

C8-18-01 PROPOSED TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE

Background: Since the adoption of the Unified Development Code (UDC) in October 2012, staff has continued to review the document, and in so doing, has come across minor corrections that are needed.

Given the scale of the LUC Simplification Project, City staff anticipated having to process “clean up” amendments. During the adoption of the UDC the Mayor and Council was informed that corrections would come forth periodically.

Below is a list of 2018 UDC correctional text amendments. These changes reflect omissions and oversights in the transfer of LUC provisions into the UDC. The text issues were typically found while staff or customers were using the UDC to obtain zoning information.

1. Revise Accessory Land Uses for Commercial Services in C-2
2. Clarify Child Care with Extended Hours Use
3. Clarify Group Dwelling Parking Regulations
4. Revise Protective Services Land Use Classification

Accordingly, the following is the proposed amendments to the Unified Development Code. Changes are shown with ~~strikethroughs~~ and underscores for ease of spotting.

#1 Revise Accessory Land Uses or Commercial Services in C-2

Summary: Revises the language in the UDC related to industrial uses as allowed accessory uses in the C-2 zone to reflect what was regulated in the LUC.

Affected Sections: 4.8.6

Proposed Amendment:

**UNIFIED DEVELOPMENT CODE
ARTICLE 4. ZONES
SECTION 4.8. USE TABLES**

4.8.6. PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

| TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES P = Permitted Use S = Permitted as Special Exception Use [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSO Special Exception Procedure, Section 3.4.2 | | | | | | |
|---|-----|----------|-----|-------|-------|---|
| LAND USE | C-1 | