density allowed – only total FAR and maximum height.

As a general matter, the proposed code would add allowable land uses and would change some land uses that require special exceptions to be limited uses.

**7) The Light Industrial zone would replace I-4.**

The IL zone would be intended to provide land for industrial activities where major transportation links are not typically necessary and noise, dust, vibration, glare, odors, and other adverse environmental impacts are usually minimal. The IL zone would be appropriate as a transitional industrial zone between a residentially zoned area and land classified in the IM and IH zones.

Small lots (less than 10,000 square feet) only require 5% open space; larger lots must provide 10% open space.

Only the I-4 zone would be classified into the IL zone. (The I-4 zone is in use extensively around the Airpark and is the only industrial zone in the White Flint area.) The maximum FAR in the I-4 zone is 1.0. Allowable height in I-4 is 42 feet. The Planning Board proposes to allow a height of 50 feet. The translation would be IL-1.0 H-50.

As a general matter, more uses would be allowable in the IL zones. The repeated theme of allowing agricultural everywhere is repeated. Retail has always been an issue due to its ability to price out less

intensive uses. I-4 permits a limited number of very specific retail/service uses; the IL would increase the types of retail, but only for small-scale establishments.<sup>12</sup> Larger establishments would be limited to not more than 50% of a development's FAR.

Offices are permitted in the I-4 zone by special exception. Offices would be permitted up to 50% of the GFA. As proposed, a development in the IL zone may be 50% office, 50% retail and 0% industrial. Restaurants are very restricted in industrial zones.

Where there is more than 10 acres of industrial zoned land, restaurants are allowed by special exception on internal industrial roads. Restaurants are prohibited on any access roads that are surrounded by industrial zoned land. The proposed code would allow the lesser of 3,500 square feet of restaurant or 25% of GFA without a special exception.

While being more permissive for retail, office, and restaurants, the Planning Board would remove the potential for dwelling units (except for caretakers and watchkeepers) in the IL zones, even by special exception. **Planning Staff should explain how the provisions for office, retail and restaurants comport with the industrial purpose of the IL zones.** (This applies to both the IL and IM family of zones.)

**8) The IM zones would replace RS, I-1, and R&D zones.**

The IM zone would be intended to provide land for industrial activities where major transportation links are not typically necessary and noise, dust, vibration, glare, odors, and other adverse environmental impacts are usually minimal.

The RS, I-1, and R&D would translate to the IM zone. The following table indicates the current FAR and height limit for each zone and the proposed translation, with any conditions for that translation:

Current Zone				Parameters	Proposed Symbol
Symbol	Name	Max. FAR	Max. Height		
RS	Rural Service	0.15	50'		IM-0.25 H-50
I-1	Light Industrial	n/a	42'; 120' for large employment centers	If Master Plan indicates large employment centers are inappropriate, then convert to:	IM-1.5 H-45
				Otherwise:	IM-2.5 H-120
R&D	Research & Development	0.50	75'		IM-0.5 H-75

<sup>12</sup> Although §3.5.11.A.2a.viii lists specific uses, it allows "other retail uses that occupy a maximum of 50% of the allowed gross floor area". In this case, the limited list of retail uses is made meaningless by this provision.

The I-1 FAR translation is very high. Staff suspects that developed I-1 zoning does not come near that FAR. The floor heights in “real” industrial uses are very high, making the math of converting height and setbacks lower. The Committee should considering lowering the FAR in the I-1 conversion.

The property going from the R&D zone to the IM zone would be allowed a new variety of uses.<sup>13</sup> To a lesser extent, the same is true for property going from the RS zone to the IM zone.<sup>14</sup> **Planning Staff should explain why Cultural Institutions and Educational Institutions would become permitted uses in the IM zone but Charitable/ Philanthropic uses would be removed.** Should all of these types of uses be removed to allow areas for real industrial uses? Why still allow Conference Centers and Hospitals?

### 9) The I-2 zone would be translated to the IH zone.

The IH zone is intended to provide land for industrial activities that usually need major transportation links to highways or rail and may create significant noise, dust, vibration, glare, odors, and other adverse environmental impacts.

Only the I-2 zone would be translated to the IH zone IH-2.5 H-70.

Testimony from a property owner in the Southlawn area supported the Planning Board’s proposal to allow heavy vehicle sale and rental and vehicle repair as permitted land uses. The owner would also want additional retail alternatives.

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<sup>13</sup> Agricultural Processing; Community Garden; Farm Supply; Machinery Sales, Storage, and Service; Nursery (Retail) and (Wholesale); Urban Farming; Animal Husbandry; Farm Market, On-Site; Agricultural Vending; Seasonal Outdoor Sales; Ambulance, Rescue Squad (Private); Animal Boarding and Care; Veterinary Office/Hospital; Landscape Contractor; Adult Entertainment (R&D, but has no impact because the properties are within 750 feet of residential, park, playground, etc, so wouldn’t be allowed on these properties); Health Clubs and Facilities; Retail/Service Establishment (up to 5,000 SF) (I-1, R&D, R-S permit a limited number of very specific retail/service uses; this increases the types of retail, but only for small-scale establishments); Retail/Service Establishment (5,001 – 15,000 SF), (15,001 – 50,000 SF), (50,001 – 85,000 SF), (85,001 – 120,000 SF), and (120,000 SF and over) (I-1, R&D, R-S permits a limited number of very specific retail/service uses; this increases the types of retail, but limits the size to 50% of allowed GFA for those retail uses that aren’t currently allowed in I-1); Heavy Vehicle Sales and Rental; Light Vehicle Sales and Rental (Indoor) and (Outdoor); Car Wash; Repair (Commercial Vehicle), (Major), and (Minor); Drive-Thru; Contractor Storage Yard; Dry Cleaning Facility (up to 3,000 SF) and (over 3,000 SF); Artisan Manufacturing and Production; Bus, Rail Terminal/Station; Taxi/Limo Facility; Distribution Line (Above Ground); Freight Movement; Mineral Storage; Self-Storage; Storage Facility; Recycling Collection and Processing; and Solar Collection System.

<sup>14</sup> Dwelling for Caretaker/Watchkeeper; Ambulance, Rescue Squad (Private); Cultural Institution; Restaurant; Clinic (up to 4 medical practitioners) and (more than 4 medical practitioners); Medical, Dental Laboratory; Research and Development; Adult Entertainment ( but has no impact because the properties are within 750 feet of residential, park, playground, etc., so wouldn’t be allowed on these properties); Health Clubs and Facilities (R-S); Retail/Service Establishment (up to 5,000 SF) (permit a limited number of very specific retail/service uses; this increases the types of retail, but only for small-scale establishments); Retail/Service Establishment (5,001 – 15,000 SF), (15,001 – 50,000 SF), (50,001 – 85,000 SF), (85,001 – 120,000 SF), and (120,000 SF and over) ( permits a limited number of very specific retail/service uses; this increases the types of retail, but limits the size to 50% of allowed GFA for those retail uses that aren’t currently allowed in I-1); Heavy Vehicle Sales and Rental; Light Vehicle Sales and Rental (Indoor) and (Outdoor); Car Wash; Repair (Commercial Vehicle), (Major), and (Minor); Antenna on Existing Structure; Drive-Thru; Transitory Use (R-S); Dry Cleaning Facility (up to 3,000 SF) and (over 3,000 SF); Artisan Manufacturing and Production; Light Manufacturing and Production; Medical/Scientific Manufacturing and Production; Bus, Rail Terminal/Station; Taxi/Limo Facility; Freight Movement; Mineral Storage (R&D, R-S); Self-Storage (R&D, R-S); Storage Facility (R&D); and Solar Collection System.

In converting the I-2 zone to IH, a number of uses would be removed from land in these zones:

- Community Garden (I-2 permits Agricultural Uses)
- Urban Farming (I-2 permits Agricultural Uses)
- Restaurant (I-2 permits cafeteria for employees as accessory use)
- Office (I-2 just allows accessory office related to principal use)
- Recreation and Entertainment, Major (capacity over 1,000)

Railroad yards or roundhouses (P) and Stockyards (SE), which are currently allowed uses in the I-2 zone, have been removed from the zoning ordinance.

This preservation of land for industrial uses makes sense. The Committee may again wish to examine the allowed FAR in the translation.

### 10) Filling stations

A Filling Station is a facility used primarily to dispense motor vehicle fuels to the consumer. As defined, Filling Station includes minor repair services as an accessory use and an accessory car wash where mechanical or hand-operated facilities used for the cleaning, washing, polishing, or waxing of motor vehicles are limited to 2 bays. Filling Station does not include storage or parking offered for rent.

The new code proposes allowing Filling Stations as a Conditional Use in each of the following eight new zones: CRT, CR, GR, NR, LSC, EOF, IL, and IM.

Currently, filling stations require special exceptions that may only be approved with a finding of need.<sup>15</sup> That finding would not be required in the proposed code.

A representative of a filling station requested the accessory uses be generalized:

“such other and further accessory uses as are permitted by right in the applicable zone or as may otherwise be compatible with a filling station or the provision of neighborhood - serving uses.”

or include a more extensive list of accessory uses:

Zip car and bicycle rentals;  
Electric car battery charging and replacement  
Food service;  
Retail;  
Technology;  
Banking services;  
Dry cleaning drop off and pick up; and  
Parcel drop off and pick up (FedEx, UPS).

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<sup>15</sup> Filling stations are currently allowed by special exception in the C-1, C-2, C-3, LSC, I-1, I-2, and I-4 zones.

Staff has no idea what is included in technology.<sup>16</sup> Banking would now be included in “Retail/Service Establishment”. Staff prefers to generalize accessory uses but not in a manner that is unenforceably broad.

Staff recommends a generalized provision as follows:

A Filling Station is a facility used primarily to dispense motor vehicle fuels or otherwise provide energy to consumer’s vehicles by any technology [to the consumer]. Filling Station includes minor repair services as an accessory use and an accessory car wash where mechanical or hand-operated facilities used for the cleaning, washing, polishing, or waxing of motor vehicles are limited to 2 bays. Any other use permitted use in the applicable zone may be included as an accessory use. Filling Station does not include storage or parking offered for rent.

The new code adds a minimum lot size for new filling stations of 20,000 square feet and a requirement that “access to the site from a street with a residential classification is prohibited.”<sup>17</sup> A number of existing filling stations do not meet either or both of these requirements. The industry representative would recommend changing these standards and providing increasing grandfathering rights.<sup>18</sup> Staff recommends retaining the Planning Board’s recommendations.

## 11) Commercial Building Heights

The measurement in the Agricultural, Rural Residential, and Residential zones is proposed to be measured from the average grade along the front of the building. It does not matter if the lot is terraced. The height measurement for employment and mixed-use zones is different.

Height of building: Building height is measured from the level of approved curb grade opposite the middle of the front of a building to the highest point of roof surface of a flat roof or to the mean height level between eaves and ridge of a pitched roof. If a building is located on a terrace, the height may be increased by the height of the terrace. On a corner lot exceeding 20,000 square feet, the height of the building may be measured from either adjoining curb grade. For a lot extending through from street to street, the height may be measured from either curb grade. In the case of a building set back from the street line 35 feet or more, the building height is measured from the average elevation of finished ground surface along the front of the building.

The only change between this language and the current code is requiring the measure of height from “curb” grade rather than “approved street grade”. The Planning Board believes that it is appropriate to give non-residential development more height flexibility than residential development. **The Committee should be convinced that retaining 2 different ways to measure height is a good idea.**

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<sup>16</sup> This may be confirmed by staff’s numerous calls to the IT help desk.

<sup>17</sup> § 3.5.13.C.2.

<sup>18</sup> The right to use current zoning standards for 5 years and the ability to expand under current zoning by at least 2,500 square feet.

“Lot” is a defined term; it should be clear to readers that 20,000 is the size of the net lot only. If the Planning Board thought it should be the gross lot area including land dedicated to for public use, it would have used the term “tract”.

Approved street grade is not a defined term and its meaning should be made clear.

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**000000Proposed Translation  
Employment Zones**

Current Zone				Parameters	Proposed Zone	
Symbol	Name	Max. FAR	Max. Height		Symbol	Name
C-2	General Commercial	1.5 commercial; 2.5 for mixed use	3 stories or 45'; 5 stories or 60' for expansions with a special exception; or 75' for mixed use not near residential	If site abuts or confronts R-150 or less intense zone or is a regional mall, then convert to:	GR-1.5 H-65	General Retail
C-3	Highway Commercial	none	42' (except for arena or stadium); or 84' for auto sales and service where recommended in master plan	If site is used for auto sales and service malls, then convert to:	GR-1.5 H-85	General Retail
				Otherwise:	GR-1.5 H-45	General Retail
C-1	Convenience Commercial	none	30' to 45' (based on grade finish)	If site abuts or confronts R-150 or less intense zone OR 5 acres+ or contiguous with 5 acres+ , then convert to:	NR-1.0 H-45	Neighborhood Retail
O-M	Office Building, Moderate Intensity	1.50	72'	If parcel is less than 1/2 acre, then convert to:	EOF-1.5 H-60	Employment Office
				If parcel is greater than 1/2 acre, then convert to:	EOF-1.5 H-75	Employment Office
C-O	Commercial, Office Building	3.00	97'		EOF-3.0 H-100	Employment Office
C-P	Commercial, Office Park	none	83'		EOF-1.25 H-90	Employment Office
I-3	Technology & Business Park	0.60	100'		EOF-0.75 H-100	Employment Office
LSC	Life Sciences Center	2.00	200'		LSC-2.0 H-200	Life Science Center

①

## Employment Zones

### Proposed Draft:

#### Article 59-2: Zoning Districts

Section 2.1.7.A establishes 4 Employment zones, General Retail (GR), Neighborhood Retail (NR), Life Science Center (LSC), and Employment Office (EOF). Each GR, NR, LSC, and EOF zone classification is followed by a number and symbol, H, which is followed by another number where the number following the classification is the maximum total FAR allowed, and the number following the H is the maximum building height in feet allowed.

The GR, NR, LSC, and EOF zones will be applied on the Zoning Map by showing, for each property classified the maximum total FAR, and maximum height (H). Each unique sequence of maximum total FAR and maximum height (H) is a zone under the following limits:

Zone	Total FAR (max)	Height (max)
GR	0.5 to 2.5	25' to 120'
NR	0.25 to 1.5	25' to 50'
LSC	0.5 to 2.5	35' to 200'
EOF	0.5 to 4.0	35' to 200'

The Employment zones, however, do not specify a mix of commercial and residential density allowed – only total FAR and maximum height, because, as noted in the uses, residential and some commercial uses are limited to 30% of total density.

The ranges for density and height capture the maximum densities and heights allowed in our existing commercial and office zones. Specifically:

- The GR zone sets the FAR limit at 2.5 and the height limit at 120 feet accommodating C-2 zone standards under optional method;
- The NR zone sets the FAR limit at 1.5 and the height limit at 50 feet accommodating C-1 standards with flexibility for future master plan applications of the zone;
- The LSC zone allows up to 2.5 FAR and 200 feet accommodating the 2.0 FAR and 200 feet allowed under the current LSC zone with some room for flexibility for future master plan applications of the zone; and
- The EOF zone allows up to 4.0 FAR and up to 200 feet in height to accommodate a wider range of densities and heights than the comparable C-O zone, which allows up to 3.0 FAR and up to 139 feet in height, because it is expected that this zone could be used in future master plans and the flexibility may be necessary.

Section 2.1.7.B provides a general intent statement for this set of Employment zones as well as an intent statement for each zone, GR, NR, LSC, and EOF.

**Changes from the current code:**

- This section represents a completely new format for the commercial, office and Life Science Center zones. Specifying the total maximum FAR and height in the zone classification is compatible with the naming convention used for the C/R zones.
- The draft contains special provisions for "T" zones translated from certain zones existing before [date of adoption of district map amendment minus one].
  - i. These special provisions are temporary and apply to certain properties rezoned by District Map Amendment to implement this Chapter and are indicated on the zoning map as the zoning classification followed by a T, such as "EOF2.0 H60 T".
  - ii. For Employment-zoned properties designated with a T, the following provisions apply:
    - 1. Residential density may be increased above the number following the R on the zoning map by up to 1.195 times for MPDUs provided above 12.5% as allowed under Chapter 25A. The density bonus achieved is equal to the percent indicated in Chapter 25A (Sec. 25A-5.(c)(3)) minus the increment above 12.5%. MPDUs provided over 12.5% are not considered in the calculation of gross floor area.
      - a. Total density may be increased above the number following the zoning classification on the zoning map by an amount equal to the residential density bonus achieved.
      - b. In any case, to achieve a density bonus under this Section (Sec. 2.1.6.A.6), at least one more MPDU than would be required at 12.5% must be provided.
    - 2. Any density increase under this Section (Sec. 2.1.7.A.6) requires site plan under Sec. 8.3.4.
- The general intent statement for the Employment zones is similar in format to the general intent statement for the C/R zones. Residential uses are allowed by right but limited to 30% of the allowed density in a given area. Individual intent statements for the GR, NR, LSC, and EOF zones are primarily based on the C-2, C-1, LSC, and C-O zones in the current code.

**B. Intent Statements**

**1. In General**

The GR, NR, LSC, and EOF zones permit nonresidential uses including office, technology, and general commercial uses with limited residential use at varying intensities and heights. The GR, NR, LSC, and EOF zones promote economic diversity and job creation in development patterns where people can work, learn, and recreate while minimizing their

reliance on automobile use. The application of the GR, NR, LSC, and EOF zones is appropriate for targeting jobs and services co-located near diverse housing options. In the Employment zones, residential uses are generally limited to 30% of the total allowed density in a given area. The intent of the GR, NR, LSC, and EOF zones is to:

- a. implement the policy recommendations of the applicable master plans;
- b. target opportunities for employment, technology, and general commercial uses;
- c. reduce dependence on the automobile by providing employment areas with supporting residential and retail uses;
- d. allow a flexible mix of uses, intensities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods; and
- e. establish minimum requirements for the provision of public benefits.

## 2. General Retail (GR)

- a. The GR zone is intended for commercial areas of a general nature, including central urban commercial areas, regional shopping centers, and clusters of commercial development. ~~A further purpose of this zone is to promote the effective use of transit facilities in Central Business Districts by encouraging housing with commercial uses in close proximity to Metro stations located in Central Business Districts.~~ The GR zone provides development opportunities adjacent to the County's most auto-dominated corridors and those areas with few alternative mobility options.
- b. The GR zone allows flexibility in building, circulation, and parking lot layout. Retail/Service Establishment gross floor area is not restricted.

## 3. Neighborhood Retail (NR)

- a. The NR zone is intended for commercial areas that have a neighborhood orientation and which supply necessities usually requiring frequent purchasing ~~with a minimum of consumer travel~~ and convenient automobile access. ~~Such facilities should be located so that their frequency and distributional pattern reflect their neighborhood orientation. In addition, such facilities should not be so large or so broad in scope of services as to attract substantial amounts of trade from outside the neighborhood. It is further the intent of this zone that, in order to restrict the size of such facilities, the convenience commercial zone should not be~~

~~located in close proximity to other commercial areas; and it shall not be applied to land which is located within a central business district as defined in section 59-A-2.1.~~ The NR zone addresses development opportunities within primarily residential areas with few alternative mobility options and without a critical mass of density needed for pedestrian-oriented commercial uses.  
b. The NR zone allows flexibility in building, circulation, and parking lot layout.

4. Life Sciences Center (LSC)

The LSC zone is intended primarily for research, development, education, and related activities. The primary purpose is to promote research, academic, and clinical facilities that advance the life sciences, health care services, and applied technologies. It is also the purpose of the LSC zone to provide opportunities for the development of uses that support a Life Sciences Center while retaining an environment conducive to high technology research, development, and production. Retail sales and personal services are allowed but are intended for the convenience of employees and residents in the zone.

5. Employment Office (EOF)

The EOF zone is intended for office and employment activity combined with limited residential and neighborhood commercial uses. The EOF allows flexibility in building, circulation, and parking lot layout.

**Article 59-3: Uses and Use Standards**

Article 59-3 is significantly different in format from the current ordinance. It contains one use table showing all the zones and uses. Next to each use in the table is a section reference for both the definition and any use standards. New, too, is the concept of the limited use. Currently uses are either permitted by-right, "P" in the use table, or require a special exception, denoted "SE". The proposed draft specifies uses as "P", permitted by-right, or "L", permitted by-right but limited by particular use standards, or "C", permitted conditioned on approval by the Board of Appeals or the Hearing Examiner.

The following tables summarize the single use table in Section 3.1.7 of the proposed code. Each table lists all uses allowed by zone, the current use name(s), how the use is allowed, and a brief explanation for uses that have been consolidated or have changed.

Proposed Use/Use Group	Current Use	Allowed in C-2, C-1, LSC, and C-O	Proposed in GR, NR, LSC, and EOF	Notes
<b>AGRICULTURAL</b>				
Community Garden		New	L (GR, NR, LSC, EOF)	Local access to food production, allows multiple growers; limiting coverage, equipment and accessory structure height.
Farm Supply, Machinery Sales, Storage and Service	Farm Building Supply and Construction	P (C-1)	L (NR) P (GR)	Limited use standard restricts the use to more closely match the Farm Building Supply and Construction use and to retain the footnote associated with this use.
	Farm Implements Storage and Sales	P (C-2)		
	Feed and Grain, storage and sales	P (C-2)		
Nursery (Retail)	Garden Supply Shops	P (C-1, C-2, LSC)	P (GR, NR)	Retail services in the LSC zone are intended for convenience of employees and residents.
Urban Farming		New	L (GR, NR, LSC, EOF)	Currently, almost all of the commercial and mixed-use zones prohibit agricultural uses. Urban Farming expands the current Farming use to include the limited keeping and raising of fowl and bees, and the practice of aquaculture.
<b>Accessory Agricultural Uses</b>				
Animal Husbandry		New	L (GR, NR, LSC, EOF)	Animal Husbandry, similar to the Community Garden and Urban Farming use also promotes local food production through beekeeping.
Farm Market, On-Site		New	L (GR, NR, LSC, EOF)	Restricts the sale of products to those produced on site.
<b>Temporary Agricultural Uses</b>				
Agricultural Vending		New	L (GR, NR, LSC, EOF)	Currently allowed in several Residential zones. Promotes access to local food production.

Seasonal Outdoor Sales		New	P (GR, NR) L (LSC, EOF)	Limited use standards indicate that a temporary use permit is required, property must be used for nonresidential purposes, and must front a road built to primary or higher standards unless on the site of a Religious Assembly use.
<b>RESIDENTIAL</b>				
Single-Unit Living	Dwellings	P (LSC, C-O) P/SE (C-2) SE (C-1)	L (GR, NR, LSC, EOF)	Residential uses are limited to 30% of the allowed density. Current footnotes under the C-O zone restrict dwellings to develop as under the R-60 zone, and allow in an existing office structure where commercial is limited to the first 2 floors. For the C-2 zone a footnote allows this use in a hotel, motel lawfully existing or within 1500 feet of a Metro station provided the site is recommended for residential uses in a master plan and a site plan is approved.
Two-Unit Living	Dwellings	P (LSC, C-O) P/SE (C-2) SE (C-1)	L (GR, NR, LSC, EOF)	Same comment as Single-unit Living
Townhouse Living	Dwellings	P (LSC, C-O) P/SE (C-2) SE (C-1)	L (GR, NR, LSC, EOF)	Same comment as Single-unit Living
Multi-Unit Living	Dwellings	P (LSC, C-O) P/SE (C-2) SE (C-1)	L (GR, NR, LSC, EOF)	Same comment as Single-unit Living
Dormitory	Dormitory	P (LSC)	P (LSC)	
Group Living (Use Group)	(Use Group – see individual uses below)			
Independent Living Facility for Seniors or Persons with Disabilities		New	L (GR, NR)	Use standards provide requirements for occupancy of a dwelling unit – related to age, marital status, etc... Provides flexibility in housing.

Personal Living Quarters (up to 50 Individual Units)	Personal Living Quarters	P/SE (C-1, C-2)	L (GR, NR)	Limited use standards are from Sec. 59-A-6.15, referenced in a footnote where allowed as a permitted use.
Personal Living Quarters (over 50 Individual Units)	Personal Living Quarters	P/SE (C-1, C-2)	C (GR, NR)	The current code allows the 50+ unit PLQ only as a special exception.
Residential Care Facility (up to 8)	Nursing and Care Homes	P (LSC)	P (GR, NR)	Residential Care Facility (up to 8) is a permitted use in all zones, per state law. A nursing care facility functions in a similar manner but at a larger scale. This use in new to NR (C-1).
	Nursing Home	SE (C-2, C-O)		
	Domiciliary Care for more than 16 Residents	P (LSC) SE (C-2, C-O)		
Residential Care Facility (9 to 16)	Nursing and Care Homes	P (LSC)	L (GR, NR)	Residential Care Facility (9 to 16) functions in a manner similar to a nursing care facility but at a smaller scale; allowed as a limited use. This use in new to NR (C-1).
	Nursing Home	SE (C-2, C-O)		
	Domiciliary Care for more than 16 Residents	P (LSC) SE (C-2, C-O)		
Residential Care Facility (over 16)	Nursing and Care Homes	P (LSC)	P (LSC) L (GR) C (EOF)	Several residential care uses have been consolidated that allow residential care for more than 16 residents.
	Nursing Home	SE (C-2, C-O)		
	Domiciliary Care for more than 16 Residents	P (LSC) SE (C-2, C-O)		
<b>Accessory Residential Uses</b>				
Dwellings for Caretakers/ Watchkeepers	Dwellings for caretakers or watchkeepers and their families or for a bona fide agricultural operation	P (LSC)	P (LSC)	
Home Health Practitioner (Low Impact)		new	L (GR, NR, LSC, EOF)	Separated use into low and major impact to clarify use standards and process. Home Occupations allowed in the LSC zone.
Home Health Practitioner (Major Impact)		new	C (GR, NR, LSC, EOF)	Separated use into low and major impact to clarify use standards and process. Home Occupations allowed in the LSC zone.

Home Occupation (No Impact)	Home Occupation, no impact	P (LSC)	L (GR, NR, LSC, EOF)	Incorporates footnotes into limited use standards.
Home Occupation (Low Impact)	Home Occupation, registered	P (LSC)	L (GR, NR, LSC, EOF)	Incorporates footnotes into limited use standards.
Home Occupation (Major Impact)	Home Occupation, major	SE (LSC)	C (GR, NR, LSC, EOF)	Incorporates footnotes into limited use standards.
Live/Work Units	Live/Work Units	New	P (GR, NR, LSC, EOF)	Use created for C/R zones. Appropriate for the Employment zones as well.

CIVIC and INSTITUTIONAL				
Ambulance or Rescue Squad (Private)	Ambulances or Rescue Squads, privately support, nonprofit	P (C-1, C-2) SE (C-O)	P (NR, GR, LSC, EOF)	Allowed as a P in the O-M zone which is also converting to EOF.
Charitable, Philanthropic Institution	Charitable or Philanthropic Institutions	P (C-2, C-O) SE (C-1)	P (GR, EOF, LSC) C (NR)	Seemed an appropriate use for the LSC zone.
Cultural Institution	Libraries and Museums	P (C-2, C-O)	P (GR, EOF, LSC)	Allows libraries and museums in a slightly more expanded fashion in the LSC zone.
	Libraries, scientific or technical	P (LSC)		
Family Day Care (up to 8)	Child Day Care Facility: Family Day Care Home	P (C-1, C-2, LSC, C-O)	P (NR, GR, LSC, EOF)	The day care for seniors use has been consolidated with the day care for children use because the impact of a facility would be similar.
	Day Care Facility for Seniors Adults and Persons with Disabilities	P (C-1, C-2, LSC, C-O)		
Group Day Care (9 to 12)	Child Day Care Facility: Group Day Care Home	P (C-1, C-2, LSC, C-O)	P (NR, GR, LSC, EOF)	The day care for seniors use has been consolidated with the day care for children use because the impact of a facility would be similar.
	Day Care Facility for Seniors Adults and Persons with Disabilities	P (C-1, C-2, LSC, C-O)		
Day Care Center (13 to 30)	Child Day Care Facility: Child Day Care Center	P (C-1, C-2, LSC, C-O)	P (NR, GR, LSC, EOF)	The day care for seniors use has been consolidated with the day care for children use because the impact of a facility would be similar.
	Day Care Facility for Seniors Adults and Persons with Disabilities	P (C-1, C-2, LSC, C-O)		

Day Care Center (over 30)	Child Day Care Facility: Child Day Care Center	P (C-1, C-2, LSC, C-O)	P (NR, GR, LSC, EOF)	The day care for seniors use has been consolidated with the day care for children use because the impact of a facility would be similar.
	Day Care Facility for Seniors Adults and Persons with Disabilities	P (C-1, C-2, LSC, C-O)		
Educational Institution (Private)	Educational Institutions, private	P (C-2, LSC, C-O)	P (NR, GR, LSC, EOF)	
	Trade, Artistic or Technical Schools	P (C-2, C-1, LSC)		
	Universities and Colleges providing teaching and research facilities	P (LSC)		
Hospital	Hospitals	SE (C-2, C-O) P (LSC)	C (GR, EOF) P (LSC)	
Playground, Outdoor Area (private)	Parks and Playgrounds, private	P (LSC)	P (NR, GR, LSC, EOF)	For Common Open Space.
Private Club, Service Organization	Private Clubs and Service Organizations	SE (C-2, C-O)	L (GR, EOF) P (LSC)	Site plan required under the limited use standards.
	Private Clubs	P (LSC)		
	Service Organizations	P (LSC)		
Public Use (except Utilities)	Publicly Owned or Publicly Operated Use	P (C-1, C-2, LSC, C-O)	P (NR, GR, LSC, EOF)	
Religious Assembly	Places of Religious Worship	P (C-1, C-2, LSC, C-O)	P (NR, GR, LSC, EOF)	
Swimming Pools (Community)	Swimming Pools, community	SE (C-2, C-O)	C (GR, EOF)	

COMMERCIAL				
Animal Boarding and Care	Animal Boarding Place	SE (C-1)	C (NR) L (GR)	Modified conditional use standards regarding noise (refers to Noise Ordinance), setback for exterior areas, hours of outdoor care. Added to GR for use consolidation – currently a P in the C-3 zone (also converting to GR).
Veterinary Office/ Hospital	Hospitals, Veterinary	P (C-2) SE (C-1)	L (NR) L (GR) L (LSC)	Modified conditional use standards regarding noise (refers to Noise Ordinance), setback for exterior areas, hours of outdoor care. Proposed L for NR as it is an L in all other C/R and Employment zones.
	Hospitals, Veterinary when in a soundproof building	P (LSC)		
Cable Communication System	Cable Communication System	P (LSC) SE (C-1, C-2, C-O)	P (LSC) C (NR, GR, EOF)	
Media Broadcast Tower	Radio and Television Broadcasting Stations and Towers	SE/P (C-2, C-O) P (LSC)	C (GR, EOF) L (LSC)	Limited use standard is taken from footnote 33 attached to the permitted use in the LSC zone limiting height to 199 feet and requiring a specific setback.
Telecommunications Tower	Telecommunications Facility	SE (C-1) P/SE (C-2, C-O) P (LSC)	C (NR) L (GR, EOF) P (LSC)	Limited use standard in the GR and EOF zones restricts maximum height to 150 feet, and allows for a conditional use approval if this standard cannot be met
Restaurant	Eating and Drinking Establishments	P (LSC)	P (LSC)	
	Eating and Drinking Establishments, excluding drive-ins	P (C-1, C-2) SE (C-O)	P (NR, GR) C (EOF)	
Funeral Home, Undertaker	Funeral Parlor or Undertaking Establishments	P (C-2) SE (C-O)	P (GR) C (EOF)	

Bed and Breakfast		new	L (GR, NR)	Bed and Breakfast allowed in a detached house building type. Tourist Home use removed.
	Tourist Homes	P (C-2, C-O)		
Hotel, Motel	Hotel or Motel	P (C-2, LSC)	P (GR, LSC, EOF)	An appropriate use for an office zone. Allowed as a special exception in I-3, also converting to EOF.
	Tourist Homes	P (C-2, C-O)		
Clinic (up to 4 Medical Practitioners)	Clinic	P (C-2, C-O)	P (GR, NR, LSC, EOF)	Current Clinic use does not distinguish size – up to 4 practitioners as a permitted use. Small scale medical clinic seem appropriate for a neighborhood servicing retail center.
	Clinics/Offices, medical or dental	P (LSC)		
Clinic (more than 4 Medical Practitioners)	Clinic	P (C-2, C-O)	P (GR, LSC, EOF) C (NR)	Current Clinic use does not distinguish size. Larger scale clinics should require a conditional use approval in the NR zone.
	Clinics/Offices, medical or dental	P (LSC)		
Medical, Dental Laboratory	Laboratories	P (C-2, LSC)	P (GR, LSC, EOF)	These labs operate similar to an office.
Life Sciences	Life Sciences	P (LSC)	P (LSC)	
Office	Offices, general	P (C-2, C-O)	P (GR, NR, EOF) L (LSC)	Limited use standard for the LSC zones restricts office uses unrelated to Life Science to 40% GFA, same as under the current code.
	General Offices	P (LSC)		
	Offices, professional and businesses	P (C-1)		
Research and Development	Laboratories	P (C-2, LSC)	P (LSC) L (EOF)	Limited use standards retain current footnote 30 for the C-O zone – limiting certain activities and restricting GFA related to assembly, packaging and servicing to 30%. (Medical/Dental labs retained for GR)
	Research, Development and Related Activities	P (LSC, C-O)		
Structured Parking	Parking Garages, automobile	P (C-2)	P (GR, LSC, EOF)	
	Parking of Automobiles off-street in connection with	P (C-2, C-1, LSC, C-O)		

	any use permitted			
Surface Parking for Use Allowed in the Zone	Parking Lots, automobile	P (C-2)	L (GR, NR, LSC, EOF)	Limited use standards regulate this use as an interim use where a sketch plan is required. Where a sketch plan is not required, use standards regulate landscaping and other requirements.
	Parking of Automobiles off-street in connection with any use permitted	P (C-2, C-1, LSC, C-O)		
	Parking of Automobiles off-street in connection with any commercial use	SE (C-O)		
Adult Entertainment	Adult Entertainment Business	P (C-2)	L (GR)	Current footnotes for this use are retained as the limited use standards.
Conference Center	Conference Center, without lodging	P (LSC)	P (LSC, EOF)	Appropriate for an office park zone.
Golf Course, Country Club	Golf Courses, and Country Clubs	SE (C-2, C-O)	C (GR, EOF)	
Health Clubs and Facilities	Health Club	P (C-2, C-1, LSC, C-O)	P (GR, LSC, EOF) L (NR)	Limited use standard restricts size of establishment to 14,500 sf. which is a footnote in the current code.
Recreation and Entertainment, Indoor (Capacity up to 1,000)	Recreational or Entertainment Establishments, commercial	SE (C-2, C-1, LSC)	P (C-2) C (NR, LSC, EOF)	Recreation and Entertainment facilities are separated by indoor and outdoor use, as well as number of participants.
	Amusement Centers	SE/P (C-2) SE (C-1)		
	Billiards Parlor	P (C-2) SE (C-1)		
	Bowling Alleys	P (C-2)		
	Squash, Racquet ball, Indoor Tennis, and Handball courts	SE (C-2, C-1)		
	Roller and Ice Skating Rinks	SE (C-2)		

	Swimming Pool, commercial	SE (C-2)		
	Theaters, indoor	P (C-2) SE (C-1)		
Recreation and Entertainment, Outdoor (Capacity up to 1,000)	Recreational or Entertainment Establishments, commercial	SE (C-2, C-1, LSC)	C (GR, NR, LSC)	Recreation and Entertainment facilities are separated by indoor and outdoor use, as well as number of participants.
	Baseball Driving Range	SE (C-1)		
	Fairground, circuses and amusement parks	P (C-2)		
	Golf Course, miniature	P (C-2)		
	Golf Driving Range	SE (C-2)		
	Ice Skating Rinks	SE (C-2)		
	Stadiums or Arenas	SE (C-2)		
	Swimming Pool, commercial	SE (C-2)		
Recreation and Entertainment, Major (Capacity over 1,000)	Recreational or Entertainment Establishments, commercial	SE (C-2, C-1, LSC)	C (GR, NR, LSC)	Recreation and Entertainment facilities are separated by indoor and outdoor use, as well as number of participants.
	Theaters, indoor	P (C-2) SE (C-1)		
	Fairground, circuses and amusement parks	P (C-2)		
	Stadiums or Arenas	SE (C-2)		
Shooting Range, Indoor	Rifle or pistol ranges, indoor	SE (C-2)	C (GR)	
Retail/Service Establishment up to 5,000 SF	Almost every retail use allowed in the current code is allowed as a permitted or special exception use in one of these zones	Various P or SE (C-2, C-1, LSC, EOF)	P (GR, NR) L (LSC, EOF)	Limited use standards restrict percentage of GFA allowed for this use.

Retail/Service Establishment 5,001-15,000 SF	Almost every retail use allowed in the current code is allowed as a permitted or special exception use in one of these zones	Various P or SE (C-2, C-1, LSC, EOF)	P (GR, NR) L (LSC, EOF)	Limited use standards restrict percentage of GFA allowed for this use.
Retail/Service Establishment 15,000-50,000 SF	Almost every retail use allowed in the current code is allowed as a permitted or special exception use in one of these zones	Various P or SE (C-2, C-1, LSC, EOF)	P (GR, NR) L (LSC, EOF)	Limited use standards restrict percentage of GFA allowed for this use.
Retail/Service Establishment 50,001-85,000 SF	Almost every retail use allowed in the current code is allowed as a permitted or special exception use in one of these zones	Various P or SE (C-2, C-1, LSC, EOF)	P (GR, NR)	
Retail/Service Establishment 85,001-120,000 SF	Almost every retail use allowed in the current code is allowed as a permitted or special exception use in one of these zones	Various P or SE (C-2, C-1, LSC, EOF)	L (GR, NR)	Limited use standards require site plan when abutting, confronting Agricultural, Rural Residential, or Residential zone. Additional use standards apply to developments within 1/2 mile of Metro.
Retail/Service Establishment 120,001 SF and over	Retail trades, businesses, and services of a general commercial nature with each tenant footprint over 60,000 SF	Various P or SE (C-2, C-1, LSC, EOF)	C (GR, NR)	.

Heavy Vehicle Sales, and Rental	Automobile, Truck, and Trailer Rentals, Outdoor	SE (C-2)	L (GR)	Limited use standards taken from the special exception standards. Proposed as a limited use due to zone consolidation with C-3, and use consolidation (other more intense, similar uses allowed in C-3).
Light Vehicle Sales, and Rental (Indoor)	Automobile Sales, Indoors	P (C-2)	P (GR)	
Automobile Storage Lot	Automobile Storage Lots	SE (C-2)	C (GR)	
Car Wash	Car Wash	SE (C-2)	L (GR)	Limited use standards taken from the special exception standards. Proposed as a limited use due to zone consolidation with C-3 where a car wash is permitted by-right.
Filling Station	Automobile Filling Station	SE (C-2, C-1, LSC)	C (GR, NR, LSC, EOF)	
	Highway Fuel and Food Service	SE (LSC)		
Repair, minor	Automobile Fluid Maintenance Station	P (C-2) SE (C-1)	L (GR, EOF) C (NR, LSC)	Proposed draft splits vehicle repair into minor and major repair. Specific use standards have been added if the use abuts a property in an Agricultural, Rural Residential, or Residential zone vacant or improved with an agricultural or residential use.
	Automobile Repair and Services	P (C-2) SE (LSC)		
Repair, major	Automobile Repair and Services	P (C-2) SE (LSC)	L (GR) C (LSC)	Proposed draft splits vehicle repair into minor and major repair. Specific use standards have been added if the use abuts a property in an Agricultural, Rural Residential, or Residential zone vacant or improved with an agricultural or residential use.

<b>Accessory Commercial Uses</b>				
Amateur Radio Facility (up to 65')	Amateur Radio Facility	P/SE (C-1, C-2, LSC, C-O)	P (GR, NR, LSC, EOF)	An Amateur Radio Facility is permitted with a height up to 65 feet in almost all commercial and mixed-use zones.
Amateur Radio Facility (over 65')	Amateur Radio Facility	P/SE (C-1, C-2, LSC, C-O)	C (GR, NR, LSC, EOF)	Where height is greater than 65 feet, a special exception/conditional use approval is required.
Antenna on existing structure	Rooftop mounted antennas and related unmanned equipment building, equipment cabinets, or equipment rooms	P (C-1, C-2, LSC, C-O)	L (NR, GR, LSC, EOF)	Incorporates standards under Section A-6.12 and A-6.14 attached to this use in several commercial and mixed-use zones.
Drive Thru Facility	Eating and Drinking Establishments, including drive-ins	SE (C-2, C-1)	L (GR, NR)	Use is discussed in Sec. 59-C-15.634 but not included in the use table for the C/R zones.
Helistop	Helistops	P/SE (LSC) SE (C-2, C-O)	C (GR, LSC, EOF)	Only a P in the LSC if located on the site of hospital – this would be accessory, therefore all primary use Helistops require conditional use approval.
<b>Temporary Commercial Uses</b>				
Construction Administration or Sales Office	Temporary Construction Administration or Sales Office	P (C-2, C-1, LSC, EOF)	L (GR, NR, LSC, EOF)	Currently allowed in all zones under certain conditions stated in Section A-6.11.
Transitory Use	Transitory Use	P/SE (C-2, C-1, C-O)	L (GR, NR, LSC, EOF)	Incorporates standards under Section A-6.22. Allowed in almost all commercial and mixed-use zones.

INDUSTRIAL				
Animal Research Facility	Animal Research Service Facilities	P (LSC)	P (LSC)	
Dry Cleaning Facility, up to 3,000 SF	Dry Cleaning and Laundry, consisting of no more than 3,000 SF of GFA.	P (C-2, C-1, LSC)	L (GR, NR, LSC)	Limited use standard prohibits cleaning and laundering for another establishment.
Light Manufacturing and Production		new	L (EOF)	New to the EOF as the C-O zone does not allow any light manufacturing uses, however I-3 which is also consolidating into EOF allows several uses that are of a light manufacturing nature. Site plan required if abutting or confronting a property in an Agricultural, Rural Residential, or Residential zone vacant or improved with an agricultural or residential use.
Medical/Scientific Manufacturing and Production	Manufacturing and assembly of medical, scientific, or technical instruments, devices and equipment	P (LSC)	P (LSC, EOF)	New to the EOF as the C-O zone does not allow any light manufacturing uses, however I-3 which is also consolidating into EOF allows several uses that are of a light manufacturing nature. Site plan required if abutting or confronting a property in an Agricultural, Rural Residential, or Residential zone vacant or improved with an agricultural or residential use.
	Manufacturing, compounding, processing or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries, and products resulting from biotechnical and biogenetic research and development	P (LSC)		
	Manufacturing of yeasts, molds, and other natural products, necessary for medical and	P (LSC)		

	biotech research and development			
Bus, Rail Terminal		new	P (GR, NR, EOF) L (LSC)	Storage of train cars or buses is prohibited.
Helipad, Heliport	Heliports	SE (C-2, LSC, C-O)	C (GR, LSC, EOF)	
Railroad Tracks	Railroad Tracks	P (C-2, LSC, C-O)	P (GR, NR, LSC, EOF)	Allowed in several zones. Added to Employment for zone consolidation, and consistency.
Taxi/Limo Facility	Taxi Stands	P (C2, C-1)	P (GR, NR) L (LSC)	Taxicab stands are allowed in almost all commercial, mixed-use zones. Limited use standard prohibits storage.
	Taxi Stands, not storage	P (LSC)		
Distribution Lines (Above Ground)	Electric Power Transmission and Distribution Lines	P (C-O)	P (GR, LSC) L (EOF)	Electric Power Transmission and Distribution Lines, overhead, carrying more than 69,000 volts cannot be regulated under the zoning ordinance.  Planning Staff believes the L for EOF is an <b>error</b> and recommends correcting it to P.
	Electric Power Transmission and Distribution Lines, overhead carrying 69,000 volts or less	P (C-2)		
	Telephone and Telegraph Lines	P (C-2, LSC, C-O)		
Distribution Lines (Below Ground)	Electric Power Transmission and Distribution Lines	P (C-O)	P (GR, NR, LSC, EOF)	Allowed in several zones. Appears to have little impact on neighboring properties.
	Electric Power Transmission and Distribution Lines, underground	P (LSC)		
Pipeline (Above Ground)	Pipelines, above ground	P (C-2, LSC, C-O)	P (GR, LSC, EOF)	
Pipeline (Below Ground)	Pipelines, below ground	P (C-2, LSC, C-O)	P (GR, NR, LSC, EOF)	Allowed in several zones. Appears to have little impact on neighboring properties.
Public Utility Structure	Public Utility Buildings, and Structures	SE (C-2, C-1, C-O) P (LSC)	C (GR, NR, EOF) P (LSC)	
Self-Storage	Self-storage	P (C-2)	L (GR)	Requires site plan approval.

*FACILITY*

Storage facility	Ice Storage	P (C-2)	L (GR, EOF)	Outdoor storage is prohibited. Limited use standard for the EOF zone restricts the size to less than 10,000 SF. Similar use permitted in the I-3 zone also converting to EOF.
	Warehousing and storage services – industrial and commercial users (enclosed)	P (C-2)		
<b>MISCELLANEOUS</b>				
Solar Collection System		new	L (GR, NR, LSC, EOF)	Provides use standards specific to solar panels as an accessory use.
<b>ACCESSORY MISCELLANEOUS USES</b>				
Accessory Structures	Accessory Buildings, and Uses	P (C-2, C-1, LSC, EOF)	P (GR, NR, LSC, EOF)	
Accessory Uses	Accessory Buildings, and Uses	P (C-2, C-1, LSC, EOF)	P (GR, NR, LSC, EOF)	

## Changes from the current code:

- **New Uses**

- 1. Community Garden**

- A Community Garden is the cultivation of land by a group of people to grow products for personal use or distribution; not for sale on-site. The limited use standards restrict gross floor area of all structures to 10% of the lot or parcel, accessory structure height is limited to 12 feet, and only manual or walk-behind mechanical equipment and practices commonly used in residential gardening is allowed.

- 2. Urban Farming**

- Urban Farming allows for the raising of crops, vegetables, herbs, and ornamental plants, as well as the limited keeping of hen, bees and aquaculture. Urban Farming is a limited use in all Employment zones with limited use standards that regulate its intensity.

- 3. Animal Husbandry,**

- This is a new use in the proposed code designed to allow the modest raising of small farm animals and fowl as an accessory to household living.
- In the Employment zones, this use is limited to only the keeping of bees.

- 4. Farm Market, On-site and Agricultural Vending**

- These are new uses in the Employment zones added to support land uses that provide greater access to locally grown food. Limitations on these uses are retained from the current code.

- 5. Seasonal Outdoor Sales**

- This is a new use in the Employment zones added to support land uses that provide greater access to locally grown food. A temporary use permit is required.

- 8. Drive Thru**

- Not technically a new use in all of the Employment zones, but new to the use table.
- Under the current code Drive Thru Facilities in the C-1, C-2, and C-O zones are associated with eating and drinking establishments. The proposed code regulates any type of drive thru.
- For the NR, GR, and EOF zones, a Drive Thru Facility is proposed as a limited use requiring a site plan with specific setbacks and queuing standards.
- Currently, an Eating and Drinking Establishment including a drive thru is a special exception in the C-1 and C-2 zones. The Drive Thru Facility is a new use for property currently zoned C-O.

**9. Solar Collection System**

- A Solar Collection System is allowed only as an accessory use; free-standing systems are limited to the production of 120% of the on-site energy consumption.
- Other standards are provided to regulate height exemptions and use over surface parking lots.

**10. Bus, Rail Terminal**

- Allowed in several current CBD zones. Added to several non-residential zones. Appropriate use in non-residential areas.

▪ **New Uses in some of the Employment Zones**

**1. Bed and Breakfast**

- All residential building type as allowed under the Employment zones.
- With the addition of allowing a Detached House in these zones, a Bed and Breakfast use seemed appropriate.

**2. Independent Living Facility**

- This is a new use in the NR and GR zones. Housing and Related Facilities for Senior Adults and Persons with Disabilities is a permitted use in most mixed-use zones. Adding this use to the current C-1 and C-2 zones further supports the proposal to allow modest residential development to these predominantly single-use commercial zones.

**3. Ambulance, Rescue Squad (Private)**

- This is a new use proposed for the LSC zone.

**4. Charitable, Philanthropic Institution**

- This is a new use proposed for the LSC zone.

**5. (Vehicle Service) Repair, Minor**

- This is a new use proposed for the EOF zone. Several of the current CBD zones allow minor car repair. Allowing this use in areas where drivers concentrate seems appropriate.

**6. Clinics (up to 4 Medical Practitioners), Clinics (more than 4)**

- In the current code, clinics are not defined based on number of medical practitioners except in the residential zones. Due to the consolidation of the use table – for all zones there are 2 proposed clinic uses: Clinic (up to 4 Medical Practitioners) and Clinic (more than 4 Medical Practitioners).
- For land that is currently zones C-1 converting to NR, the Clinic (up to 4 Medical Practitioners) is proposed as a limited use in the C-1 zone, and the Clinic (more than 4 Medical Practitioners) is proposed as a conditional use.

- **Zone Consolidation**
  1. **EOF zone.**
    - Ambulance, Rescue Squad (private). It is proposed as a limited use. It is currently a special exception in the C-O zone, but is a permitted use in the O-M zone.
    - Conference Center. A Conference Center is a permitted use in the I-3 and C-P zones, both converting to the EOF zone.
    - Light Manufacturing and Production. Permitted in the I-3 zone converting to EOF.
    - Medical/Scientific Manufacturing and Production. Permitted in the I-3 zone converting to EOF.
    - Storage Facility. Permitted in the I-3 zone converting to EOF.
  2. **GR zone.**
    - Animal Boarding and Care. The C-3 zone is also proposed to convert to the GR zone. An Animal Boarding Place is a permitted use in the C-3 zone.
    - Private Club, Service Organization. It is proposed as a limited use. It currently requires a special exception in the C-2 zone, but is a permitted use in the C-3 zone.
    - Heavy Vehicle Sales and Rental is proposed as a limited use in the GR zone. Currently, Automobile, Truck, Trailer Rentals, Outdoor is a special exception use in the C-2 zone, however, Automobile, Truck and Trailer Rental, Heavy Equipment Sales and Service, and Mobile Homes and Trailer Sales are all permitted uses in the C-3 zone.
    - Car Wash. It is proposed as a limited use. Currently it requires a special exception. It is a permitted use in the C-3 zone.
  
- **Use Consolidation, Simplification, and Modernization**
  1. **Household Living**
    - The proposed code allows Household Living uses as a limited use in the Employment zones, limiting them to 30% of the allowed density.
    - Current footnotes under the C-O zone restrict dwellings to develop as in the R-60 zone, and allow residential in an existing office structure where commercial is limited to the first 2 floors.
    - For the C-2 zone a footnote allows this use in a lawfully existing hotel, motel or within 1500 feet of a Metro station provided the site is recommended for residential uses in a master plan and a site plan is approved.
    - In the C-1 zone, dwellings require a special exception.

- In the LSC zone, dwellings are a permitted use, but restricted to 30% of the permitted FAR.
- The LSC zone allows Home Health Practitioners, and Home Occupations. The draft proposing allowing these accessory residential uses in the other Employment zones, in the same manner in which they are allowed under the current LSC.

## **2. Residential Care Facility**

- As noted for the other zone families, the proposed code recommends consolidating 5 residential care-type uses into one use, Residential Care Facility, which is differentiated by the capacity of the facility.
- In the LSC zone, a Domiciliary Care Home for more than 16 persons and Nursing and Care Homes are permitted by right.
- In the C-2 and C-O zones, a Domiciliary Care Home for more than 16 persons and a Nursing Home require a special exception.
- A Residential Care Facility (up to 8) is proposed as a permitted use in the GR and NR zones. A Residential Care Facility (9-16 persons) is proposed as a limited use in the GR and NR zones.
- A Residential Care Facility (over 16 persons) is proposed as a permitted use in the LSC zone, as a limited uses in the GR zone, and as a conditional use in the EOF zone.

## **3. Day Care Facility**

- Adult and child day care uses have been consolidated under a broader day care use without differentiating the use based on recipient age.
- Currently, a Family Day Care Home, a Day Care Facility for Senior Adults and Persons with Disabilities, a Group Day Care Home and a Child Day Care Center are all permitted uses in the C-1, C-2, LSC and C-O zones.
- The proposed code distinguishes day care based on capacity, defining the use based on size.
- The 4 categories proposed in the draft are: Family Day Care (up to 8 persons), Group Day Care (9-12 persons), Day Care Center (13-30 persons) and Day Care center (over 30 persons).

## **4. Recreation and Entertainment Facilities**

- Under the current C-1, C-2, LSC and C-O zones, Recreation and Entertainment Facilities are allowed under a variety of different specific recreational uses.
- In the proposed draft, there are three recreational uses based on the number of participants and whether the use occurs predominantly indoors, or outdoors.
- Under the C-2 zone, several recreational uses are allowed by-right. In addition, a few more recreational uses, allowed by special exception under C-2, are allowed by right under the C-3 zone.

- The draft code proposes that a Recreation and Entertainment Facility, Indoor (capacity up to 1,000) be a permitted use in the GR zone.
- Under the NR, LSC and EOF zones, Recreation and Entertainment Facility, Indoor (capacity up to 1,000) is proposed as a conditional use, which is similar to the way how these types of recreational uses are allowed under the current code.
- A Recreation and Entertainment Facility, Outdoor (capacity up to 1,000) and Recreation and Entertainment Facility, Major (capacity over 1,000) are conditional uses in all Employment zones.

**5. Retail/Service Establishment**

- In the current code, the retail and service establishments are allowed under a variety of different specific uses.
  - The draft code proposes one use name, Retail/Service Establishments, and breaks down the use into 6 separate uses based on size.
  - For the GR and NR zones, establishments up to 85,000 SF are proposed as a permitted use. Over 85,000 SF up to 120,000 SF is proposed as a limited use with standards where the use occurs within ½ mile of Metro.
  - Retail/Service Establishments over 120,000 SF are proposed as a conditional use in the GR and NR zones,
  - For the LSC zone, a Retail/Service Establishment is proposed as a limited use up to 50,000 SF in size. The limited use standard restricts the GFA for this use on tracts greater than 5 acres.
  - For the EOF zone, a Retail/Service Establishment is proposed as a limited use up to 50,000 SF in size. The limited use standard restricted the GFA for this use to no more than 30%.
- Approval Modification – Special Exception uses proposed as limited uses
    - **Veterinary Office/Hospital.** In the NR zone, a Veterinary Office/Hospital is proposed as a limited use with standards for exercise area setback, the time outdoors, soundproofing, and site plan approval.

**Article 59-4: Euclidean Zone Requirements: General and Standard Method**

This article provides general information regarding building types, measurements and exceptions, development requirements for standard method development by zone, and regulations for overlay zones.

**Changes from the current code:**

Section 4.1.3 Building Types is an entirely new section establishing building types and describing their basic attributes. Section 4.1.4 Building Types Allowed by Zone is also an

entirely new section establishing which building types are allowed in each zone. Standards for the general building are entirely new reflecting the need to address the development of uses other than residential living that are currently allowed in Residential zones. Some building types are only allowed under the optional method of development – either MPDU and/or Cluster.

Section 4.1.5 Measurement and Exceptions replaces several definitions from Section 59-A-2 and Article 59-B. This section is organized to parallel the development standard tables for each of the zones:

- A. Site;
- B. Lot and Density;
- C. Placement;
- D. Height; and
- E. Form.

Several terms, not defined under the current, are defined in this section. Site is defined as “an area of land including all existing and proposed lots and parcels in one application, except proposed and existing dedications and rights-of-way.” Lot has been redefined from “A parcel of land occupied or to be occupied by a building and its accessory buildings or by group dwellings and their accessory buildings, together with such open spaces as are required under the provisions of this chapter, having a least the minimum area required by this chapter for a lot in the zone in which such lot is situated and having its principal frontage on a public street or public way” to “A contiguous area of land that is described by a plat recorded in the land records for which a building permit can be issued.” This change removes unnecessary language about development standards that are addressed by the standards of the zone.

A new section defining building setbacks and their measurement has been added. Corner lots remain defined as they currently are; the proposed language for the measurement of setbacks on corner lots is similar, but the proposed addressing language for corner lots is new. An entirely new concept – a “Build-to Area” is proposed for use in mixed-use, higher density zones. Surface parking setbacks are defined and their measurement is established.

Building coverage has been redefined to include parking structures but remains otherwise similar. A new section has been added that clarifies which structures are not included in building coverage: Sec. 4.1.5.C.5.a.ii. Building coverage does not include paved areas such as driveways, pedestrian walkways, bay windows, uncovered porches or patios, decks, swimming pools, or roof overhangs.

Setback encroachments have been separated into three sections: Building Features, Mechanical Equipment and Utility Lines, and Other Encroachments. This section generally replaces Divisions 59-B-2 and 59-B-3. The only significant change in building feature encroachments is the removal of the requirement that an unenclosed balcony be less than 10 feet wide to project into a required setback; the requirements that it maintain at least a 2-foot setback is retained. This change encourages building forms

that provide more outdoor space and more flexible building forms that decrease the sense of mass and scale.

Several requests from designers and developers have been received to allow balconies and awnings to project into rights-of way because of the small setbacks. This is done in numerous jurisdictions, and is especially important in tight, historic situations and where urbanization and pedestrian-oriented sidewalk life is encouraged. At this point, Staff has not proposed such a change – there are small (6”) allowances for sills and cornices in keeping with the existing ordinance.

A provision to allow for conservation and environmental site design facilities has been added: Sec. 4.1.5.C.6.b.ii. Permanent rainwater collection or harvesting systems may project a maximum of 3 feet into any side street, side interior, or rear setback.

Height of building: Building height is measured from the level of approved curb grade opposite the middle of the front of a building to the highest point of roof surface of a flat roof or to the mean height level between eaves and ridge of a pitched roof. If a building is located on a terrace, the height may be increased by the height of the terrace. On a corner lot exceeding 20,000 square feet, the height of the building may be measured from either adjoining curb grade. For a lot extending through from street to street, the height may be measured from either curb grade. In the case of a building set back from the street line 35 feet or more, the building height is measured from the average elevation of finished ground surface along the front of the building. The only change between this language and the current code is requiring the measure of height from “curb” grade rather than “approved street grade”.

Form standards are entirely new and apply mostly to multi-use and general buildings in mixed-use zones. The draft provides standards for transparency, blank wall area, and allowed building elements (porch, stoop, awning, gallery, etc.). Minimum transparency and blank wall area requirements help to create a more pedestrian-friendly environment with more active streetscapes in appropriate zones.

#### Div. 4.5 Changes from Current Code

FAR Averaging, as it is termed in the proposed draft, is basically the same as density averaging under the current code. Only standard method development is allowed under the GR and NR zones. Site plan triggers for standard method are different and will be reviewed in later worksessions. The triggers for optional method, under proposed Sec. 4.6.2 are similar to the optional method triggers established for the CRT and CR zones.

In the GR and NR zones no optional method is available. In the LSC zone, standard method is allowed up to the greater of 0.5 FAR (where the current threshold for the LSC zone is set before BLTs must be purchased) or 10,000 square feet. In the EOF zone, standard method is allowed up to the greater of 1.0 FAR or 10,000 square feet; the current C-O zone allows up to 1.5 FAR before a site plan is required, but Staff feels the trade-off for more flexible uses and optional method development standards balance the lower standard method threshold.

Like the C/R zones, general requirements for master plan and design guideline consistency and neighborhood compatibility must be met; these are generally new requirements for most office-park and commercial-only zones.

Div. 4.6 Employment Zones provides the dimensional standards for all building types allowed in the Employment zones.

- **Site:**  
The allowance of the townhouse building type is new and a requirement for 20% common open area has no precedent in the existing office zones. The 10% public use space requirement for the other building types is comparable to many of the commercial zones that require 10% green area; the current C-O zone has no minimum open space requirement. For the current LSC zone, the public use space requirement is 20%.
- **Lot and density:**  
As noted, density is set by the zone and can track the densities allowed in all the existing commercial and office zones. Lot standards for townhouses in the EOF zone are new because the building types are new. In the LSC zone, lot standard for detached house and duplex building types are new.
- **Placement:**  
Principal Building Setbacks - Setbacks for townhouses, including lot standards are new. The setbacks for other building types (apartment/condo, multi-use, and general), are subject to the neighborhood compatibility requirements that impose a setback and angular plane restriction on height. The current C-O zone has variable setbacks that range between 0 feet and a setback equal to 1/4th a building's height, and are based on the abutting lot. Few buildings will be built over heights allowed in adjacent zones as standard method development is restricted to 1.0 FAR.  
Parking Setbacks - Setbacks for the GR and NR zones are flexible and must only meet buffering requirements under Article 59-7. Setbacks in the EOF and LSC zones are more restrictive and do not allow parking between the front of buildings and the street so as to encourage pedestrian and bike activity and discourage vehicular trips.
- **Form:** Build-to-zone and form requirements are entirely new.

Parking requirements and standards have been moved to Article 59-7. General Development Requirements, which will be discussed in later review worksessions. The neighborhood compatibility requirement that establishes an angular plane restricting height when C/R zoned property is next to Agricultural, Rural Residential, or Residential Detached zones has been extended to all non-residential zones and modified to include confronting property situations and has also moved to Article 59-7.

The current ordinance has few development standards. Density and height remain specified by the zone itself. Setbacks, however, only applied under the "neighborhood compatibility" requirement discussed above. In the proposed ordinance, development standards are established for standard method development in several categories: site

(open space); lot and density; placement; height; and form. Public use space for standard method projects remains the same, except no open space is required for detached or duplex lots. Townhouse developments must provide common open area for their residents rather than public use space.

Minimum lot sizes, widths, and coverage apply to detached, duplex, and townhouse development. Setbacks apply to all building types with new restrictions on maximum setbacks in some cases. Form standards are entirely new and apply to Apartment/Condo, Multi-Use, and General Building building-types in the LSC and EOF zones.

#### **Article 59-6: Optional Method Requirements**

The optional methods of development contain alternative development requirements for the zones in which the method is allowed.

#### **Changes from the current code:**

Optional method development in the EOF and LSC zones is modeled on the optional method development for the CRT and CR zones. Optional method development for the current zone(s) that may become EOF are entirely new. The current LSC zone has requirements that BLTs must be purchased to obtain a certain percentage of density above 0.5 FAR, but has no other specific public amenity requirements; the requirement for public benefit points – from BLTs and other amenities – is a significant change, but is in keeping with the expectations of the master plans and design guidelines that have recommended the zone. Other changes related to public benefit points and categories are discussed in the summary for the C/R zones.

The building types allowed are new to the ordinance, generally, but development standards are flexible and established during the approval process; density and height are set by the mapped zone. This is new to these zones.

#### **Article 59-7: General Development Requirements**

This article provides general requirements for all development with respect to parking, open space, landscaping, outdoor lighting, compatibility standards, and signs. While many of the requirements are not new, the organization of these requirements into one section is new to the code.

Most of the changes to the general requirements are based on achieving greater sustainability relating to issues such as impervious area, tree canopy, air and water quality, and public health. Some changes provide more certainty to the community and developers as to what to expect during the development review process. To this end:

- Parking requirements are generally lower and surface parking require more landscaping;

- Open space has minimum permeable and tree canopy requirements; and
- Landscape and lighting standards have been codified.

To protect established neighborhoods, the general requirements have been modified to include compatibility standards— establishing setback, height, and screening standards based on the abutting uses, further requirements for outdoor storage and display, and lighting restrictions.

Each Division of this Article has an alternative compliance section allowing the deciding body to approve an alternative method of compliance if the intent of the Division is satisfied, the functional results are met or exceeded and the alternative plan is in the public interest. These provisions allow flexibility for new, innovative ideas, and creative solutions to site issues.

Specific changes between the current code and that proposed as it relates to the Employment zones will be highlighted during a worksession dedicated to addressing changes in general requirements.

General changes include:

#### Site Access (Div. 7.1.)

- Driveway dimensions based on zone instead of one set of standards for all zones.
- Minimum required width of driveways has been modified.
- Added maximum width for driveway access.
- Added maximum number of driveways allowed for every 300 feet of site frontage along any street.
- Added restriction to driveways on corner or through lots.

#### Parking, Queuing and Loading (Div. 7.2.)

- New adjustments to vehicle parking minimums (Sec. 7.2.3.)
- Modified Parking Lot Districts (per impending changes to Chapter 60)
- Modified vehicle parking requirements based on recommendations from MCDOT's Parking Policy Study, the Institute of Transportation Engineers and the Urban Land Institute (Sec. 7.2.4.B).
- Modified bicycle parking requirements
- New design standards for queuing in drive-thru lanes (Sec. 7.2.7.).
- New requirements for off-street spaces and design standards for loading facilities (Sec. 7.2.8).
- Modification of parking lot landscaping requirements (Sec. 7.2.9.)
- Parking facility plans (from existing code) replaced with requirements about site access (Div. 7.1.) or parking, queuing and loading (Div. 7.2).
- Share-a-ride provisions not retained.

#### Open Space (Div. 7.3.)

- Consolidated open space requirements for all zones into one division; currently they are spread throughout the code.
- Changed the name of green space to amenity open space.
- Added permeable area and tree canopy requirements and lighting standards

#### Compatibility Standards (Div. 7.4.)

- Adds new standards for setbacks, heights and screening requirements based on the building type and the abutting zone to ensure context sensitive infill development and protection of existing neighborhoods.

#### General Landscaping and Outdoor Lighting (Div. 7.5.)

- Prohibits use of invasive plants in any required plantings.
- Provides reference to American Standards for Nursery Stock and the Manual of Woody Landscape Plants.
- Defines types of plants materials and the size required at planting time.
- Gives new lighting standards (lighting for conditional uses abutting/ confronting detached houses is the same as existing code).

### **Article 59-8: Administration and Procedures**

This article provides a summary of the review and approval authority for District Council approvals, regulatory approvals, and administrative approvals required under the zoning code.

#### **Changes from the current code:**

The majority of changes made to the administration and procedures of the code are general and not specific to a particular zone.

Changes to procedure that are zone specific include modifications in how a use is allowed within a zone. Some uses that are currently a special exception, requiring approval by the Hearing Examiner and/or the Board of Appeals may be proposed as a limited use whereby the standards for approval are listed in the code, and approval can be made by DPS. Some limited uses require site plan approval.

Several permitted uses are proposed to be a limited use in order to incorporate existing footnotes. Most of these footnotes limit or specify standards that must be met in order for the use to be approved. Thus changes from a permitted to a limited use rarely change the nature of the approval process.

## Use Changes as a Result of Translation to the NR Zone

### Commercial Zones Converting to NR

C-1 = 263.87 acres (68% of total zone acreage)

#### **New Permitted and Limited Uses**

In converting the C-1 zone to NR, a number of agricultural uses have been added to land in this zone. Agricultural uses were added to all zones in the proposed code as a policy decision to provide better access to local food production. The permitted and limited agricultural uses that have been added to land in the C-1 zone are:

- Community Garden
- Urban Farming
- Animal Husbandry
- Farm Market, On-site
- Agricultural Vending
- Seasonal Outdoor Sales

In converting the C-1 zone to NR a number of residential uses have been added to land in this zone. Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones. The permitted and limited residential uses that have been added to C-1 are:

- Independent Living Facility for Seniors or Persons with Disabilities
- Residential Care Facility (up to 8 persons) and (9-16 persons)
- Home Health Practitioner (Low Impact)
- Home Occupation (No Impact)
- Home Occupation (Low Impact)
- Live/Work Unit

One of the primary goals of the zoning rewrite is to simplify the ordinance. Decreasing the number of zones in the zoning code is a key mechanism for simplification, and moving from zones that are extremely limited in use to a more flexible set of zones will reduce the impetus to add new zones with every master plan. As a result, in converting the C-1 zone to NR, some permitted and limited civic and institutional, commercial, industrial, and miscellaneous uses have been added to land in the C-1 zone. Additionally, some uses were added to the NR zone for consistency as they are allowed in several commercial zones. This includes:

- Playground, Outdoor Area (Private)
- Bed and Breakfast
- Clinic (up to 4 medical practitioners)
- Bus, Rail Terminal/Station
- Railroad Tracks

- Distribution Line (Below Ground)
- Pipeline (Below Ground)
- Solar Collection System

### **New Conditional Uses**

In converting the C-1 zone to NR, some conditional residential and commercial uses have been added to land currently zoned C-1. This includes:

- Home Health Practitioner (Major Impact)
- Home Occupation (Major Impact)
- Clinic (more than 4 medical practitioners)

### **Special Exceptions that are now Limited or Permitted**

In converting the C-1 zone to NR, a number of special exception uses have become permitted or limited uses. This change most often is a result of a policy change to move from single use commercial zones to more flexible mixed use zones or to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service and Residential Care Facility is now regulated by size instead of specific use). The special exception uses that have become permitted or limited for land in the C-1 zone are:

- All Household Living Uses (limited to 30% of the maximum allowed FAR in an application)
- Veterinary Office/Hospital
- Drive-Thru
- Transitory Use

### **Permitted Uses that are now Conditional Uses**

In converting the C-1 zone to NR, a few permitted uses have become conditional uses. This change is a result of a policy change to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service and Residential Care Facility is now regulated by size instead of specific use). The permitted uses that have become conditional for land in the C-1 zone are:

- Retail/Service Establishment (120,001 SF and over)

### **Removed Uses**

In converting the C-1 zone to NR, the following uses have been removed from land in the C-1 zone:

- Structured Parking

### Use Changes for Zones Translating to NR Zone

	NR Zone	C-1	Notes
<b>Acreage Converting to NR and % of total zone acreage</b>	--	263.87 acres (68%)	--
<b>AGRICULTURAL</b>			
Community Garden	L	--	For access to local food production
Farm Supply, Machinery Sales, Storage, and Service	L	P	Limited use standard restricts the use to more closely match the Farm Building Supply and Construction use and to retain the footnote associated with this use
Urban Farming	L	--	For access to local food production urban farming allows limited fowl, bees, and aquaculture; Limited use standards regarding minimum area, number of fowl, and structures
<b>ACCESSORY AGRICULTURAL USES</b>			
Animal Husbandry	L	--	For access to local food production; only bees are allowed
Farm Market, On-Site	L	--	- For access to local food production; it is accessory to an urban farm - Limited use standards specify products must be produced on-site and setbacks
<b>TEMPORARY AGRICULTURAL USES</b>			
Agricultural Vending	L	--	For access to local food production
Seasonal Outdoor Sales	P	--	For access to local seasonal products
<b>RESIDENTIAL</b>			
<b>HOUSEHOLD LIVING</b>			
Single-Unit Living	L	SE	Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site
Two-Unit Living	L	SE	Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site
Townhouse Living	L	SE	Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site
Multi-Unit Living	L	SE	Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site
<b>GROUP LIVING</b>			
Independent Living Facility for Seniors or Persons with Disabilities	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones; Limited use standards from mixed use zones in current code regarding staffing and occupancy
Personal Living Quarters (Up to 50 Individual Living Units)	L	P	Limited use standards incorporate current requirements of Section A-6.15
Residential Care Facility (Up to 8 persons)	P	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Residential Care Facility (9 - 16 persons)	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
<b>ACCESSORY RESIDENTIAL USES</b>			
Home Health Practitioner (Low Impact)	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones

### Use Changes for Zones Translating to NR Zone

	NR Zone	C-1	Notes
<b>Acreage Converting to NR and % of total zone acreage</b>	--	263.87 acres (68%)	--
Home Health Practitioner (Major Impact)	C	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Home Occupation (No Impact)	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use
Home Occupation (Low Impact)	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use
Home Occupation (Major Impact)	C	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Live/Work Unit	P	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
<b>CIVIC AND INSTITUTIONAL</b>			
Playground, Outdoor Area (Private)	P	--	To accommodate uses associated with townhouse living (common open space)
<b>COMMERCIAL</b>			
<b>ANIMAL SERVICES</b>			
Veterinary Office/ Hospital	L	SE	Limited use standards provide parameters for outdoor exercise yards, soundproofed interior areas, and a site plan requirement if abutting or confronting...
<b>LODGING</b>			
Bed and Breakfast	L	--	Appropriate use for a zone that allows dwellings and hotels
<b>MEDICAL AND DENTAL</b>			
Clinic (Up to 4 Medical Practitioners)	P	--	Small scale medical clinic seem appropriate for a neighborhood servicing retail center
Clinic (More than 4 Medical Practitioners)	C	--	Larger scale medical clinic requiring a conditional use seems appropriate for a neighborhood servicing retail center
<b>PARKING</b>			
Structured Parking		P	C-1 allows parking of Automobiles off-street in connection with any use permitted, without specifying surface or garage
Surface Parking for Use Allowed in the Zone	L	P	Limited use standards require parking setbacks to accommodate required landscaping
<b>RECREATION AND ENTERTAINMENT</b>			
Health Clubs and Facilities	L	P	Limited use standard incorporates footnote capping size at 14,500 SF of GFA
<b>RETAIL SALES AND SERVICE</b>			
Retail/ Service Establishment (85,001 - 120,000 SF)	L	P	Limited use standards require site plan when abutting, confronting Agricultural, Rural Residential, or Residential zone. Additional use standards apply to developments within ½ mile of Metro.
Retail/ Service Establishment (120,001 SF and Over)	C	P	Large scale retail/service requiring a conditional use seems appropriate for a neighborhood servicing retail center
<b>ACCESSORY COMMERCIAL USES</b>			
Antenna on Existing Structure	L	P	Limited use standards incorporates current standards under Sec. A-6.12 and Sec. A-6.14
Drive-Thru	L	SE	Limited use standards specify queuing and stacking and window placement and require site plan
<b>TEMPORARY COMMERCIAL USES</b>			
Construction Administration or Sales Office	L	P	The current code defines Construction Administration or Sales Office as an accessory use (accessory uses are a permitted use); the proposed code pulls it out in the use table for clarity; Incorporates current standards under Sec. A-6.11

### Use Changes for Zones Translating to NR Zone

	NR Zone	C-1	Notes
<b>Acreage Converting to NR and % of total zone acreage</b>	--	263.87 acres (68%)	--
Transitory Use	L	P/SE	Limited use standards incorporate current standards from Sec. A-6.13
<b>INDUSTRIAL</b>			
Dry Cleaning Facility (Up to 3,000 SF)	L	P	Limited use standards incorporates footnote in current commercial zones prohibiting work for other similar dry cleaning or laundering establishments
<b>TRANSPORTATION</b>			
Bus, Rail Terminal/Station	P	--	For access to transit
Railroad Tracks	P	--	Allowed in several zones. Added to Employment for zone consolidation, and consistency.
<b>UTILITIES</b>			
Distribution Line (Below Ground)	P	--	Permitted in several zones. Appears to have little impact on neighboring properties.
Pipeline (Below Ground)	P	--	Permitted in several zones. Appears to have little impact on neighboring properties.
<b>MISCELLANEOUS</b>			
Solar Collection System	L	--	This is a new use in the use table; in the existing zones it can be done under the use Accessory Buildings and Uses

Uses Removed from the Ordinance      None

## Use Changes as a Result of Translation to the GR Zone

### Commercial Zones Converting to GR

C-2 = 122.89 acres (45% of total zone acreage)

C-3 = 109.17 acres (100%)

### **New Permitted and Limited Uses**

In converting the C-2 and C-3 zones to GR, a number of agricultural uses have been added to land in these zones. Agricultural uses were added to all zones in the proposed code as a policy decision to provide better access to local food production. The permitted and limited agricultural uses that have been added to land in these zones are:

- Community Garden
- Urban Farming
- Animal Husbandry
- Farm Market, On-site
- Agricultural Vending (C-2)
- Seasonal Outdoor Sales

In converting C-2 and C-3 to GR a number of residential uses have been added to land in these zones. Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones. The permitted and limited residential uses that have been added to these zones are:

- Independent Living Facility for Seniors or Persons with Disabilities
- Residential Care Facility (up to 8 persons), (9 – 16 persons), (over 16 persons) (C-3)
- Home Health Practitioner (Low Impact)
- Home Occupation (No Impact)
- Home Occupation (Low Impact)
- Live/Work Unit

One of the primary goals of the zoning rewrite is to simplify the ordinance. Decreasing the number of zones in the zoning code is a key mechanism for simplification, and moving from zones that are extremely limited in use to a more flexible set of zones will reduce the impetus to add new zones with every master plan. As a result, in consolidating C-2 and C-3 into GR, some permitted and limited civic and institutional, commercial, industrial, and miscellaneous uses have been added to each zone. Additionally, some uses were added to the GR zone for consistency as they are allowed in several commercial zones. This includes:

- Educational Institution (Private) (C-3)
- Playground, Outdoor Area (Private)
- Animal Boarding and Care (C-2)

- Hotel, Motel (C-3)
- Medical, Dental Laboratory (C-3)
- Adult Entertainment (C-3: This would qualify only one C-3 property to have Adult Entertainment use. It's currently developed with a restaurant use. Immediately adjacent property is currently zoned I-1, which allows Adult Entertainment)
- Bed and Breakfast
- Dry Cleaning Facility (up to 3,000 SF) (C-3)
- Bus, Rail Terminal/Station
- Railroad Tracks (C-3)
- Taxi/Limo Facility (C-3)
- Distribution Line (Above Ground) (C-3)
- Distribution Line (Below Ground)
- Pipeline (Above Ground) and (Below Ground) (C-3)
- Solar Collection System

#### **New Conditional Uses**

In converting C-2 and C-3 to GR, some conditional residential, commercial, industrial, and miscellaneous uses have been added to each zone. This includes:

- Home Health Practitioner (Major Impact)
- Home Occupation (Major Impact)
- Swimming Pool (Community) (C-3)
- Golf Course, Country Club (C-3)
- Shooting Range (Indoor) (C-3)
- Automobile Storage Lot (C-3)
- Filling Station (C-3)

#### **Special Exceptions that are now Limited or Permitted**

In converting C-2 and C-3 to GR, a number of special exception uses have become permitted or limited uses. This change most often is a result of zone consolidation or because of a policy change to move from single use commercial zones to more flexible mixed use zones or to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service and Residential Care Facility is now regulated by size instead of specific use). The special exception uses that have become permitted or limited for land in these zones are:

- All Household Living Uses (limited to 30% of the maximum allowed FAR in an application)
- Residential Care Facility (up to 8 persons), (9 – 16 persons), (over 16 persons) (C-2)
- Charitable, Philanthropic Institution (C-3)

- Private Club, Service Organization (C-2)
- Recreation and Entertainment Facility, Indoor (Capacity up to 1,000) (C-2)
- Heavy Vehicle Sales and Rental (C-2)
- Light Vehicle Sales and Rental (Outdoor) (C-2)
- Car Wash (C-2)
- Drive-Thru (C-2)
- Transitory Use

**Permitted Uses that are now Conditional Uses**

In converting C-2 and C-3 to GR, a few permitted uses have become conditional uses. This change most often is a result of zone consolidation or because of a policy change to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service and Residential Care Facility is now regulated by size instead of specific use). The permitted uses that have become conditional for land in these zones are:

- Recreation and Entertainment Facility, Outdoor (Capacity up to 1,000)
- Recreation and Entertainment Facility, Major (Capacity over 1,000)
- Retail/Service Establishment (120,001 SF and over) (in C-2 and C-3 a combination retail store is a special exception but all other retail uses are permitted)

**Removed Uses**

In converting C-2 and C-3 to GR, the following uses have been removed from land in these zones:

- Light Manufacturing and Production (**only** printing and publishing had been allowed in these zones)

Boardinghouse and Swimming Pool, Private which are currently permitted uses in the C-2 zone, have been removed from the zoning ordinance. Tourist Home, which is currently a permitted use in the C-2 and C-3 zone, has also been removed from the zoning ordinance.

### Use Changes for Zones Translating to GR Zone

	GR Zone	C-2	C-3	Notes
<b>Acreage Converting to GR and % of total zone acreage</b>	--	122.89 acres 45%	109.17 acres 100%	--
<b>AGRICULTURAL</b>				
Community Garden	L	--	--	For access to local food production
Urban Farming	L	--	--	For access to local food production urban farming allows limited fowl, bees, and aquaculture; Limited use standards regarding minimum area, number of fowl, and structures
<b>ACCESSORY AGRICULTURAL USES</b>				
Animal Husbandry	L	--	--	For access to local food production; only bees are allowed
Farm Market, On-Site	L	--	--	- For access to local food production; it is accessory to an urban farm - Limited use standards specify products must be produced on-site and setbacks
<b>TEMPORARY AGRICULTURAL USES</b>				
Agricultural Vending	L	--	P	- For access to local food production - C-3 permits the sale of farm products
Seasonal Outdoor Sales	P	--	--	For access to local seasonal products
<b>RESIDENTIAL</b>				
<b>HOUSEHOLD LIVING</b>				
Single-Unit Living	L	P/SE	SE	- Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site - Locational requirements for C-2 (permitted use)
Two-Unit Living	L	P/SE	SE	- Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site - Locational requirements for C-2 (permitted use)
Townhouse Living	L	P/SE	SE	- Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site - Locational requirements for C-2 (permitted use)
Multi-Unit Living	L	P/SE	SE	- Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site - Locational requirements for C-2 (permitted use)
<b>GROUP LIVING</b>				
Independent Living Facility for Seniors or Persons with Disabilities	L	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones; Limited use standards from other mixed use zones in current code regarding staffing and occupancy
Personal Living Quarters (Up to 50 Individual Living Units)	L	P	P	Limited use standards incorporate current requirements of Section A-6.15
Residential Care Facility (Up to 8 persons)	P	SE	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Residential Care Facility (9 - 16 persons)	L	SE	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Residential Care Facility (Over 16 persons)	L	SE	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
<b>ACCESSORY RESIDENTIAL USES</b>				
Home Health Practitioner (Low Impact)	L	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Home Health Practitioner (Major Impact)	C	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones

### Use Changes for Zones Translating to GR Zone

	GR Zone	C-2	C-3	Notes
<b>Acreage Converting to GR and % of total zone acreage</b>	-	122.89 acres 45%	109.17 acres 100%	-
Home Occupation (No Impact)	L	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to <u>more flexible mixed use zones</u>
Home Occupation (Low Impact)	L	-	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to <u>more flexible mixed use zones</u>
Home Occupation (Major Impact)	C	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to <u>more flexible mixed use zones</u>
Live/Work Unit	P	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to <u>more flexible mixed use zones</u>
<b>CIVIC AND INSTITUTIONAL</b>				
Charitable, Philanthropic Institution	P	P	SE	Permitted in C-2 (GR is based off of the C-2 zone)
Educational Institution (Private)	P	P	--	Permitted in C-2 (GR is based off of the C-2 zone)
Hospital	C	SE	--	Special exception in C-2 (GR is based off of the C-2 zone)
Playground, Outdoor Area (Private)	P	--	--	To accommodate uses associated with townhouse living (common open space)
Private Club, Service Organization	L	SE	P	Limited use standard requires site plan if abutting or confronting property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use
Swimming Pool (Community)	C	SE	--	Special exception in C-2 (GR is based off of the C-2 zone)
<b>COMMERCIAL</b>				
<b>ANIMAL SERVICES</b>				
Animal Boarding and Care	L	-	P	Limited use standards include current footnote about soundproofing buildings; provides additional standards about outdoor exercise yards and a site plan requirement if abutting or confronting property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use
Veterinary Office/ Hospital	L	P	P	Limited use standards provide parameters for outdoor exercise yards, soundproofed interior areas, and a site plan requirement if abutting or confronting...
<b>COMMUNICATION FACILITY</b>				
Media Broadcast Tower	C	P/SE	P/SE	This use is permitted in the C-2 and C-3 if there is no broadcast tower
Telecommunications Tower	L	P/SE	P/SE	C-2 and C-3 permit a tower up to 150 feet with additional setback if abutting Ag, Rural Res, or Res, which is retained in the limited use standard
<b>LODGING</b>				
Bed and Breakfast	L	--	--	- Appropriate use for a zone that allows dwellings and hotels - In the C-3 zone, tourist homes are permitted
Hotel, Motel	P	P	--	Permitted in C-2 (GR is based off of the C-2 zone)
<b>MEDICAL AND DENTAL</b>				
Medical, Dental Laboratory	P	P	--	Permitted in C-2 (GR is based off of the C-2 zone)
<b>OFFICE AND PROFESSIONAL</b>				
Research and Development		P	--	C-2 allows laboratories, which is also covered under Medical, Dental Laboratory
<b>PARKING</b>				
Surface Parking for Use Allowed in the Zone	L	P	P	Limited use standards require parking setbacks to accommodate required landscaping
<b>RECREATION AND ENTERTAINMENT</b>				
Adult Entertainment	L	P	--	- Permitted in C-2 (GR is based off of the C-2 zone) - Converting C-3 to GR would allow only 1 parcel to have Adult Entertainment uses. It's currently the Red Lobster at the northern quadrant of the I-270/Shady Grove Road interchange. Immediately adjacent properties are currently zoned I-1 and allow Adult Entertainment currently.
Golf Course, Country Club	C	SE	--	Special exception in C-2 (GR is based off of the C-2 zone)

**Use Changes for Zones Translating to GR Zone**

	GR Zone	C-2	C-3	Notes
<b>Acreage Converting to GR and % of total zone acreage</b>	--	122.89 acres 45%	109.17 acres 100%	--
Recreation and Entertainment Facility, Indoor (Capacity up to 1,000)	P	P and SE	P	- C-2 permits amusement centers if part of a regional shopping center, otherwise they're a special exception, as are bowling alleys, racquet ball, squash, tennis courts, recreational or entertainment establishments, commercial and no distinction based on size - C-3 permits baseball driving range, billiard parlors, bowling alleys, commercial recreation or entertainment establishments, roller and ice skating rinks, commercial swimming pools, indoor theaters
Recreation and Entertainment Facility, Outdoor (Capacity up to 1,000)	C	P and SE	P and SE	- C-2 permits fairgrounds, circuses, amusement parks, mini golf and allows driving ranges and recreational or entertainment establishments, commercial as a special exception - C-3 permits baseball driving range, commercial recreation or entertainment establishments, roller and ice skating rinks, commercial swimming pools, outdoor theaters, miniature golf; allows golf driving ranges, stadiums or arenas, as a special exception
Recreation and Entertainment Facility, Major (Capacity over 1,000)	C	P and SE	P and SE	- C-2 permits amusement centers if part of a regional shopping center, otherwise they're a special exception, as are bowling alleys, racquet ball, squash, tennis courts, and recreational or entertainment establishments, commercial and no distinction based on size; C-2 also permits theaters, indoor - C-3 permits commercial recreation or entertainment establishments, roller and ice skating rinks, indoor and outdoor theaters, miniature golf, commercial recreation or entertainment establishments; allows stadiums or arenas, as a special exception
Shooting Range (Indoor)	C	SE	--	Special exception in C-2 (GR is based off of the C-2 zone)
<b>RETAIL SALES AND SERVICE</b>				
Retail/ Service Establishment (Up to 5,000 SF)	P	P	P	Consolidation of uses; all zones permitted some retail uses differentiating by specific use instead of size
Retail/ Service Establishment (5,001 - 15,000 SF)	P	P	P	Consolidation of uses; all zones permitted some retail uses differentiating by specific use instead of size
Retail/ Service Establishment (15,001 - 50,000 SF)	P	P	P	Consolidation of uses; all zones permitted some retail uses differentiating by specific use instead of size
Retail/ Service Establishment (50,001 - 85,000 SF)	P	P	P	Consolidation of uses; all zones permitted some retail uses differentiating by specific use instead of size
Retail/ Service Establishment (85,001 - 120,000 SF)	L	P	P	Limited use standards include a site plan requirement if abutting or confronting... and specific regulations for properties within 1/2 mile of metro
Retail/ Service Establishment (120,001 SF and Over)	C	P and SE	P and SE	- In C-2 and C-3, combination retail is a special exception; all other retail uses allowed in this zone are permitted - Conditional use standards incorporate current combination retail special exception standards in Sec. G-2.15
<b>VEHICLE/EQUIPMENT SALES AND RENTAL</b>				
Heavy Vehicle Sales and Rental	L	SE	P	Limited use standards incorporate some of the current special exception standards from Sec. G-2.09
Light Vehicle Sales and Rental (Outdoor)	L	SE	P	Limited use standards prohibit access to the site from a residential street, provide setbacks for parking and storage area, spacing for access driveways and corner lot restrictions.
<b>VEHICLE SERVICE</b>				
Automobile Storage Lot	C	SE	--	Special exception in C-2 (GR is based off of the C-2 zone)
Car Wash	L	SE	P	Limited use standards incorporate current special exception standards in Sec. G-2.11.1
Filling Station	C	SE	--	Special exception in C-2 (GR is based off of the C-2 zone)
Repair (Major)	L	P	P	Limited use standards apply if abutting or confronting property zoned Residential that is vacant or improved with a residential use; standards provide building, parking, and storage setbacks, require a minimum site size and prohibit access to a street with a residential classification

### Use Changes for Zones Translating to GR Zone

	GR Zone	C-2	C-3	Notes
<b>Acreage Converting to GR and % of total zone acreage</b>	--	122.89 acres 45%	109.17 acres 100%	--
Repair (Minor)	L	P	P	Limited use standards apply if abutting or confronting property zoned Agricultural, Rural Residential, or Residential that is vacant or improved with an agricultural or residential use; standards provide building, parking, and storage setbacks, require a minimum site size and prohibit access to a street with a residential classification
<b>ACCESSORY COMMERCIAL USES</b>				
Antenna on Existing Structure	L	P	P	Limited use standards incorporates current standards under Sec. A-6.12 and Sec. A-6.14
Drive-Thru	L	SE	P	Limited use standards specify queuing and stacking and window placement and require site plan
<b>TEMPORARY COMMERCIAL USES</b>				
Construction Administration or Sales Office	L	P	P	The current code defines Construction Administration or Sales Office as an accessory use (accessory uses are a permitted use); the proposed code pulls it out in the use table for clarity; Incorporates current standards under Sec. A-6.11
Transitory Use	L	P/SE	P/SE	Limited use standards incorporate current standards from Sec. A-6.13
<b>INDUSTRIAL</b>				
Dry Cleaning Facility (Up to 3,000 SF)	L	P	--	Limited use standards incorporates footnote in current commercial zones prohibiting work for other similar dry cleaning or laundering establishments
<b>MANUFACTURING AND PRODUCTION</b>				
Light Manufacturing and Production		P	P	- C-2 only permits Newspaper, printing and publishing shops and Printing and publishing, which was consolidated into this use - C-3 only permits newspaper, printing and publishing
<b>TRANSPORTATION</b>				
Bus, Rail Terminal/Station	P	--	--	For access to transit
Railroad Tracks	P	P	--	Permitted in C-2 (GR is based off of the C-2 zone)
Taxi/Limo Facility	P	P	--	Permitted in C-2 (GR is based off of the C-2 zone)
<b>UTILITIES</b>				
Distribution Line (Above Ground)	P	P	--	Permitted in C-2 (GR is based off of the C-2 zone)
Distribution Line (Below Ground)	P	--	--	Allowed in several zones. Appears to have little impact on neighboring properties.
Pipeline (Above Ground)	P	P	--	Permitted in C-2 (GR is based off of the C-2 zone)
Pipeline (Below Ground)	P	P	--	Permitted in C-2 (GR is based off of the C-2 zone)
<b>WAREHOUSE</b>				
Self-Storage	L	P	P	Limited use standard is a site plan requirement
Storage Facility	L	P	P	- Limited use standard prohibits outdoor storage - In the C-3 zone, ice storage is permitted
<b>MISCELLANEOUS</b>				
Solar Collection System	L	--	--	This is a new use in the use table; in the existing zones it can be done under the use Accessory Buildings and Uses

Uses Removed from the Ordinance      C-2: Boardinghouse; Swimming Pool, Private      C-2 and C-3: Tourist Homes

## Use Changes as a Result of Translation to the EOF Zone

### Commercial and Industrial Zones Converting to EOF

O-M = 172.71 acres (97% of total zone acreage)

C-P = 52.72 acres (100%)

C-O = 29.52 acres (100%)

I-3 = 970.29 acres (100%)

### **New Permitted and Limited Uses**

In converting the O-M, C-O, C-P, and I-3 zones to EOF, a number of agricultural uses have been added to land in these zones. Agricultural uses were added to all zones in the proposed code as a policy decision to provide better access to local food production. The permitted and limited agricultural uses that have been added to land in these zones are:

- Community Garden
- Urban Farming
- Animal Husbandry
- Farm Market, On-site
- Agricultural Vending
- Seasonal Outdoor Sales

In converting the O-M, C-O, C-P, and I-3 zones to EOF, a number of residential uses have been added to land in these zones. Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones. The permitted and limited residential uses that have been added to these zones are:

- Single-Unit Living (limited to 30% of the maximum allowed FAR in an application) (C-P)
- Two-Unit Living (limited to 30% of the maximum allowed FAR in an application) (C-O, C-P)
- Townhouse Living (limited to 30% of the maximum allowed FAR in an application) (C-O, C-P)
- Multi-Unit Living (limited to 30% of the maximum allowed FAR in an application) (C-P)
- Home Health Practitioner (Low Impact)
- Home Occupation (No Impact)
- Home Occupation (Low Impact)
- Live/Work Unit

One of the primary goals of the zoning rewrite is to simplify the ordinance. Decreasing the number of zones in the zoning code is a key mechanism for simplification, and moving from zones that are extremely limited in use to a more flexible set of zones will reduce the impetus to add new zones with every master plan. As a result, in consolidating the O-M, C-O, C-P, and I-3 zones to EOF, some permitted and limited civic and institutional, commercial, industrial, and miscellaneous uses have been added to each zone. Additionally, some uses were added to the EOF zone for consistency as they are allowed in several commercial zones. This includes:

- Ambulance, Rescue Squad (Private) (C-P, I-3)

- Distribution Line (Below Ground)
- Pipeline (Below Ground)
- Solar Collection System

### **New Conditional Uses**

In converting the C-1 zone to NR, some conditional residential and commercial uses have been added to land currently zoned C-1. This includes:

- Home Health Practitioner (Major Impact)
- Home Occupation (Major Impact)
- Clinic (more than 4 medical practitioners)

### **Special Exceptions that are now Limited or Permitted**

In converting the C-1 zone to NR, a number of special exception uses have become permitted or limited uses. This change most often is a result of a policy change to move from single use commercial zones to more flexible mixed use zones or to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service and Residential Care Facility is now regulated by size instead of specific use). The special exception uses that have become permitted or limited for land in the C-1 zone are:

- All Household Living Uses (limited to 30% of the maximum allowed FAR in an application)
- Veterinary Office/Hospital
- Drive-Thru
- Transitory Use

### **Permitted Uses that are now Conditional Uses**

In converting the C-1 zone to NR, a few permitted uses have become conditional uses. This change is a result of a policy change to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service and Residential Care Facility is now regulated by size instead of specific use). The permitted uses that have become conditional for land in the C-1 zone are:

- Retail/Service Establishment (120,001 SF and over)

### **Removed Uses**

In converting the C-1 zone to NR, the following uses have been removed from land in the C-1 zone:

- Structured Parking

uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service and Residential Care Facility is now regulated by size instead of specific use). The special exception uses that have become permitted or limited for land in these zones are:

- All Household Living Uses (limited to 30% of the maximum allowed FAR in an application) (O-M and I-3)
- Ambulance, Rescue Squad (Private) (C-O)
- Private Club, Service Organization (C-O, I-3)
- Restaurant
- Hotel, Motel (I-3)
- Retail/Service Establishment (up to 5,000 SF), (5,001 – 15,000 SF), and (15,001 – 50,000 SF) (C-O, C-P)
- Transitory Use
- Pipeline (Above Ground) (I-3)

#### **Permitted Uses that are now Conditional Uses**

In converting the O-M, C-O, C-P, and I-3 zones to EOF, a few permitted uses have become conditional uses. This change most often is a result of zone consolidation or because of a policy change to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service and Residential Care Facility is now regulated by size instead of specific use). The permitted uses that have become conditional for land in these zones are:

- Telecommunications Tower (C-O, C-P, I-3)
- Recreation and Entertainment Facility, Indoor (Capacity up to 1,000) (C-P, I-3)

#### **Removed Uses**

In converting the O-M, C-O, C-P, and I-3 zones to EOF, the following uses have been removed from land in these zones:

- Recreation and Entertainment Facility, Outdoor (Capacity up to 1,000) (I-3)
- Recreation and Entertainment Facility, Major (Capacity over 1,000) (O-M)

Boardinghouse and Tourist Homes, which are currently permitted uses in the C-O zone, have been removed from the zoning ordinance. Swimming Pools, Private, which is currently a permitted use in the C-O and I-3 zone, has also been removed from the zoning ordinance.

**Use Changes for Zones Translating to EOF Zone**

	EOF Zone	O-M	C-O	C-P	I-3	Notes
<b>Acreage Converting to EOF and % of total zone acreage</b>	--	172.71 acres (97%)	29.52 acres (100%)	52.72 acres (100%)	970.29 acres (100%)	--
<b>AGRICULTURAL</b>						
Community Garden	L	--	--	--	--	For access to local food production
Urban Farming	L	--	--	--	--	For access to local food production urban farming allows limited fowl, bees, and aquaculture; Limited use standards regarding minimum area, number of fowl, and structures
<b>ACCESSORY AGRICULTURAL USES</b>						
Animal Husbandry	L	--	--	--	--	For access to local food production; only bees are allowed
Farm Market, On-Site	L	--	--	--	--	- For access to local food production; it is accessory to an urban farm - Limited use standards specify products must be produced on-site and setbacks
<b>TEMPORARY AGRICULTURAL USES</b>						
Agricultural Vending	L	--	--	--	--	For access to local food production
Seasonal Outdoor Sales	L	--	--	--	--	For access to local seasonal products
<b>RESIDENTIAL</b>						
<b>HOUSEHOLD LIVING</b>						
Single-Unit Living	L	P/SE	P	--	SE	- Policy decision to go from single use commercial zones to mixed use commercial zones; GFA of all Household Living uses in application is restricted to 30% of the max allowed FAR - Grandfathered in O-M (for the permitted use); in C-O, dwellings are permitted subject to R-60 regs
Two-Unit Living	L	P/SE	--	--	SE	- Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site - Grandfathered in O-M (for the permitted use)
Townhouse Living	L	P/SE	--	--	SE	- Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in application to 30% of the max allowed FAR - Grandfathered in O-M (for the permitted use)
Multi-Unit Living	L	P/SE	P	--	SE	- Policy decision to go from single use commercial zones to mixed use commercial zones; GFA of all Household Living uses in application is restricted to 30% of max allowed FAR - Grandfathered in O-M (for the permitted use); C-O dwellings are permitted in lawfully existing office structure
<b>GROUP LIVING</b>						
Residential Care Facility (Up to 8 persons)		--	SE	--	--	C-O allows nursing home as a special exception, nursing homes are typically larger in size than this
Residential Care Facility (9 - 16 persons)		--	SE	--	--	C-O allows nursing home as a special exception, nursing homes are typically larger in size than this
Residential Care Facility (Over 16 persons)	C	--	SE	--	--	C-O allows domiciliary care for more than 16 residents and nursing home as a special exception
<b>ACCESSORY RESIDENTIAL USES</b>						
Dwelling for Caretaker/Watchkeeper		--	--	--	P	Unnecessary since dwellings are now permitted
Home Health Practitioner (Low Impact)	L	--	--	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Home Health Practitioner (Major Impact)	C	--	--	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Home Occupation (No Impact)	L	--	--	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Home Occupation (Low Impact)	L	--	--	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Home Occupation (Major Impact)	C	--	--	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones

**Use Changes for Zones Translating to EOF Zone**

	EOF Zone	O-M	C-O	C-P	I-3	Notes
<b>Acreage Converting to EOF and % of total zone acreage</b>	--	172.71 acres (97%)	29.52 acres (100%)	52.72 acres (100%)	970.29 acres (100%)	--
Live/Work Unit	P	--	--	--	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
<b>CIVIC AND INSTITUTIONAL</b>						
Ambulance, Rescue Squad (Private)	P	P	SE	--	--	Zone consolidation
Charitable, Philanthropic Institution	P	P	P	P	--	Zone consolidation
Cultural Institution	P	P	P	P	P and SE	In I-3, libraries are permitted, art or cultural centers are a special exception
Hospital	C	--	SE	--	SE	Zone consolidation
Playground, Outdoor Area (Private)	P	--	--	--	--	To accommodate uses associated with townhouse living (common open space)
Private Club, Service Organization	L	--	SE	--	SE	Limited use standard requires site plan if abutting or confronting property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use
Swimming Pool (Community)	C	--	SE	--	--	Zone consolidation
<b>COMMERCIAL</b>						
<b>COMMUNICATION FACILITY</b>						
Media Broadcast Tower	C	--	P/SE	--	P/SE	- Zone consolidation - In C-O and I-3, permitted if there is no broadcast tower
Telecommunications Tower	C	SE	P/SE	P/SE	P	C-O and C-P permit a tower up to 150 feet with additional setback, otherwise a special exception
<b>EATING AND DRINKING</b>						
Restaurant	P	P/SE	SE	P/SE	P and SE	- In C-P, permitted in an office building unless abutting or confronting one-family residential, then it's a special exception; if outside of an office building it's also a special exception - In I-3, eating and drinking establishments are a special exception; cafeteria or dining room as an accessory use primarily for employees is permitted
<b>FUNERAL AND INTERMENT SERVICES</b>						
Funeral Home, Undertaker	C	SE	SE	--	--	Zone consolidation
<b>LODGING</b>						
Hotel, Motel	P	--	--	--	SE	- An appropriate use for an office zone - In I-3, must be adjacent to or part of large industrial lot or a conference center with lodging facilities
<b>MEDICAL AND DENTAL</b>						
Medical, Dental Laboratory	P	--	--	--	P	Appropriate use for an office zone; these labs operate similar to an office.
<b>OFFICE AND PROFESSIONAL</b>						
Research and Development	L	P	P	P	P	Limited use standards incorporate footnotes from C-O and C-P
<b>PARKING</b>						
Surface Parking for Use Allowed in the Zone	L	P	P	P	P	- H-M, C-P, C-O, I-3 permit parking off-street in connection with any use permitted without distinguishing between garage or lot - C-O also permits parking off-street in connection with commercial uses
<b>RECREATION AND ENTERTAINMENT</b>						
Conference Center	P	--	--	P	P	- Zone consolidation - C-P permits a corporate training center
Golf Course, Country Club	C	--	SE	--	--	Zone consolidation
Health Clubs and Facilities	P	P	P	P	P	- In O-M, C-O, C-P permitted only in office building and limited in size
Recreation and Entertainment Facility, Indoor (Capacity up to 3,000)	C	SE	SE	P	P	- C-O and O-M allows indoor squash, racquetball, tennis as a special exception - Permitted in C-P as an accessory use in connection with an office building, primarily for employees - I-3 recreational facilities are primarily for the use of employees

**Use Changes for Zones Translating to EOF Zone**

	EOF Zone	O-M	C-O	C-P	I-3	Notes
<b>Acreage Converting to EOF and % of total zone acreage</b>	--	172.71 acres (97%)	29.52 acres (100%)	52.72 acres (100%)	970.29 acres (100%)	--
Recreation and Entertainment Facility, Outdoor (Capacity up to 1,000)		--	--	--	P	I-3 recreational facilities are primarily for the use of employees, no distinction between indoor and outdoor
Recreation and Entertainment Facility, Major (Capacity over 1,000)		SE	--	--	--	Not an appropriate use for an office zone
<b>RETAIL SALES AND SERVICE</b>						
Retail/ Service Establishment (Up to 5,000 SF)	L	P	P and SE	P and SE	P	- In C-O and C-P, banks and financial institution, duplicating services are permitted; other retail/service are special exception - In I-3, retail sales and personal service for employees is a permitted use with size and location restrictions; computer programming and software sales and services are permitted
Retail/ Service Establishment (5,001 - 15,000 SF)	L	P	P and SE	P and SE	P	- In C-O and C-P, banks and financial institution, duplicating services are permitted; other retail/service are special exception - In I-3, retail sales and personal service for employees is a permitted use with size and location restrictions; computer programming and software sales and services are permitted
Retail/ Service Establishment (15,001 - 50,000 SF)	L	P	P and SE	P and SE	P	- In C-O and C-P, banks and financial institution, duplicating services are permitted; other retail/service are special exception - In I-3, retail sales and personal service for employees is a permitted use with size and location restrictions; computer programming and software sales and services are permitted
Retail/ Service Establishment (50,001 - 85,000 SF)		P	P and SE	P and SE	--	- O-M, C-O, and C-P allow retail uses that are usually self-regulating in size and not characteristically this large; I-3 limits the size of retail sales and personal service
Retail/ Service Establishment (85,001 - 120,000 SF)		P	P and SE	P and SE	--	- O-M, C-O, and C-P allow retail uses that are usually self-regulating in size and not characteristically this large; I-3 limits the size of retail sales and personal service
Retail/ Service Establishment (120,001 SF and Over)		P	P and SE	P and SE	--	- O-M, C-O, and C-P allow retail uses that are usually self-regulating in size and not characteristically this large; I-3 limits the size of retail sales and personal service
<b>VEHICLE SERVICE</b>						
Filling Station	C	--	--	--	--	Appropriate use for an office zone
Repair (Minor)	L	--	--	--	--	Limited use standards have been added if abutting or confronting a property in an Agricultural, Rural Residential, or Residential zone vacant or improved with an agricultural or residential use.
<b>ACCESSORY COMMERCIAL USES</b>						
Antenna on Existing Structure	L	P	P	P	P	Incorporates current standards under Sec. A-6.12 and Sec. A-6.14
Drive-Thru	L	--	--	--	--	Limited use standards specify queuing and stacking and window placement and require site plan
<b>TEMPORARY COMMERCIAL USES</b>						
Construction Administration or Sales Office	L	P	P	P	P	The current code defines Construction Administration or Sales Office as an accessory use (accessory uses are a permitted use); the proposed code pulls it out in the use table for clarity; incorporates current standards under Sec. A-6.11
Transitory Use	L	P/SE	P/SE	P/SE	P/SE	Limited use standards incorporate current standards from Sec. A-6.13
<b>INDUSTRIAL</b>						
<b>MANUFACTURING AND PRODUCTION</b>						
Light Manufacturing and Production	L	--	--	--	P	- Zone consolidation - Limited use standard requires site plan approval if abutting or confronting a property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use
Medical/ Scientific Manufacturing and Production	P	P	--	--	P	Zone consolidation
<b>TRANSPORTATION</b>						

**Use Changes for Zones Translating to EOF Zone**

	EOF Zone	O-M	C-O	C-P	I-3	Notes
<b>Acreage Converting to EOF and % of total zone acreage</b>	-	172.71 acres (97%)	29.52 acres (100%)	52.72 acres (100%)	970.29 acres (100%)	-
Bus, Rail Terminal/Station	P	-	-	-	-	
Helipad, Heliport	C	-	SE	SE	SE	Zone consolidation
Railroad Tracks	P	-	P	-	P	Zone consolidation and consistency; permitted in several zones
<b>UTILITIES</b>						
Distribution Line (Above Ground)	L	-	P	-	P	Limited use standards allow only electric distribution lines
Distribution Line (Below Ground)	P	-	P	P	P	Zone consolidation
Pipeline (Above Ground)	P	-	P	-	SE	Zone consolidation
Pipeline (Below Ground)	P	-	P	P	P	Zone consolidation
<b>WAREHOUSE</b>						
Storage Facility	L	-	-	-	P	- Limited use standards limit size to 10,000 SF - Zone consolidation
<b>MISCELLANEOUS</b>						
Solar Collection System	L	-	-	-	-	This is a new use in the use table; in the existing zones it can be done under the use Accessory Buildings and Uses

Uses Removed from the Ordinance

C-O: Boardinghouses; Tourist Homes    C-O and I-3: Swimming Pools, private

### Use Changes for Zones Translating to NR Zone

	NR Zone	C-1	Notes
<b>Acreage Converting to NR and % of total zone acreage</b>	--	263.87 acres (68%)	--
<b>AGRICULTURAL</b>			
Community Garden	L	--	For access to local food production
Farm Supply, Machinery Sales, Storage, and Service	L	P	Limited use standard restricts the use to more closely match the Farm Building Supply and Construction use and to retain the footnote associated with this use
Urban Farming	L	--	For access to local food production urban farming allows limited fowl, bees, and aquaculture; Limited use standards regarding minimum area, number of fowl, and structures
<b>ACCESSORY AGRICULTURAL USES</b>			
Animal Husbandry	L	--	For access to local food production; only bees are allowed
Farm Market, On-Site	L	--	- For access to local food production; it is accessory to an urban farm - Limited use standards specify products must be produced on-site and setbacks
<b>TEMPORARY AGRICULTURAL USES</b>			
Agricultural Vending	L	--	For access to local food production
Seasonal Outdoor Sales	P	--	For access to local seasonal products
<b>RESIDENTIAL</b>			
<b>HOUSEHOLD LIVING</b>			
Single-Unit Living	L	SE	Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site
Two-Unit Living	L	SE	Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site
Townhouse Living	L	SE	Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site
Multi-Unit Living	L	SE	Policy decision to go from single use commercial zones to mixed use commercial zones; Limited use standards restrict the GFA of all Household Living uses in an application to 30% of the maximum allowed FAR mapped on the subject site
<b>GROUP LIVING</b>			
Independent Living Facility for Seniors or Persons with Disabilities	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones; Limited use standards from mixed use zones in current code regarding staffing and occupancy
Personal Living Quarters (Up to 50 Individual Living Units)	L	P	Limited use standards incorporate current requirements of Section A-6.15
Residential Care Facility (Up to 8 persons)	P	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Residential Care Facility (9 - 16 persons)	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
<b>ACCESSORY RESIDENTIAL USES</b>			
Home Health Practitioner (Low Impact)	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones

### Use Changes for Zones Translating to NR Zone

	NR Zone	C-1	Notes
<b>Acreage Converting to NR and % of total zone acreage</b>	--	263.87 acres (68%)	--
Home Health Practitioner (Major Impact)	C	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Home Occupation (No Impact)	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use
Home Occupation (Low Impact)	L	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use
Home Occupation (Major Impact)	C	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
Live/Work Unit	P	--	Residential uses and related accessory uses were added to commercial zones as a policy decision to move from single use commercial zones to more flexible mixed use zones
<b>CIVIC AND INSTITUTIONAL</b>			
Playground, Outdoor Area (Private)	P	--	To accommodate uses associated with townhouse living (common open space)
<b>COMMERCIAL</b>			
<b>ANIMAL SERVICES</b>			
Veterinary Office/ Hospital	L	SE	Limited use standards provide parameters for outdoor exercise yards, soundproofed interior areas, and a site plan requirement if abutting or confronting...
<b>LODGING</b>			
Bed and Breakfast	L	--	Appropriate use for a zone that allows dwellings and hotels
<b>MEDICAL AND DENTAL</b>			
Clinic (Up to 4 Medical Practitioners)	P	--	Small scale medical clinic seem appropriate for a neighborhood servicing retail center
Clinic (More than 4 Medical Practitioners)	C	--	Larger scale medical clinic requiring a conditional use seems appropriate for a neighborhood servicing retail center
<b>PARKING</b>			
Structured Parking		P	C-1 allows parking of Automobiles off-street in connection with any use permitted, without specifying surface or garage
Surface Parking for Use Allowed in the Zone	L	P	Limited use standards require parking setbacks to accommodate required landscaping
<b>RECREATION AND ENTERTAINMENT</b>			
Health Clubs and Facilities	L	P	Limited use standard incorporates footnote capping size at 14,500 SF of GFA
<b>RETAIL SALES AND SERVICE</b>			
Retail/ Service Establishment (85,001 - 120,000 SF)	L	P	Limited use standards require site plan when abutting, confronting Agricultural, Rural Residential, or Residential zone. Additional use standards apply to developments within ¼ mile of Metro.
Retail/ Service Establishment (120,001 SF and Over)	C	P	Large scale retail/service requiring a conditional use seems appropriate for a neighborhood servicing retail center
<b>ACCESSORY COMMERCIAL USES</b>			
Antenna on Existing Structure	L	P	Limited use standards incorporates current standards under Sec. A-6.12 and Sec. A-6.14
Drive-Thru	L	SE	Limited use standards specify queuing and stacking and window placement and require site plan
<b>TEMPORARY COMMERCIAL USES</b>			
Construction Administration or Sales Office	L	P	The current code defines Construction Administration or Sales Office as an accessory use (accessory uses are a permitted use); the proposed code pulls it out in the use table for clarity; incorporates current standards under Sec. A-6.11

### Use Changes for Zones Translating to NR Zone

	NR Zone	C-1	Notes
<b>Acreage Converting to NR and % of total zone acreage</b>	--	263.87 acres (68%)	--
Transitory Use	L	P/SE	Limited use standards incorporate current standards from Sec. A-6.13
<b>INDUSTRIAL</b>			
Dry Cleaning Facility (Up to 3,000 SF)	L	P	Limited use standards incorporates footnote in current commercial zones prohibiting work for other similar dry cleaning or laundering establishments
<b>TRANSPORTATION</b>			
Bus, Rail Terminal/Station	P	--	For access to transit
Railroad Tracks	P	--	Allowed in several zones. Added to Employment for zone consolidation, and consistency.
<b>UTILITIES</b>			
Distribution Line (Below Ground)	P	--	Permitted in several zones. Appears to have little impact on neighboring properties.
Pipeline (Below Ground)	P	--	Permitted in several zones. Appears to have little impact on neighboring properties.
<b>MISCELLANEOUS</b>			
Solar Collection System	L	--	This is a new use in the use table; in the existing zones it can be done under the use Accessory Buildings and Uses

Uses Removed from the Ordinance      None

**Proposed Translation  
Industrial Zones**

Current Zone				Parameters	Proposed Zone	
Symbol	Name	Max. FAR	Max. Height		Symbol	Name
I-4	Light Industrial, Low Intensity	1.00	42'		IL-1.0 H-50	Light Industrial
RS	Rural Service	0.15	50'		IM-0.25 H-50	Moderate Industrial
I-1	Light Industrial	n/a	42'; 120' for large employment centers	If Master Plan indicates large employment centers are inappropriate, then convert to:	IM-1.5 H-45	Moderate Industrial
				Otherwise:	IM-2.5 H-120	Moderate Industrial
R&D	Research & Development	0.50	75'		IM-0.5 H-75	Moderate Industrial
I-2	Heavy Industrial	n/a	70'		IH-2.5 H-70	Heavy Industrial

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## Change to the Industrial Zones in the Planning Board Draft

### **Article 59-2: Zoning Districts**

Section 2.1.8.A establishes 3 Industrial zones, Light Industrial (IL), Moderate Industrial (IM), and Heavy Industrial (IH). Each IL, IM, and IH zone classification is followed by a number and symbol, H, which is followed by another number where the number following the classification is the maximum total FAR allowed, and the number following the H is the maximum building height in feet allowed.

The IL, IM, and IH zones will be applied on the Zoning Map by showing, for each property classified the maximum total FAR, and maximum height (H). Each unique sequence of maximum total FAR and maximum height (H) is a zone under the following limits:

Zone	Total FAR (max)	Height (max)
IL	0.25 to 1.5	25' to 50'
IM	0.25 to 2.5	25' to 120'
IH	0.5 to 4.0	35' to 200'

The Industrial zones, however, do not specify a mix of commercial and residential density allowed – only total FAR and maximum height.

Section 2.1.8.B provides an intent statement for each Industrial zone, IL, IM, and IH.

### **B. Intent Statements**

#### **1. Light Industrial (IL)**

The IL zone is intended to provide land for industrial activities where major transportation links are not typically necessary and noise, dust, vibration, glare, odors, and other adverse environmental impacts are usually minimal. The IL zone is appropriate as a transitional industrial zone between a residentially zoned area and land classified in the IM and IH zones.

#### **2. Moderate Industrial (IM)**

The IM zone is intended to provide land for industrial activities where major transportation links are not typically necessary and noise, dust, vibration, glare, odors, and other adverse environmental impacts are usually minimal.

#### **3. Heavy Industrial (IH)**

The IH zone is intended to provide land for industrial activities that usually need major transportation links to highways or rail and may create significant noise, dust, vibration, glare, odors, and other adverse environmental impacts.

**Changes from the current code:**

The current ordinance includes a paragraph describing the industrial zones based on the character of the industrial development allowed. The intent statements for the Industrial zones are based on the descriptions in the current code.

**Article 59-3: Uses and Use Standards**

Article 59-3 is significantly different in format from the current ordinance. It contains one use table showing all the zones and uses. Next to each use in the table is a section reference for both the definition and any use standards. New, too, is the concept of the limited use. Currently uses are either permitted by-right, "P" in the use table, or require a special exception, denoted "SE". The proposed draft specifies uses as "P", permitted by-right, or "L", permitted by-right but limited by particular use standards, or "C", permitted conditioned on approval by the Board of Appeals or the Hearing Examiner.

The following tables summarize the single use table in Section 3.1.7 of the proposed code. Each table lists all uses allowed by zone, the current use name(s), how the use is allowed, and a brief explanation for uses that have been consolidated or have changed.

Proposed Use/Use Group	Current Use	Allowed in I-4, I-1, or I-2	Proposed in IL, IM, or IH	Notes
<b>AGRICULTURAL</b>				
Agricultural Processing	Dairy Products Processing	P (I-4, I-1)	P (IL, IM, IH)	Agricultural Processing as a primary use is an appropriate industrial type use and currently permitted for various types of processing.
	Sawmills	P (I-1, I-2)		
Community Garden	Agricultural uses	P (I-4, I-1, I-2)	L (IL, IM)	
Farm Supply, Machinery Sales, Storage and Service		new	P (IM)	The Rural Services (RS) zones, an existing agricultural-industrial floating zone allows this use as a "P". Existing RS property is recommended for conversion to IM.
Nursery (Retail)		new	L (IL, IM)	Retail uses in the industrial zones are limited in GFA.
Nursery (Wholesale)		new	P (IL, IM)	Wholesale uses are appropriate for an industrial zone.
Urban Farming	Agricultural uses	P (I-4, I-1, I-2)	L (IL, IM)	Farm and Fish Hatchery are uses currently allowed in the RS zones proposed to convert to the IM zone.
<b>Accessory Agricultural Uses</b>				
Animal Husbandry	Agricultural uses	P (I-4, I-1, I-2)	L (IL, IM, IH)	An accessory use restricted to the beekeeping in the Industrial zones.
Farm Market, On-Site		new	L (IL, IM)	Allowed to support access to local produce.
<b>Temporary Agricultural Uses</b>				
Agricultural Vending		new	L (IL, IM)	Currently allowed in several Residential zones. Promotes access to local food production.
Seasonal Outdoor Sales		new	P (IL, IM)	Permitted in the RS zone converting to IM, supports access to local produce.

RESIDENTIAL				
	Accessory residential units	P (I-4)	P (IL) only under the Industrial Mixed-use Overlay zone	
Accessory Residential Uses				
Dwellings for Caretakers/ Watchkeepers	Dwellings for caretakers or watchkeepers and their families or for a bona fide agricultural operation	P (I-4, I-1, I-2)	P (IL, IM, IH)	
CIVIC and INSTITUTIONAL				
Ambulance or Rescue Squad (Private)		new	P (IL, IM)	
Cultural Institution	Libraries, scientific or technical	P (I-4, I-1)	P (IL, IM)	
Family Day Care (up to 8)	Child Day Care Facility: Family Day Care Home	P (I-4, I-1)	P (IL, IM)	The day care for seniors use has been consolidated with the day care for children use because the impact of a facility would be similar.
	Day Care Facility for Seniors Adults and Persons with Disabilities	P (I-4, I-1)		
Group Day Care (9 to 12)	Child Day Care Facility: Group Day Care Home	P (I-4, I-1)	P (IL, IM)	The day care for seniors use has been consolidated with the day care for children use because the impact of a facility would be similar.
	Day Care Facility for Seniors Adults and Persons with Disabilities	P (I-4, I-1)		
Day Care Center (13 to 30)	Child Day Care Facility: Child Day Care Center	P (I-4, I-1)	P (IL, IM)	The day care for seniors use has been consolidated with the day care for children use because the impact of a facility would be similar.
	Day Care Facility for Seniors Adults and Persons with Disabilities	P (I-4, I-1)		

Day Care Center (over 30)	Child Day Care Facility: Child Day Care Center	P (I-4, I-1)	P (IL, IM)	The day care for seniors use has been consolidated with the day care for children use because the impact of a facility would be similar.
	Day Care Facility for Seniors Adults and Persons with Disabilities	P (I-4, I-1)		
Educational Institution (Private)	Trade, Artistic or Technical Schools	P (I-4, I-1)	P (IL, IM)	In the current code, use is restricted to a building in existence prior to 1998 or 2005, depending on the specific educational facility.
	Universities and Colleges providing teaching and research facilities	P (I-1)		
	Educational Institution, private	P (I-1)		
Hospital	Hospitals	SE (I-4, I-1)	C (IL, IM)	
Private Club, Service Organization	Private Clubs	SE (I-4, I-1)	L (IL, IM)	Site plan required under the limited use standards.
	Service Organizations	SE (I-4, I-1)		
Public Use (except Utilities)	Publicly Owned or Publicly Operated Use	P (I-4, I-1, I-2)	P (IL, IM, IH)	
Religious Assembly	Places of Religious Worship	P (I-4, I-1, I-2)	P (IL, IM, IH)	

COMMERCIAL				
Animal Boarding and Care	Animal Boarding Place	P (I-4, I-1)	L (IL, IM)	Current footnote 11 requires soundproofing. Limited use standards require soundproofing, site plan when abutting an Agricultural, Rural Residential, or Residential property vacant or improved with a residential use, and standards for an outdoor exercise yard.
Veterinary Office/ Hospital	Hospitals, Veterinary when in a soundproof building	P (I-4, I-1)	L (IL, IM)	Limited use standard requires soundproofing.
Cable Communication System	Cable Communication System	SE (I-4, I-1, I-2)	C (IL, IM, IH)	
Media Broadcast Tower	Radio and Television Broadcasting Stations and Towers	P/SE (I-4, I-1) P (I-2)	C (IL, IM) P (IH)	Without a tower in the I-4 and I-1 zones, the Radio Television Broadcasting use is permitted; otherwise a special exception is required.
Telecommunications Tower	Telecommunications Facility	P (I-4, I-1, I-2)	L (IL, IM, IH)	Following footnote 4, the limited use standard restricts maximum height to 199 feet with a setback of 1 foot for every foot in height abutting all Agricultural, Rural Residential and Residential zones.
Restaurant	Eating and Drinking Establishments	SE (I-4, I-1)	L (IL, IM)	A restaurant is limited to a maximum of 3,500 SF or 25% of the allowed GFA, whichever is greater.
Crematory Services		new	C (IH)	Appropriate for a heavy industrial area.
Landscape Contractor	Landscape Contractor	P (I-1)	P (IM)	
Clinic (up to 4 Medical Practitioners)	Clinic, medical or dental	P (I-4, I-1)	P (IL, IM)	Current Clinic use does not distinguish size – up to 4

				practitioners as a permitted use.
Clinic (more than 4 Medical Practitioners)	Clinic, medical or dental	P (I-4, I-1)	P (IL, IM)	Current Clinic use does not distinguish size.
Medical, Dental Laboratory	Laboratories	P (I-4, I-1)	P (IL, IM)	These labs operate similar to an office, not necessary for a heavy industrial zone.
Office	General Offices	SE (I-4) P (I-1, I-2)	L (IL, IM)	Office is limited to a maximum of 50% of the allowed GFA.
Research and Development	Laboratories	P (I-4, I-1)	P (IL, IM)	
	Research, Development and Related Activities	P (I-4, I-1)		
Structured Parking	Parking of Automobiles off-street in connection with any use permitted	P (I-4, I-1, I-2)	P (IL, IM)	
Surface Parking for Use Allowed in the Zone	Parking of Automobiles off-street in connection with any use permitted	P (I-4, I-1, I-2)	L (IL, IM, IH)	Limited use standards require landscaping and other setback standards.
Adult Entertainment	Adult Entertainment Business	P (I-1, I-2)	L (IM, IH)	Current footnotes for this use are retained as the limited use standards.
Conference Center	Meeting Centers	SE (I-1)	C (IM)	
Health Clubs and Facilities	Health Club	P (I-4, I-1)	P (IL, IM)	
Recreation and Entertainment, Indoor (Capacity up to 1,000)	Recreational or Entertainment Establishments, commercial	SE (I-4, I-1, I-2)	P (IL, IM) C (IH)	Recreation and Entertainment facilities are separated by indoor and outdoor use, as well as number of participants. For indoor facilities recreational uses are proposed as a permitted use in the IL and IM zones.
	Recreational Facilities primarily employees	P (I-4, I-1, I-2)		

Recreation and Entertainment, Outdoor (Capacity up to 1,000)	Recreational or Entertainment Establishments, commercial	SE (I-4, I-1, I-2)	C (IL, IM, IH)	Recreation and Entertainment facilities are separated by indoor and outdoor use, as well as number of participants.
	Recreational Facilities primarily employees	P (I-4, I-1, I-2)		
Recreation and Entertainment, Major (Capacity over 1,000)	Recreational or Entertainment Establishments, commercial	SE (I-4, I-1, I-2)	C (IL, IM)	Recreation and Entertainment facilities are separated by indoor and outdoor use, as well as number of participants.
	Recreational Facilities primarily for employees	P (I-4, I-1, I-2)		
Shooting Range, Indoor	Rifle or pistol ranges, indoor	SE (I-4, I-1, I-2)	C (IL, IM, IH)	
Retail/Service Establishment up to 5,000 SF	Building material and supply, wholesale or retail	P (I-4, I-1, I-2)	P (IL, IM, IH)	Small Retail/Service Establishments are proposed to be permitted in the industrial zones. Currently, certain retail establishments are permitted, this change adds flexibility to the uses allowed in the Industrial zones, while limiting the scale to 5,000 SF.
	Computer programming and software sales and service, including data banks and data retrieval	P (I-4, I-1)		
	Consignment Store	P (I-2)		
	Duplicating Services	P (I-4, I-1)		
	Retail Sales and Personal Services, dealing primarily with employees in the zone	P (I-4, I-1)		
	Lumberyards	P (I-4, I-1, I-2)		
	Wholesale trades limited to sale or rental or products intended for industrial or commercial uses	P (I-4, I-1)		

Retail/Service Establishment 5,001-15,000 SF	Same set of retail uses shown as allowed in comparison to Retail/.Service Establishment up to 5,000 SF	P (I-4, I-1, I-2)	L (IL, IM, IH)	Retail/Service Establishments over 5,000 SF are proposed to be allowed in a limited fashion similar to that of the current code- where there is no restriction on size for the retail/wholesale uses currently allowed. In the IL and IM zones, any other retail/ service use is limited to 50% of the allowed GFA. . In the IH zone only those retail services currently allowed area allowed as a limited use.
Retail/Service Establishment 15,000-50,000 SF	Same set of retail uses shown as allowed in comparison to Retail/.Service Establishment up to 5,000 SF	P (I-4, I-1, I-2)	L (IL, IM, IH)	Retail/Service Establishments over 5,000 SF are proposed to be allowed in a limited fashion similar to that of the current code- where there is no restriction on size for the retail/wholesale uses currently allowed. In the IL and IM zones, any other retail/ service use is limited to 50% of the allowed GFA. . In the IH zone only those retail services currently allowed area allowed as a limited use.
Retail/Service Establishment 50,001-85,000 SF	Same set of retail uses shown as allowed in comparison to Retail/.Service Establishment up to 5,000 SF	P (I-4, I-1, I-2)	L (IL, IM, IH)	Retail/Service Establishments over 5,000 SF are proposed to be allowed in a limited fashion similar to that of the current code- where there is no restriction on size for the retail/wholesale uses currently allowed. In the IL and IM zones, any other retail/ service use is limited to 50% of the allowed GFA. . In the IH zone only those retail services currently allowed area allowed as a limited use.

Retail/Service Establishment 85,001-120,000 SF	Same set of retail uses shown as allowed in comparison to Retail/.Service Establishment up to 5,000 SF	P (I-4, I-1, I-2)	L (IL, IM, IH)	Retail/Service Establishments over 5,000 SF are proposed to be allowed in a limited fashion similar to that of the current code- where there is no restriction on size for the retail/wholesale uses currently allowed. In the IL and IM zones, any other retail/ service use is limited to 50% of the allowed GFA. . In the IH zone only those retail services currently allowed area allowed as a limited use.
Retail/Service Establishment 120,001 SF and over	Same set of retail uses shown as allowed in comparison to Retail/.Service Establishment up to 5,000 SF	P (I-4, I-1, I-2)	L (IL, IM, IH)	Retail/Service Establishments over 5,000 SF are proposed to be allowed in a limited fashion similar to that of the current code- where there is no restriction on size for the retail/wholesale uses currently allowed. In the IL and IM zones, any other retail/ service use is limited to 50% of the allowed GFA. . In the IH zone only those retail services currently allowed area allowed as a limited use.
Heavy Vehicle Sales, and Rental		new	P (IM, IH)	Vehicle Sales and rental split into light and heavy – this use is mainly geared to the sale and rental of large commercial vehicles.
Light Vehicle Sales, and Rental (Indoor)	Automobile Sales, Indoors and Outdoors	P (I-4, I-1)	P (IL, IM)	Vehicle Sales and rental split into light and heavy – this use is mainly for sale or rental of cars and light moving vehicles or trailers.
Light Vehicle Sales, and Rental (Outdoor)	Automobile Sales, Indoors and Outdoors	P (I-4, I-1)	P (IL, IM)	Vehicle Sales and Rental split into light and heavy – this use is mainly for sale or rental of cars and light moving vehicles or trailers.
	Automobile,	P (I-4, I-1)		

	Truck, and Trailer Rentals, Outdoor			
Car Wash		new	L (IL, IM, IH)	New as a primary use. Currently allowed as accessory to an Automobile Filling Station. Limited use standards regulated access and site design.
Filling Station	Automobile Filling Station	SE (I-4, I-1, I-2)	C (IL, IM)	Currently allowed in the I-2 zone if existing prior to June 26, 1989.
	Highway Fuel and Food Service	SE (I-1)		
Repair (Commercial Vehicle)	Automobile Parts, Sales and Service, including but not limited to tire sales and transmission services, but excluding filling stations.	P (I-4, I-1)	P (IL, IM, IH)	Proposed draft splits vehicle repair into commercial vehicle, major and minor repair. Request by I-2 property owners to allow use in the I-2 zone.
	Automobile Repair and Services	P (I-4, I-1)		
Repair (Major)	Automobile Parts, Sales and Service, including but not limited to tire sales and transmission services, but excluding filling stations.	P (I-4, I-1)	P (IL, IM, IH)	Proposed draft splits vehicle repair into commercial vehicle, major and minor repair. Request by I-2 property owners to allow use in the I-2 zone.
	Automobile Repair and Services	P (I-4, I-1)		
Repair (Minor)	Automobile Parts, Sales and Service, including but not limited to tire sales and transmission services, but excluding filling stations.	P (I-4, I-1)	P (IL, IM, IH)	Proposed draft splits vehicle repair into commercial vehicle, major and minor repair. Request by I-2 property owners to allow use in the I-2 zone.
	Automobile Repair and Services	P (I-4, I-1)		

<b>Accessory Commercial Uses</b>				
Amateur Radio Facility (up to 65')	Amateur Radio Facility	P/SE (I-4, I-1, I-2)	P (IL, IM, IH)	An Amateur Radio Facility is permitted with a height up to 65 feet in almost all commercial and mixed-use zones.
Amateur Radio Facility (over 65')	Amateur Radio Facility	P/SE (I-4, I-1, I-2)	P (IL, IM, IH)	Where height is greater than 65 feet, a special exception/conditional use approval is required.
Antenna on existing structure	Rooftop mounted antennas and related unmanned equipment building, equipment cabinets, or equipment rooms	P (I-4, I-1, I-2)	L (IL, IM, IH)	Incorporates standards under Section A-6.12 and A-6.14 attached to this use in several commercial and mixed-use zones.
Drive Thru Facility		new	L (IL, IM)	Limited use standards regulate setbacks from any Agricultural, Rural Residential, or Residential zone, site design and site plan approval.
Helistop	Helistops	SE (I-4, I-1, I-2)	C (IL, IM, IH)	
<b>Temporary Commercial Uses</b>				
Construction Administration or Sales Office	Temporary Construction Admin or Sales Office	P (I-4, I-1, I-2)	L (IL, IM, IH)	Currently allowed in all zones under certain conditions in Section A-6.11.
Transitory Use	Transitory Use	P/SE (I-4, I-1, I-2)	L (IL, IM, IH)	Incorporates standards under Section A-6.22.

INDUSTRIAL				
Contractor Storage Yard	Contractors, storage yard	P (I-1, I-2)	L (IM) P (IH)	Limited use standards where abutting property in an Agricultural, Rural Residential, or Residential zone.
Dry Cleaning Facility, up to 3,000 SF	Dry Cleaning and Laundry Plant	P (I-4, I-1, I-2)	P (IL, IM, IH)	
Dry Cleaning Facility, over 3,000 SF	Dry Cleaning and Laundry Plant	P (I-4, I-1, I-2)	P (IL, IM, IH)	
Artisan Manufacturing and Production	Manufacturing of pottery, figurines or other products using previously pulverized clay and kilns fired only by electricity or gas	P (I-4, I-1, I-2)	P (IL, IM)	
Heavy Manufacturing and Production	Alcoholic beverage manufacturing	P (I-2) SE (I-1)	P (IH)	
	Central mixing plants for asphalt, concrete or other paving materials	P (I-2)		
	Chemicals, except sulfuric, nitric, hydrochloric acid or other corrosive or offensive chemicals	P (I-2)		
	Distillation of coal, tar, or wood	P (I-2)		
	Dye works	P (I-2)		
	Fertilizer mixing plants	SE (I-2)		
	Foundries or metal fabrication plants	P (I-2)		
	Manufacturing of brick, clay, terra cotta and tile	P (I-2)		
	Manufacturing of cinder blocks	P (I-2)		
	Manufacturing of cloth made from shoddy or other	P (I-2)		

*SIMILAR USES*

	Manufacturing of printing inks	P (I-2)		
	Manufacturing of synthetic fabrics such as rayon	P (I-2)		
	Rock crusher, washing and screening plants	P (I-2)		
	Starch, glucose and dextrin	P (I-2)		
	Steam power plants	P (I-2)		
	Stove polish	P (I-2)		
	Sugar refineries	P (I-2)		
Light Manufacturing and Production	Bakery	P (I-4, I-1, I-2)	P (IL, IM, IH)	
	Blacksmith shops, welding shops, ornamental iron works, and machinery shops, excluding drop hammers and punch presses over 20 tons rated capacity	P (I-4, I-1, I-2)		
	Bottling plants	P (I-4, I-1, I-2)		
	Confectionary production	P (I-4, I-1, I-2)		
	Electroplating and manufacturing of small parts such as coils, condensers, transformers, and crystal holders	P (I-4, I-1, I-2)		
	Food production, packaging, packing and canning of	P (I-4, I-1, I-2)		
	Ice manufacturing and storage	P (I-4, I-1, I-2)		
	Manufacturing and assembly of electronic components, instruments, and devices	P (I-4, I-1)		
	Manufacturing and assembly of	P (I-4, I-1, I-2)		

	machine parts, components and equipment			
	Manufacturing and assembly of mobile, modular, manufactured homes	P (I-4, I-1, I-2)		
	Manufacturing and assembly of semi-conductors microchips, circuits and circuit boards	P (I-4, I-1)		
	Manufacturing of light sheet metal products	P (I-4, I-1, I-2)		
	Manufacturing of musical instruments, toys, novelties, rubber and metal stamps	P (I-4, I-1)		
	Manufacturing of paint not employing a boiling or rendering process	P (I-4, I-1, I-2)		
	Manufacturing, compounding, assembling or treatment of the following previously prepared materials: bone, cellophane, plastic, canvas, cloth, cork, feathers, felt, fiber, fur, hair, horn, leather, textiles, yarns, glass, precious or semi-precious metals or stones, and tobacco	P (I-4, I-1, I-2)		
	Manufacturing, fabrication and/or assembly of aircraft or satellite parts, components, and equipment	P (I-4, I-1)		
	Paper products	P (I-4, I-1, I-2)		

MANUFACTURING

	Printing and publishing	P (I-4, I-1)		
	Sign making shops	P (I-4, I-1, I-2)		
	Stone works	P (I-1, I-2)		
	Tinsmith and roofing services	P (I-4, I-1, I-2)		
	Wood products manufacturing	P (I-4, I-1, I-2)		
Medical/Scientific Manufacturing and Production	Manufacturing and assembly of medical, scientific, or technical instruments, devices and equipment	P (I-4, I-1)	P (IL, IM)	
	Manufacturing, compounding, processing or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries, and products resulting from biotechnical and biogenetic research and development	P (I-4, I-1)		
	Manufacturing of yeasts, molds, and other natural products, necessary for medical and biotech research and development	P (I-4, I-1)		
Mining, Excavation	Rock or stone quarries	P (I-2)	P (IH)	
	Sand Gravel or clay pits	P (I-2)		
Bus, Rail Terminal		new	P (IL, IM, IH)	Storage of train cars or buses is allowed.
Helipad, Heliport	Heliports	SE (I-4, I-1, I-2)	C (IL, IM, IH)	
Railroad Tracks	Railroad Tracks	P (I-4, I-1, I-2)	P (IL, IM, IH))	

TAXI / LIMB FACILITY | New | P (IL, IM) | STORAGE ALLOWED

Distribution Lines (Above Ground)	Electric Power Transmission and Distribution Lines, overhead carrying 69,000 volts or less	P (I-4, I-1, I-2)	P (IL, IM, IH)	Electric Power Transmission and Distribution Lines, overhead, carrying more than 69,000 volts cannot be regulated under the zoning ordinance.
	Telephone and Telegraph Lines	P (I-4, I-1, I-2)		
Distribution Lines (Below Ground)	Electric Power Transmission and Distribution Lines, underground	P (I-4, I-1, I-2)	P (IL, IM, IH)	
Pipeline (Above Ground)	Pipelines, above ground	SE (I-4) P (I-1, I-2)	C (IL) P (IM, IH)	
Pipeline (Below Ground)	Pipelines, under ground	P (I-4, I-1, I-2)	P (IL, IM, IH)	
Public Utility Structure	Public Utility Buildings, and Structures	SE (I-4, I-1, I-2)	C (IL, IM, IH)	
Freight Movement	Trucking Terminals	P (I-4, I-1)	P (IL, IM, IH)	New to IH, appropriate for all Industrial zones.
Hazardous Materials Storage		new	C (IH)	Appropriate for Heavy Industrial zone.
Mineral Storage	Off-loading and transfer sites for storage of sand, gravel, or rocks	P (I-4, I-1, I-2)	L (IL, IM) P (IH)	The I-4, and I-1 zones are currently subject to footnote 7 which requires a 750 foot setback from the nearest residential property. This has been retained as a limited use standard.
Self-Storage	Warehousing and storage services: Self-storage facility	P (I-4, I-1)	P (II, IM)	
Storage facility	Fuel Storage Yards	P (I-1, I-2)	P (IL, IM, IH)	
	Storage, Outdoors	P (I-4, I-1, I-2)		
	Warehousing and storage services – industrial and commercial users	P (I-4, I-1, I-2)		

MISCELLANEOUS				
Solar Collection System		new	L (IL, IM, IH)	Provides use standards specific to solar panels as an accessory use. Allows for solar collection as a primary use.
ACCESSORY MISCELLANEOUS USES				
Accessory Structures	Accessory Buildings, and Uses	P (I-4, I-1, I-2)	P (IL, IM, IH)	
Accessory Uses	Accessory Buildings, and Uses	P (I-4, I-1, I-2)	P (IL, IM, IH)	

## Changes from the current code:

### New Uses

1. **Agricultural Processing (IH)**
  - Not completely new to the IH – sawmills are a permitted use in the I-2 zone. Other agricultural processing is also appropriate for all Industrial zones.
2. **Nursery (Retail) and (Wholesale) (IL, IM)**
  - One use table lists all uses allowed in all zones. Nursery (Retail) and (Wholesale) are appropriate uses for industrial zones. Nursery (Retail) is limited to either 5,000 SF or 50% of the allowed GFA.
3. **Farm Supply, Machinery Sales, Storages, and Service (IM)**
  - The Rural Services (RS) zones, an existing agricultural-industrial floating zone allows this use as a “P”. Existing RS property is recommended for conversion to IM.
4. **Farm Market, On-site and Agricultural Vending (IL, IM)**
  - These are new uses in the Industrial zones added to support land uses that provide greater access to locally grown food. Limitations on these uses are retained from the current code.
5. **Seasonal Outdoor Sales (IL, IM)**
  - This is a new use in the Industrial zones added to support land uses that provide greater access to locally grown food. A temporary use permit is required.
6. **Ambulance, Rescue Squad (Private) (IL, IM)**
  - This is a new use proposed for the IL and IM zone.
7. **Crematory Services (IH)**
  - Appropriate for a heavy industrial area.
8. **Heavy Vehicle Sales, and Rental (IM, IH)**
  - Proposed draft splits Vehicle Sales and Rental into light and heavy. This use is geared mainly to the sale and rental of large commercial vehicles.
9. **Car Wash (IL, IM, IH)**
  - Car wash is new as a primary use. Currently, a car wash is allowed as accessory to an Automobile Filling Station. Limited use standards regulated access and site design.
10. **(Vehicle) Repair, (Commercial Vehicle), (Major), and (Minor) (IH)**
  - Proposed draft splits vehicle repair into commercial vehicle, major and minor repair. Request by I-2 property owners to allow use in the I-2 zone.
11. **Drive-Thru (IL, IM)**

- Limited use standards regulate setbacks from any Agricultural, Rural Residential, or Residential zone, site design and site plan approval.
- 12. Artisan Production and Manufacturing (IL, IM)**
  - Not entirely new, but expanded definition for Artisan Manufacturing and Production.
- 13. Bus, Rail Terminal (IL, IM, IH)**
  - Allowed in several current zones. Added to several non-residential zones. Appropriate use in non-residential areas.
- 14. Taxi/Limo Facility (IL, IM)**
  - Allowed in several current zones. Appropriate use in non-residential areas. Storage of vehicles allowed in the Industrial zones.
- 15. Freight Movement (IH)**
  - New to IH, appropriate for all Industrial zones.
- 16. Hazardous Materials Storage (IH)**
  - Appropriate for a Heavy Industrial zone.
- 17. Crematory (IH)**
  - Appropriate use for a heavy industrial zone.
- 18. Solar Collection System (IL, IM, IH)**
  - A Solar Collection System is allowed as an accessory use and as a primary use; free-standing systems are limited to the production of 120% of the on-site energy consumption.
  - Other standards are provided to regulate height exemptions and use over surface parking lots.

Use Consolidation

- 1. Retail/Service Establishment (up to 5,000 SF) (IL, IM, IH)**
  - The Industrial zones permit a limited number of very specific retail/service establishment uses; this increases the types of retail, but only for small-scale establishments.
- 2. Retail/Service Establishment (5,001–15,000 SF), (15,001–50,000 SF), (50,001–85,000 SF), (85,001–120,000 SF), and (≥ 120,000 SF) (IL, IM, IH)**
  - Permits a limited number of very specific retail/service uses, this increases the types of retail, but limits the size to 50% of allowed GFA for those retail uses that aren't currently allowed in I-4, and I-1 zones. For the I-2 zone, retail uses over 5,000 SF are restricted to those retail uses currently allowed.

Approval Modification – Special Exception uses proposed as limited uses

- 1. Private Club, Service Organization (IL, IM)**

- Proposed as a limited use requiring site plan.
- 2. **Restaurant (IL, IM)**
  - A restaurant is limited to a maximum of 3,500 SF or 25% of the allowed GFA, whichever is greater.
- 3. **Office (IL)**
  - Office is limited to a maximum of 50% of the allowed GFA.
- 4. **Recreation and Entertainment Facility, Indoor (capacity up to 1,000) (IL, IM)**
  - Recreation and Entertainment facilities are separated by indoor and outdoor use, as well as number of participants. For indoor facilities recreational uses are proposed as a permitted use in the IL and IM zones.
- 5. **Transitory Use (IL, IM, IH)**
  - Incorporates standards under Section A-6.22.

**Removed Uses**

- **Agricultural Uses (I-2)**
- **All Household Living Uses (I-4, I-1)**  
In converting the I-4, and I-1 zones to the IL, and IM zones respectively, a few residential uses have been removed. Residential uses were removed from the industrial zones as a policy decision to preserve industrial land.
- **Hotel, Motel (I-1)**  
Removal of this use is consistent with the limitation on office uses and removal of dwelling uses proposed to preserve industrial ones for uses of a more industrial nature.
- **Restaurant (I-2, only permits a cafeteria for employees as an accessory use)**
- **Office (I-2, only allows an office related to principle use)**

**Article 59-4: Euclidean Zone Requirements: General and Standard Method**

This article provides general information regarding building types, measurements and exceptions, development requirements for standard method development by zone, and regulations for overlay zones.

**Changes from the current code:**

- **Height:**  
I-4 zone: Building height is recommended at a maximum of 50'. The current height limit is 42'. The proposed draft recommends a higher maximum for the I-4 zone to accommodate changes and trends in light industrial uses requiring a slightly taller building. Site plan is required for any property abutting an Agricultural, Rural Residential, or Residential zone. Site plan is also required for any building over 40' in height.

I-1 zone: Under the optional method of development, the I-1 zone has a maximum building height of 120'. This maximum height has been retained in the proposed draft.

I-2 zone: Maximum building height is 70' in the I-2 zone and is not recommended to change in the proposed draft.

- **Density:**

I-4 zone: Density under the I-4 zone is limited to 1.0 FAR, under both the current code and the proposed draft.

I-1 zone: Under the current code there is not recommended maximum density for the I-1 zone. The proposed draft recommends a maximum FAR of 2.5.

I-2 zone: Under the current code there is not recommended maximum density for the I-1 zone. The proposed draft recommends a maximum FAR of 2.5.

- **Open Space:**

I-4 zone: The current code requires a minimum of 20% open space in the I-4 zone. The proposed draft recommends a requirement of 5% open space if the site is less than or equal to 10,000 SF, and 10% open space if the site is greater than 10,000 SF.

I-1 zone: Under the current code, there is a 10% open space requirement for projects building 3 or more stories. The proposed draft recommends the same requirement as under the IL zone: 5% open space if the site is less than or equal to 10,000 SF, and 10% open space if the site is greater than 10,000 SF.

I-2 zone: For the I-2 zone, the code requires 10% open space for all projects. The proposed draft recommends the same requirement as under the IL zone: 5% open space if the site is less than or equal to 10,000 SF, and 10% open space if the site is greater than 10,000 SF.

- **Setbacks:**

I-4 zone: The current requires a 100' setback from property in a residential zone, however, this is also the least intense of the industrial zones. The other industrial zones only require a setback equal to the adjoining zone setback. The proposed draft requires property abutting an Agricultural, Rural Residential, or Residential zone to meet specific compatibility requirements – for the I-4 zone this equals 30' and requires screening. The proposed setback abutting property in a C/R or Employment zone is 10' (same as the current code). Setback from property in an industrial zone is 0' in the proposed draft, reduced from 10' under the current code. Setback from the street has been reduced from 50' and 25' (depending on the type of right-of-way) to 10'.

I-1 zone: The I-1 zone only requires a setback equal to the adjoining zone setback. The proposed draft requires property abutting an Agricultural, Rural Residential, or Residential zone to meet specific compatibility requirements – for the I-1 zone this equals 30’ and requires screening. The proposed setback abutting property in a C/R or Employment zone is 10’ (current code requires 0’ setback). The proposed setback from property in an industrial zone is 0’. Setback from the street has been reduced from 60’ and 10’(depending on the type of right-of-way) to 10’.

I-2 zone: The I-2 zone only requires a setback equal to the adjoining zone setback. The proposed draft requires property abutting an Agricultural, Rural Residential, or Residential zone to meet specific compatibility requirements – for the I-2 zone this equals 50’ and requires screening. The proposed setback abutting property in a C/R or Employment zone is 10’ (current code requires 0’ setback). The proposed setback from property in an industrial zone is 0’. Setback from the street has been reduced from 60’ and 10’(depending on the type of right-of-way) to 10’.

▪ **Parking Setbacks:**

I-4 zone: Parking setbacks for the I-4 zone require 50’ setback from property in a residential zone, 10’ from property in a commercial or industrial zone, and 25’ from a right-of-way. The draft proposes a 10’ setback, including landscaping when abutting property in an Agricultural, Rural Residential, or Residential zone, where the use requires 10 or more spaces. The draft proposes 6’ setback, including landscaping, abutting any other zone.

I-1 and I-2 zones: Under the current code, for uses requiring more than 6 spaces, setback from the street is 10’, including a landscaped strip. Adjacent to a property line, the parking must be setback a minimum of 4’ or the required setback of the abutting zone. The draft proposes a 10’ setback, including landscaping when abutting property in an Agricultural, Rural Residential, or Residential zone, where the use requires 10 or more spaces. The draft proposes 6’ setback, including landscaping, abutting any other zone.

▪ **Site Plan:**

I-4 zone: Under the current code a site plan is required for optional method development to allow for less restrictive building and parking setbacks. Under the proposed draft a site plan is required if the property abuts an Agricultural, Rural Residential, Residential zone or Residential Floating zone, or building height is greater than 40’ abutting or confronting property in a C/R or Employment zone, or if the use requires a site plan under Article 59-3.

I-1 zone: Under the current code a site plan is required if building height exceeds 42' or 3 stories. Under the proposed draft a site plan is required if the property abuts an Agricultural, Rural Residential, Residential zone or Residential Floating zone, or building height is greater than 40' abutting or confronting property in a C/R or Employment zone, or if the use requires a site plan under Article 59-3.

I-2 zone: Under the current code a site plan is not required for development in the I-2 zone. Under the proposed draft a site plan is required if the property abuts an Agricultural, Rural Residential, Residential zone or Residential Floating zone, or building height is greater than 40' abutting or confronting property in a C/R or Employment zone, or if the use requires a site plan under Article 59-3.

▪ **Area Requirements:**

I-4 zone: Under the current code, property in an I-4 zone must be 10 acres; except that a tract with an area of not less than 2 acres may be permitted where such tract adjoins and has a common boundary with an I-1, I-2, or I-3 zone, or where such tract is recommended for I-4 zoning on an approved and adopted master or sector plan. The proposed code does not retain an area requirement for the I-4 zone.

I-1 zone: None currently required or proposed.

I-2 zone: None currently required or proposed.

**Article 59-7 General Requirements**

Parking requirements and standards have been moved to Article 59-7. General Development Requirements, which will be discussed in later review worksessions. The neighborhood compatibility requirement under the current code that establishes an angular plane restricting height when C/R zoned property is next to Agricultural, Rural Residential, or Residential Detached zones has been extended to all non-residential zones and modified to include confronting property situations and has also moved to Article 59-7.

## Use Changes as a Result of Translation to the IL Zone

### Industrial Zones Converting to IL

I-4 = 663.57 acres (100% of total zone acreage)

#### **New Permitted and Limited Uses**

In converting the I-4 zone to IL, a number of agricultural uses have been added to land in these zones. The permitted and limited agricultural uses that have been added to land in the I-4 zone are:

- Nursery (Retail)
- Nursery (Wholesale)
- Farm Market, On-Site
- Agricultural Vending
- Seasonal Outdoor Sales

One of the primary goals of the zoning rewrite is to simplify the ordinance. Decreasing the number of zones in the zoning code is a key mechanism for simplification, and moving from zones that are extremely limited in use to a more flexible set of zones will reduce the impetus to add new zones with every master plan. As a result, in converting the I-4 zone to IL, some permitted and limited civic and institutional, commercial, industrial, and miscellaneous uses have been added to land in the I-4 zone.

- Ambulance, Rescue Squad (Private)
- Retail/Service Establishment (up to 5,000 SF) (I-4 permits a limited number of very specific retail/service uses, this increases the types of retail, but only for small-scale establishments)
- Retail/Service Establishment (5,001 – 15,000 SF), (15,001 – 50,000 SF), (50,001 – 85,000 SF), (85,001 – 120,000 SF), and (120,000 SF and over) (I-4 permits a limited number of very specific retail/service uses, this increases the types of retail, but limits the size to 50% of allowed GFA for those retail uses that aren't currently allowed in I-4)
- Car Wash
- Drive-Thru
- Artisan Manufacturing and Production
- Bus, Rail Terminal/Station
- Taxi/Limo Facility
- Solar Collection System

#### **Special Exceptions that are now Limited or Permitted**

In converting the I-4 zone to IL, a number of special exception uses have become permitted or limited uses. This change most often is a result of a policy decision to create more flexible industrial zones or to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service is now



regulated by size instead of specific use). The special exception uses that have become permitted or limited for land in the I-4 zone are:

- Private Club, Service Organization
- Restaurant
- Office
- Recreation and Entertainment Facility, Indoor (Capacity up to 1,000)
- Transitory Use

#### **Permitted Uses that are now Conditional Uses**

In converting the I-4 zone to IL, a few permitted uses have become conditional uses. This change most often is a result of a policy decision to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service is now regulated by size instead of specific use). The permitted uses that have become conditional for land in the I-4 zone are:

#### **Removed Uses**

In converting the I-4 zone to IL, a few residential uses have been removed from land zoned I-4. Residential uses were removed from the industrial zones as a policy decision to preserve industrial land. The residential uses that have been removed from the I-4 zone are:

- All Household Living Uses

### Use Changes for Zones Translating to IL Zone

	IL Zone	I-4	Notes
<b>Acreage Converting to IL and % of total zone acreage</b>	--	663.57 acres (100%)	--
<b>AGRICULTURAL</b>			
Agricultural Processing	P	P	I-4 permits dairy products processing
Community Garden	L	P	- Limited use standards limit structures and their height and equipment that can be used - Agricultural uses are permitted in I-4 - For access to local food production
<b>NURSERY</b>			
Nursery (Retail)	L	--	Limited use standards restricts the use to 50% of maximum allowed gross floor area if it is larger than 5,000 SF to preserve industrial land
Nursery (Wholesale)	P	--	Appropriate use in this zone as other wholesalers are allowed
Urban Farming	L	P	- For access to local food production urban farming allows limited fowl, bees, and aquaculture; Limited use standards regarding minimum area, number of fowl, and structures - Agricultural uses are permitted in I-4
<b>ACCESSORY AGRICULTURAL USES</b>			
Animal Husbandry	L	P	- Agricultural uses are permitted in I-4 - For access to local food production; only bees are allowed
Farm Market, On-Site	L	--	- For access to local food production; accessory to an urban farm - Limited use standards specify products must be produced on-site and setbacks
<b>TEMPORARY AGRICULTURAL USES</b>			
Agricultural Vending	L	--	For access to local food production
Seasonal Outdoor Sales	P	--	For access to local seasonal products
<b>RESIDENTIAL</b>			
<b>HOUSEHOLD LIVING</b>			
Single-Unit Living		SE	Policy decision to preserve industrial land
Two-Unit Living		SE	Policy decision to preserve industrial land
Townhouse Living		SE	Policy decision to preserve industrial land
Multi-Unit Living		P and SE	- Policy decision to preserve industrial land - In I-4, permitted only in a transit station development area and limits the units to a certain % of floor area; this use and its restrictions was captured in the IMU overlay, so not really a change
<b>CIVIC AND INSTITUTIONAL</b>			
Ambulance, Rescue Squad (Private)	P	--	Appropriate use for this zone
Cultural Institution	P	P	I-4 permits libraries
Private Club, Service Organization	L	SE	Limited use standard requires site plan if abutting or confronting property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use
<b>COMMERCIAL</b>			
<b>ANIMAL SERVICES</b>			
Animal Boarding and Care	L	P	Limited use standards provide parameters for outdoor exercise yards, soundproofed interior areas, and a site plan requirement if abutting or confronting property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use
Veterinary Office/ Hospital	L	P	Limited use standard requires interior areas for animals be soundproofed
<b>COMMUNICATION FACILITY</b>			
Media Broadcast Tower	C	P/SE	Permitted if there is no broadcast tower
Telecommunications Tower	L	P	Limited use standards incorporate footnote

	IL Zone	I-4	Notes
<b>Acreage Converting to IL and % of total zone acreage</b>	—	663.57 acres (100%)	--
<b>EATING AND DRINKING</b>			
Restaurant	L	P and SE	- Limited use standards restrict the size to a maximum of 3,500 square feet or 25% of allowed GFA - In I-4, cafeteria, dining room, snack bar for employees is permitted; an eating and drinking establishment is a special exception
<b>OFFICE AND PROFESSIONAL</b>			
Office	L	P and SE	- Limited use standard limits office to a maximum of 50% of allowed GFA - In I-4, telephone offices, communication and telecommunication centers; general offices are a special exception
<b>PARKING</b>			
Surface Parking for Use Allowed in the Zone	L	P	I-4 permits parking of vehicles off-street in connection with any use permitted, with no distinction between surface lot or garage
<b>RECREATION AND ENTERTAINMENT</b>			
Recreation and Entertainment Facility, Indoor (Capacity up to 1,000)	P	P and SE	I-4 permits recreational facilities primarily for the use of employees; commercial recreational or entertainment establishments are allowed as a conditional use
Recreation and Entertainment Facility, Outdoor (Capacity up to 1,000)	C	P and SE	I-4 permits recreational facilities primarily for the use of employees; commercial recreational or entertainment establishments are allowed as a conditional use
Recreation and Entertainment Facility, Major (Capacity over 1,000)	C	P and SE	I-4 permits recreational facilities primarily for the use of employees; commercial recreational or entertainment establishments are allowed as a conditional use
<b>RETAIL SALES AND SERVICE</b>			
Retail/ Service Establishment (Up to 5,000 SF)	P	P	I-4 permits building material and supply, wholesale and retail, computer programming and software sales, retail sales and personal service dealing primarily with employees, wholesale trades limited to sale or rental of products intended for industrial or commercial users, duplicating service; this would be expanding the use to any retail/service but limit the size
Retail/ Service Establishment (5,001 - 15,000 SF)	L	P	- Limited use standards permit any size for retail/service related to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limits all other retail/service to a maximum of 50% of allowed GFA -I-4 permits building material and supply, wholesale and retail, computer programming and software sales, retail sales and personal service dealing primarily with employees, wholesale trades limited to sale or rental of products intended for industrial or commercial users, duplicating service; this would be expanding the use to any retail/service but limit the size
Retail/ Service Establishment (15,001 - 50,000 SF)	L	P	- Limited use standards permit any size for retail/service related to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limits all other retail/service to a maximum of 50% of allowed GFA -I-4 permits building material and supply, wholesale and retail, computer programming and software sales, retail sales and personal service dealing primarily with employees, wholesale trades limited to sale or rental of products intended for industrial or commercial users, duplicating service; this would be expanding the use to any retail/service but limit the size

	IL Zone	I-4	Notes
<b>Acreage Converting to IL and % of total zone acreage</b>	--	663.57 acres (100%)	--
Retail/ Service Establishment (50,001 - 85,000 SF)	L	P	- Limited use standards permit any size for retail/service related to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limits all other retail/service to a maximum of 50% of allowed GFA -I-4 permits building material and supply, wholesale and retail, computer programming and software sales, retail sales and personal service dealing primarily with employees, wholesale trades limited to sale or rental of products intended for industrial or commercial users, duplicating service; this would be expanding the use to any retail/service but limit the size
Retail/ Service Establishment (85,001 - 120,000 SF)	L	P	- Limited use standards permit any size for retail/service related to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limits all other retail/service to a maximum of 50% of allowed GFA -I-4 permits building material and supply, wholesale and retail, computer programming and software sales, retail sales and personal service dealing primarily with employees, wholesale trades limited to sale or rental of products intended for industrial or commercial users, duplicating service; this would be expanding the use to any retail/service but limit the size
Retail/ Service Establishment (120,001 SF and Over)	L	P	- Limited use standards permit any size for retail/service related to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limits all other retail/service to a maximum of 50% of allowed GFA -I-4 permits building material and supply, wholesale and retail, computer programming and software sales, retail sales and personal service dealing primarily with employees, wholesale trades limited to sale or rental of products intended for industrial or commercial users, duplicating service; this would be expanding the use to any retail/service but limit the size
<b>VEHICLE SERVICE</b>			
Car Wash	L	--	Limited use standards incorporate current special exception standards in Sec. G-2.11.1
<b>ACCESSORY COMMERCIAL USES</b>			
Antenna on Existing Structure	L	P	Limited use standards incorporate current standards under Sec. A-6.12 and Sec. A-6.14
Drive-Thru	L	--	Limited use standards specify queuing and stacking and window placement and require site plan
<b>TEMPORARY COMMERCIAL USES</b>			
Construction Administration or Sales Office	L	P	The current code defines Construction Administration or Sales Office as an accessory use (accessory uses are a permitted use); the proposed code pulls it out in the use table for clarity; Incorporates current standards under Sec. A-6.11
Transitory Use	L	P/SE	Limited use standards incorporate current standards from Sec. A-6.13
<b>INDUSTRIAL</b>			
<b>MANUFACTURING AND PRODUCTION</b>			
Artisan Manufacturing and Production	P	--	Appropriate use for this zone
<b>TRANSPORTATION</b>			
Bus, Rail Terminal/Station	P	--	For access to transit; Appropriate use for this zone
Taxi/Limo Facility	P	--	Appropriate use for this zone
<b>WAREHOUSE</b>			
Mineral Storage	L	P	Limited use standard incorporates footnote requiring a large setback from property in a residential zone
<b>WASTE-RELATED</b>			

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	IL Zone	I-4	Notes
<b>Acreage Converting to IL and % of total zone acreage</b>	--	663.57 acres (100%)	--
Recycling Collection and Processing	L	P	Limited use standards incorporate footnote prohibiting recycling of construction and demolition debris
<b>MISCELLANEOUS</b>			
Solar Collection System	L	--	This is a new use in the use table; in the existing zones it can be done under the use Accessory Buildings and Uses

Uses Removed from the Ordinance          None

## Use Changes as a Result of Translation to the IM Zone

### Industrial Zones Converting to IM

I-1 = 943.54 acres (100% of total zone acreage)

R&D = 33.84 acres (100%)

R-S = 73.84 acres (100%)

### **New Permitted and Limited Uses**

In converting the I-1, R&D, and R-S zones to IM, a number of agricultural uses have been added to land in these zones. The permitted and limited agricultural uses that have been added to land in these zones are:

- Agricultural Processing (R&D)
- Community Garden (R&D)
- Farm Supply, Machinery Sales, Storage, and Service (I-1, R&D)
- Nursery (Retail) and (Wholesale) (I-1, R&D)
- Urban Farming (R&D)
- Animal Husbandry (R&D)
- Farm Market, On-Site (I-1, R&D)
- Agricultural Vending
- Seasonal Outdoor Sales (I-1, R&D)

One of the primary goals of the zoning rewrite is to simplify the ordinance. Decreasing the number of zones in the zoning code is a key mechanism for simplification, and moving from zones that are extremely limited in use to a more flexible set of zones will reduce the impetus to add new zones with every master plan. As a result, in converting the I-1, R&D, and R-S zones to IM, some permitted and limited residential, civic and institutional, commercial, industrial, and miscellaneous uses have been added to land in these zones.

- Dwelling for Caretaker/Watchkeeper (R-S)
- Ambulance, Rescue Squad (Private)
- Cultural Institution (R-S)
- Animal Boarding and Care (R&D)
- Veterinary Office/Hospital (R&D)
- Restaurant (R-S)
- Landscape Contractor (R&D)
- Clinic (up to 4 medical practitioners) and (more than 4 medical practitioners) (R-S)
- Medical, Dental Laboratory (R-S)
- Research and Development (R-S)

- Adult Entertainment (R&D and R-S, but has no impact because the properties are within 750 feet of residential, park, playground, etc, so wouldn't be allowed on these properties)
- Health Clubs and Facilities (R-S)
- Retail/Service Establishment (up to 5,000 SF) (I-1, R&D, R-S permit a limited number of very specific retail/service uses, this increases the types of retail, but only for small-scale establishments)
- Retail/Service Establishment (5,001 – 15,000 SF), (15,001 – 50,000 SF), (50,001 – 85,000 SF), (85,001 – 120,000 SF), and (120,000 SF and over) (I-1, R&D, R-S permits a limited number of very specific retail/service uses, this increases the types of retail, but limits the size to 50% of allowed GFA for those retail uses that aren't currently allowed in I-1)
- Heavy Vehicle Sales and Rental
- Light Vehicle Sales and Rental (Indoor) and (Outdoor) (R&D, R-S)
- Car Wash
- Repair (Commercial Vehicle), (Major), and (Minor) (R&D, R-S)
- Antenna on Existing Structure (R-S)
- Drive-Thru
- Transitory Use (R-S)
- Contractor Storage Yard (R&D)
- Dry Cleaning Facility (up to 3,000 SF) and (over 3,000 SF) (R&D, R-S)
- Artisan Manufacturing and Production
- Light Manufacturing and Production (R-S)
- Medical/Scientific Manufacturing and Production (R-S)
- Bus, Rail Terminal/Station
- Taxi/Limo Facility
- Distribution Line (Above Ground) (R&D)
- Freight Movement (R&D, R-S)
- Mineral Storage (R&D, R-S)
- Self-Storage (R&D, R-S)
- Storage Facility (R&D)
- Recycling Collection and Processing (R&D)
- Solar Collection System

**New Conditional Uses**

In converting the I-1, R&D, and R-S zones to IM, some conditional civic and institutional, commercial, and industrial, uses have been added to land in these zones. This includes:

- Hospital (R-S)
- Conference Center (R-S)
- Recreation and Entertainment Facility, Major (capacity over 1,000) (R&D)
- Shooting Range (Indoor)
- Filling Station (R&D, R-S)

- Helistop (R-S)
- Helipad, Heliport (R-S)

### **Special Exceptions that are now Limited or Permitted**

In converting the I-1, R&D, and R-S zones to IM, a number of special exception uses have become permitted or limited uses. This change most often is a result of a policy decision to create more flexible industrial zones or to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service is now regulated by size instead of specific use). The special exception uses that have become permitted or limited for land these zone are:

- Agricultural Processing (R-S)
- Cultural Institution (R&D)
- Educational Institution (Private) (R-S)
- Private Club, Service Organization
- Animal Boarding and Care (R-S)
- Veterinary Office/Hospital (R-S)
- Telecommunications Tower (R-S)
- Restaurant (I-1, R&D)
- Office (R-S)
- Recreation and Entertainment Facility, Indoor (capacity up to 1,000) (I-1, R-S)
- Transitory Use (I-1, R&D)
- Pipeline (Above Ground) (R&D, R-S)

### **Permitted Uses that are now Conditional Uses**

In converting the I-1, R&D, and R-S zones to IM, a few permitted uses have become conditional uses. This change most often is a result of a policy decision to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service is now regulated by size instead of specific use). The permitted uses that have become conditional for land in these zones are:

- Conference Center (R&D)
- Recreation and Entertainment Facility, Outdoor (capacity up to 1,000) (R&D)

### **Removed Uses**

In converting the I-1, R&D, and R-S zones to IM, a few residential uses have been removed from land in these zones. Residential uses were removed from the industrial zones as a policy decision to preserve industrial land. The residential uses that have been removed from these zones are:

- Single-Unit Living (I-1, R-S)
- Two-Unit Living (I-1)
- Townhouse Living (I-1)
- Multi-Unit Living (I-1)
- Independent Living Facility for Seniors or Persons with Disabilities (R-S)
- Residential Care Facility (up to 8 persons), (9 – 16 persons), (over 16 persons) (R-S)
- Attached Accessory Apartment (R-S permits a registered living unit)
- Guest House (R-S)
- Home Health Practitioner (Low Impact) and (Major Impact) (R-S)
- Home Occupation (No Impact), (Low Impact), and (Major Impact) (R-S)

In converting the I-1, R&D, and R-S zones to IM, a number of agricultural, civic and institutional, commercial, industrial, and miscellaneous uses have been removed from land in these zones. The uses that have been removed from these zones are:

- Agricultural Auction Facility (R-S)
- Equestrian Facility (R-S)
- Winery (R-S)
- Charitable, Philanthropic Institution (R-S)
- Cemetery (R-S)
- Bed and Breakfast (R-S)
- Hotel, Motel (I-1, R&D)
- Shooting Range (Outdoor) (R-S)
- Heavy Manufacturing and Production (I-1 – only alcoholic beverage manufacturing)
- Noncommercial Kennel (R-S)
- Wildlife, Game Preserve, and Other Conservation Area (R-S)
- Security Pavilion (R-S)

Accessory Dwelling (SE); Boathouse, Private (P); and Swimming Pool, Private (P) which are currently allowed uses in the R-S zone, have been removed from the zoning ordinance. Stockyard, which is currently a special exception use in the I-1 zone, has also been removed from the zoning ordinance.

**Use Changes for Zones Translating to IM Zone**

	IM Zone	I-1	R&D	R-S	Notes
<b>Acreage Converting to IM and % of total zone acreage</b>	--	943.54 acres (100%)	33.84 acres (100%)	73.84 acres (100%)	--
<b>AGRICULTURAL</b>					
Agricultural Auction Facility		--	--	P	Zone consolidation
Agricultural Processing	P	P	--	SE	- I-1 permits sawmills and dairy products processing
Community Garden	L	P	--	P	For access to local food production
Equestrian Facility		--	--	P/SE	Zone consolidation
Farm Supply, Machinery Sales, Storage, and Service	P	--	--	P	Zone consolidation; appropriate use for this zone
Farming		P	--	P	- I-1 permits agricultural uses; covered by urban farming
<b>NURSERY</b>					
Nursery (Retail)	L	--	--	P	Limited use standards restricts the use to 50% of maximum allowed gross floor area if it is larger than 5,000 SF to preserve industrial land
Nursery (Wholesale)	P	--	--	P	
Urban Farming	L	P	--	P	For access to local food production urban farming allows limited fowl, bees, and aquaculture; Limited use standards regarding minimum area, number of fowl, and structures
Winery		--	--	P/SE	-In RS, permitted by right if no more than 2 events per year; otherwise special exception
<b>ACCESSORY AGRICULTURAL USES</b>					
Animal Husbandry	L	P	--	P	For access to local food production; only bees are allowed
Farm Market, On-Site	L	--	--	P	- For access to local food production; it is accessory to an urban farm - Limited use standards specify products must be produced on-site and setbacks
<b>TEMPORARY AGRICULTURAL USES</b>					
Agricultural Vending	L	--	--	--	For access to local food production
Seasonal Outdoor Sales	P	--	--	P	For access to local seasonal products
<b>RESIDENTIAL</b>					
<b>HOUSEHOLD LIVING</b>					
Single-Unit Living		SE	--	P	Policy decision to remove residential uses to preserve industrial land
Two-Unit Living		SE	--	--	Policy decision to remove residential uses to preserve industrial land
Townhouse Living		SE	--	--	Policy decision to remove residential uses to preserve industrial land
Multi-Unit Living		SE	--	--	Policy decision to remove residential uses to preserve industrial land
<b>GROUP LIVING</b>					
Independent Living Facility for Seniors or Persons with Disabilities		--	--	SE	Policy decision to remove residential uses to preserve industrial land
Residential Care Facility (Up to 8 persons)		--	--	P and SE	- Policy decision to remove residential uses to preserve industrial land - RS permits a small group home, adult foster care home, respite care home; allows hospice care facility, nursing home, sanitarium as special exception
Residential Care Facility (9 - 16 persons)		--	--	P and SE	- Policy decision to remove residential uses to preserve industrial land - RS allows a large group home, hospice care facility, nursing home, sanitarium as a special exception; permits adult foster care home, respite care home
Residential Care Facility (Over 16 persons)		--	--	P and SE	- Policy decision to remove residential uses to preserve industrial land - RS allows a large group home, hospice care facility, nursing home, sanitarium, domiciliary care for more than 16 residents as a special exception; permits adult foster care home, respite care home
<b>ACCESSORY RESIDENTIAL USES</b>					
Attached Accessory Apartment		--	--	P	- RS permits a registered living unit
Dwelling for Caretaker/Watchkeeper	P	P	P	--	Zone consolidation

	IM Zone	I-1	R&D	R-S	Notes
<b>Acreage Converting to IM and % of total zone acreage</b>	--	943.54 acres (100%)	33.84 acres (100%)	73.84 acres (100%)	--
Guest House		--	--	P	Policy decision to remove residential uses to preserve industrial land
Home Health Practitioner (Low Impact)		--	--	P	Policy decision to remove residential uses to preserve industrial land
Home Health Practitioner (Major Impact)		--	--	SE	Policy decision to remove residential uses to preserve industrial land
Home Occupation (No Impact)		--	--	P	Policy decision to remove residential uses to preserve industrial land
Home Occupation (Low Impact)		--	--	P	Policy decision to remove residential uses to preserve industrial land
Home Occupation (Major Impact)		--	--	SE	Policy decision to remove residential uses to preserve industrial land
<b>CIVIC AND INSTITUTIONAL</b>					
Ambulance, Rescue Squad (Private)	P	--	--	--	Zone consolidation
Charitable, Philanthropic Institution		--	--	SE	- In RS, must be reuse of an existing building with a max 2 acres
Cultural Institution	P	P	P and SE	--	- Zone consolidation - I-1 and R&D permit libraries - R&D allows an art or cultural center as a special exception
<b>DAY CARE FACILITY</b>					
Family Day Care (Up to 8 Persons)	P	P	P	P and SE	- In RS, day care for more than 4 senior adults or persons with disabilities is a special exception; child day care is permitted
Group Day Care (9 - 12 Persons)	P	P	P	P and SE	- In RS, day care for more than 4 senior adults or persons with disabilities is a special exception; child day care is permitted
Day Care Center (13 - 30 Persons)	P	P	P	P and SE	- In RS, day care for more than 4 senior adults or persons with disabilities is a special exception; child day care is permitted
Day Care Center (Over 30 Persons)	P	P	P	P and SE	- In RS, day care for more than 4 senior adults or persons with disabilities is a special exception; child day care is permitted
Educational Institution (Private)	P	P	P	SE	- In I-1, permitted if in an existing building or if a trade, artistic, technical school - R&D permits trade, artistic, technical school related to use allowed in zone and universities and colleges providing teaching and researching facilities
Hospital	C	SE	SE	--	Zone consolidation
Private Club, Service Organization	L	SE	SE	SE	Limited use standard requires site plan if abutting or confronting property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use
<b>COMMERCIAL</b>					
<b>ANIMAL SERVICES</b>					
Animal Boarding and Care	L	P	--	SE	Limited use standards require soundproofing for interior areas, specifications for outdoor exercise yard, site plan if abutting or confronting a property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use
Veterinary Office/ Hospital	L	P	--	SE	Limited use standards require soundproofing for interior areas where animals are kept
<b>COMMUNICATION FACILITY</b>					
Media Broadcast Tower	C	P/SE	P/SE	SE	Permitted if there is no broadcast tower
Telecommunications Tower	L	P	P	P/SE	- Limited use standards regarding max height and min setbacks - RS permits a telecommunications facility if it is within the height of the zone and has certain setbacks
<b>EATING AND DRINKING</b>					

	IM Zone	I-1	R&D	R-S	Notes
<b>Acreage Converting to IM and % of total zone acreage</b>	--	943.54 acres (100%)	33.84 acres (100%)	73.84 acres (100%)	--
Restaurant	L	P and SE	P and SE	--	- Limited use standards restrict the size to a maximum of 3,500 square feet or 25% of allowed GFA - I-1 and R&D permit cafeteria for employees; allow eating and drinking establishment as a special exception if large area of land
<b>FUNERAL AND INTERMENT SERVICES</b>					
Cemetery		--	--	SE	Zone consolidation
Landscape Contractor	P	P	--	P	Zone consolidation
<b>LODGING</b>					
Bed and Breakfast		--	--	P	Zone consolidation
Hotel, Motel		SE	SE	--	- Not an appropriate use for the zone - In I-1, must be adjacent to or part of large industrial lot or a conference center with lodging facilities - In R&D, permitted if part of a conference center
<b>MEDICAL AND DENTAL</b>					
Clinic (Up to 4 Medical Practitioners)	P	P	P	--	Zone consolidation
Clinic (More than 4 Medical Practitioners)	P	P	P	--	Zone consolidation
Medical, Dental Laboratory	P	P	P	--	Zone consolidation
<b>OFFICE AND PROFESSIONAL</b>					
Life Sciences		--	P	--	Zone consolidation; life sciences is also covered by research and development, so no impact on R&D
Office	L	P and SE	P	SE	- Limited use standards restrict the use to a maximum of 50% of allowed GFA - In I-1 general offices are permitted; chancery and international organization are special exception - In RS, must be in an existing residential structure - R&D caps size at 50% of GFA unless it's corporate, admin, or business offices for companies in health services, etc.
Research and Development	P	P	P	--	Zone consolidation
<b>PARKING</b>					
Structured Parking	P	P and SE	P	P	- RS, I-1, R&D permit parking off-street in connection with any use permitted with no distinction between surface lot and garage; I-1 also allows parking off-street in connection with any use permitted in a commercial zone as a special exception with no distinction between lot and garage
Surface Parking for Use Allowed in the Zone	L	P	P	P	- Limited use standards require parking setbacks to accommodate landscaping - RS, I-1, R&D permit parking off-street in connection with any use permitted with no distinction between surface lot and garage
<b>RECREATION AND ENTERTAINMENT</b>					
Adult Entertainment	L	P	--	--	- Zone consolidation - Allowing adult entertainment in R-S and R&D has no impact because the properties are within the 750 ft threshold of residential, park, playground, etc, so wouldn't be allowed on these properties
Conference Center	C	SE	P	--	I-1 allows a meeting center as a special exception
Health Clubs and Facilities	P	P	P	--	Zone consolidation
Recreation and Entertainment Facility, Indoor (Capacity up to 1,000)	P	P and SE	P	SE	- I-1 and R&D permit recreational facilities for the use of employees - I-1 allows commercial recreational or entertainment establishment as a special exception - RS allows commercial recreational or entertainment establishment and legitimate theater as a special exception
Recreation and Entertainment Facility, Outdoor (Capacity up to 1,000)	C	P and SE	P	SE	- I-1 and R&D permit recreational facilities for the use of employees - I-1 allows commercial recreational or entertainment establishment as a special exception - RS allows commercial recreational or entertainment

	IM Zone	I-1	R&D	R-S	Notes
<b>Acreage Converting to IM and % of total zone acreage</b>	--	943.54 acres (100%)	33.84 acres (100%)	73.84 acres (100%)	--
Recreation and Entertainment Facility, Major (Capacity over 1,000)	C	SE	--	SE	- I-1 allows commercial recreational or entertainment establishment as a special exception - RS allows commercial recreational or entertainment establishment and legitimate theater as a special exception
Shooting Range (Indoor)	C	SE	--	--	Zone consolidation
Shooting Range (Outdoor)		--	--	SE	Zone consolidation
<b>RETAIL SALES AND SERVICE</b>					
Retail/ Service Establishment (Up to 5,000 SF)	P	P	P	P	- I-1 permits building material and supply, wholesale and retail, wholesale trades limited to sale or rental of products intended for industrial or commercial users; building material and supply is grandfathered in R&D - I-1 and R&D permit computer programming and software sales, retail sales and personal service dealing primarily with employees, duplicating service; this would be expanding the use to any retail/service but limit the size - RS permits an antique shop
Retail/ Service Establishment (5,001 - 15,000 SF)	L	P	P	P	- Limited use standards permit any size for retail/service to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limit all other retail/service to a maximum of 50% of allowed GFA - I-1 permits building material and supply, wholesale and retail, wholesale trades limited to sale or rental of products intended for industrial or commercial users; building material and supply is grandfathered in R&D - I-1 and R&D permit computer programming and software sales, retail sales and personal service dealing primarily with employees, duplicating service; this would be expanding the use to any retail/service but limit the size - RS permits an antique shop
Retail/ Service Establishment (15,001 - 50,000 SF)	L	P	P	P	- Limited use standards permit any size for retail/service to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limit all other retail/service to a maximum of 50% of allowed GFA - I-1 permits building material and supply, wholesale and retail, wholesale trades limited to sale or rental of products intended for industrial or commercial users; building material and supply is grandfathered in R&D - I-1 and R&D permit computer programming and software sales, retail sales and personal service dealing primarily with employees, duplicating service; this would be expanding the use to any retail/service but limit the size - RS permits an antique shop
Retail/ Service Establishment (50,001 - 85,000 SF)	L	P	P	P	- Limited use standards permit any size for retail/service to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limit all other retail/service to a maximum of 50% of allowed GFA - I-1 permits building material and supply, wholesale and retail, wholesale trades limited to sale or rental of products intended for industrial or commercial users; building material and supply is grandfathered in R&D - I-1 and R&D permit computer programming and software sales, retail sales and personal service dealing primarily with employees, duplicating service; this would be expanding the use to any retail/service but limit the size - RS permits an antique shop

	IM Zone	I-1	R&D	R-S	Notes
<b>Acreage Converting to IM and % of total zone acreage</b>	--	943.54 acres (100%)	33.84 acres (100%)	73.84 acres (100%)	--
Retail/ Service Establishment (85,001 - 120,000 SF)	L	P	P	P	- Limited use standards permit any size for retail/service to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limit all other retail/service to a maximum of 50% of allowed GFA - I-1 permits building material and supply, wholesale and retail, wholesale trades limited to sale or rental of products intended for industrial or commercial users; building material and supply is grandfathered in R&D - I-1 and R&D permit computer programming and software sales, retail sales and personal service dealing primarily with employees, duplicating service; this would be expanding the use to any retail/service but limit the size
Retail/ Service Establishment (120,001 SF and Over)	L	P	P	P	- Limited use standards permit any size for retail/service to building and food service supply, home design and furnishings, computer programming and software sales, wholesale trades limited to sale or rental of products for industrial or commercial users and limit all other retail/service to a maximum of 50% of allowed GFA - I-1 permits building material and supply, wholesale and retail, wholesale trades limited to sale or rental of products intended for industrial or commercial users; building material and supply is grandfathered in R&D - I-1 and R&D permit computer programming and software sales, retail sales and personal service dealing primarily with employees, duplicating service; this would be expanding the use to any retail/service but limit the size
<b>VEHICLE/EQUIPMENT SALES AND RENTAL</b>					
Heavy Vehicle Sales and Rental	P	--	--	--	Appropriate use for the zone
Light Vehicle Sales and Rental (Indoor)	P	P	--	--	Zone consolidation
Light Vehicle Sales and Rental (Outdoor)	P	P	--	--	Zone consolidation
<b>VEHICLE SERVICE</b>					
Car Wash	L	--	--	--	- Appropriate use for the zone - Limited use standards incorporate current special exception standards in Sec. G-2.11.1
Filling Station	C	SE	--	--	Zone consolidation
Repair (Commercial Vehicle)	P	P	--	--	Zone consolidation
Repair (Major)	P	P	--	--	Zone consolidation
Repair (Minor)	P	P	--	--	Zone consolidation
<b>ACCESSORY COMMERCIAL USES</b>					
Antenna on Existing Structure	L	P	P	--	Limited use standards incorporate current standards under Sec. A-6.12 and Sec. A-6.14
Drive-Thru	L	--	--	--	Limited use standards specify queuing and stacking and window placement and require site plan
Helistop	C	SE	SE	--	Zone consolidation
<b>TEMPORARY COMMERCIAL USES</b>					
Construction Administration or Sales Office	L	P	P	P	The current code defines Construction Administration or Sales Office as an accessory use (accessory uses are a permitted use); the proposed code pulls it out in the use table for clarity; Incorporates current standards under Sec. A-6.11
Transitory Use	L	P/SE	P/SE	--	Limited use standards incorporate current standards from Sec. A-6.13
<b>INDUSTRIAL</b>					

	IM Zone	I-1	R&D	R-S	Notes
<b>Acreage Converting to IM and % of total zone acreage</b>	--	943.54 acres (100%)	33.84 acres (100%)	73.84 acres (100%)	--
Contractor Storage Yard	L	P	--	P	- Limited use standards specify minimum site size and street access if abutting or confronting property in a Residential Detached zone that is vacant or improved with a residential use - Zone consolidation - Grandfathered use in the RS zone
Dry Cleaning Facility (Up to 3,000 SF)	P	P	--	--	Zone consolidation
Dry Cleaning Facility (Over 3,000 SF)	P	P	--	--	Zone consolidation
<b>MANUFACTURING AND PRODUCTION</b>					
Artisan Manufacturing and Production	P	--	--	--	Appropriate use for this zone
Heavy Manufacturing and Production		SE	--	--	- I-1 only allows alcoholic beverage manufacturing as a special exception
Light Manufacturing and Production	P	P	P	P	Grandfathered in the RS zone
Medical/ Scientific Manufacturing and Production	P	P	P	--	Zone consolidation
<b>TRANSPORTATION</b>					
Bus, Rail Terminal/Station	P	--	--	--	Appropriate use for the zone; for transit access
Helipad, Heliport	C	SE	SE	--	Zone consolidation
Taxi/Limo Facility	P	--	--	--	Appropriate use for the zone
<b>UTILITIES</b>					
Distribution Line (Above Ground)	P	P	--	P	Zone consolidation
Pipeline (Above Ground)	P	P	SE	SE	Zone consolidation
<b>WAREHOUSE</b>					
Freight Movement	P	P	--	--	Zone consolidation
Mineral Storage	L	P	--	--	- Zone consolidation - Limited use standards require larger setback from Residential zone
Self-Storage	P	P	--	--	Zone consolidation
Storage Facility	P	P	--	P	- Grandfathered in the RS zone
<b>WASTE-RELATED</b>					
Recycling Collection and Processing	L	P	--	P	- Limited use standard incorporate footnote prohibiting recycling or construction and demolition debris - RS permits construction debris reclamation facility
<b>MISCELLANEOUS</b>					
Noncommercial Kennel		--	--	P	Zone consolidation
Solar Collection System	L	--	--	--	This is a new use in the use table; in the existing zones it can be done under the use Accessory Buildings and Uses
Wildlife, Game Preserve, and Other Conservation Areas		--	--	P	Zone consolidation
<b>ACCESSORY MISCELLANEOUS USES</b>					
Security Pavilion		--	--	P	Zone consolidation

Uses Removed from the Ordinance

R-S: Accessory Dwelling; Boathouse, Private; Swimming Pool, Private

I-1: Stockyard

## Use Changes as a Result of Translation to the IH Zone

### Industrial Zones Converting to IH

I-2 = 755.82 acres (100% of total zone acreage)

#### **New Permitted and Limited Uses**

One of the primary goals of the zoning rewrite is to simplify the ordinance. Moving from zones that are extremely limited in use to a more flexible set of zones will reduce the impetus to add new zones with every master plan. As a result, in converting the I-2 zone to IH, some permitted and limited uses have been added to land in the I-2 zone. This includes:

- Agricultural Processing
- Retail/Service Establishment (up to 5,000 SF) (I-2 permits a building material and supply retail/service establishment, this increases the types of retail, but only small-scale establishments)
- Heavy Vehicle Sales and Rental
- Car Wash
- Repair (Commercial Vehicle), (Major), and (Minor)
- Bus, Rail Terminal/Station
- Freight Movement
- Solar Collection System

#### **New Conditional Uses**

In converting the I-2 zone to IH, some conditional uses have been added to land in the I-2 zone. This includes:

- Crematory Services
- Hazardous Material Storage

#### **Special Exceptions that are now Limited or Permitted**

In converting the I-2 zone to IH, a number of special exception uses have become permitted or limited uses. This change most often is a result of a policy decision to create more flexible industrial zones or to regulate uses based on size, intensity, and impact rather than a specific use (e.g. Retail/Service is now regulated by size instead of specific use). The special exception uses that have become permitted or limited for land the I-2 zone are:

- Transitory Use

### Removed Uses

In converting the I-2 zone to IH, a number of uses have been removed from land in these zones. The uses that have been removed from the I-2 zone are:

- Community Garden (I-2 permits Agricultural Uses)
- Urban Farming (I-2 permits Agricultural Uses)
- Restaurant (I-2 permits cafeteria for employees as accessory use)
- Office (I-2 just allows accessory office related to principal use)
- Recreation and Entertainment, Major (capacity over 1,000)

Railroad yards or roundhouses (P) and Stockyards (SE), which are currently allowed uses in the I-2 zone, have been removed from the zoning ordinance.

### Use Changes for Zones Translating to IH Zone

	IH Zone	I-2	Notes
<b>Acreage Converting to IH and % of total zone acreage</b>	--	755.82 acres (100 %)	--
<b>AGRICULTURAL</b>			
Agricultural Processing	P	P	I-2 permits sawmills
Community Garden		P	I-2 permits agricultural uses; not appropriate for this zone
Urban Farming		P	I-2 permits agricultural uses; not appropriate for this zone
<b>ACCESSORY AGRICULTURAL USES</b>			
Animal Husbandry	L	P	I-2 permits agricultural uses; not appropriate for this zone
<b>COMMERCIAL</b>			
Telecommunications Tower	L	P	Limited use standards regarding max height and min setbacks
<b>EATING AND DRINKING</b>			
Restaurant		P	I-2 permits a cafeteria as an accessory use for employees
<b>FUNERAL AND INTERMENT SERVICES</b>			
Crematory Services	C		New use, appropriate for this zone
<b>OFFICE AND PROFESSIONAL</b>			
Office		P	I-2 allows general office for business related to the principal use; just an accessory use
<b>PARKING</b>			
Structured Parking		P	I-2 permits parking of motor vehicle off-street in connection with any use permitted, with no distinction between lot and garage
Surface Parking for Use Allowed in the Zone	L	P	Limited use standards require parking setbacks to accommodate landscaping
<b>RECREATION AND ENTERTAINMENT</b>			
Adult Entertainment	L	P	Limited use standards incorporate the requirements of Sec. A-6.16
Recreation and Entertainment Facility, Indoor (Capacity up to 1,000)	C	P and SE	I-2 permits recreational facilities for the use of employees and allows commercial recreation or entertainment establishment as a special exception
Recreation and Entertainment Facility, Outdoor (Capacity up to 1,000)	C	P and SE	I-2 permits recreational facilities for the use of employees and allows commercial recreation or entertainment establishment as a special exception
Recreation and Entertainment Facility, Major (Capacity over 1,000)		SE	I-2 allows commercial recreation or entertainment establishment as a special exception
<b>RETAIL SALES AND SERVICE</b>			
Retail/ Service Establishment (Up to 5,000 SF)	P	P	- I-2 permits building material and supply and consignment shop is grandfathered; this would be expanding the use to any retail/service but limit the size
Retail/ Service Establishment (5,001 - 15,000 SF)	L	P	- I-2 permits building material and supply and consignment shop is grandfathered; this would be expanding the use to include computer programming and software sales and service and wholesale trades limited to sale or rental of products intended for industrial or commercial users
Retail/ Service Establishment (15,001 - 50,000 SF)	L	P	- I-2 permits building material and supply and consignment shop is grandfathered; this would be expanding the use to include computer programming and software sales and service and wholesale trades limited to sale or rental of products intended for industrial or commercial users

	IH Zone	I-2	Notes
<b>Acreage Converting to IH and % of total zone acreage</b>	--	755.82 acres (100 %)	--
Retail/ Service Establishment (50,001 - 85,000 SF)	L	P	- I-2 permits building material and supply and consignment shop is grandfathered; this would be expanding the use to include computer programming and software sales and service and wholesale trades limited to sale or rental of products intended for industrial or commercial users
Retail/ Service Establishment (85,001 - 120,000 SF)	L	P	- I-2 permits building material and supply and consignment shop is grandfathered; this would be expanding the use to include computer programming and software sales and service and wholesale trades limited to sale or rental of products intended for industrial or commercial users
Retail/ Service Establishment (120,001 SF and Over)	L	P	- I-2 permits building material and supply and consignment shop is grandfathered; this would be expanding the use to include computer programming and software sales and service and wholesale trades limited to sale or rental of products intended for industrial or commercial users
<b>VEHICLE/EQUIPMENT SALES AND RENTAL</b>			
Heavy Vehicle Sales and Rental	P		Appropriate use for the zone
<b>VEHICLE SERVICE</b>			
Car Wash	L		Limited use standards incorporate current special exception standards in Sec. G-2.11.1
Filling Station		SE	Grandfathered in I-2
Repair (Commercial Vehicle)	P		Appropriate use for the zone
Repair (Major)	P		Appropriate use for the zone
Repair (Minor)	P		Appropriate use for the zone
<b>ACCESSORY COMMERCIAL USES</b>			
Antenna on Existing Structure	L	P	Limited use standards incorporate current standards under Sec. A-6.12 and Sec. A-6.14
<b>TEMPORARY COMMERCIAL USES</b>			
Construction Administration or Sales Office	L	P	The current code defines Construction Administration or Sales Office as an accessory use (accessory uses are a permitted use); the proposed code pulls it out in the use table for clarity; Incorporates current standards under Sec. A-6.11
Transitory Use	L	P/SE	Limited use standards incorporate current standards from Sec. A-6.13
<b>INDUSTRIAL</b>			
<b>MANUFACTURING AND PRODUCTION</b>			
Heavy Manufacturing and Production	P	P and SE	In I-2 only a fertilizer mixing plant is a special exception; all other heavy manufacturing is permitted
<b>TRANSPORTATION</b>			
Bus, Rail Terminal/Station	P		
<b>WAREHOUSE</b>			
Freight Movement	P		Appropriate use for the zone
Hazardous Material Storage	C		Appropriate use for the zone
<b>MISCELLANEOUS</b>			
Noncommercial Kennel			
Solar Collection System	L		This is a new use in the use table; in the existing zones it can be done under the use Accessory Buildings and Uses

Uses Removed from the Ordinance

I-2: Railroad yards or roundhouses; Stockyards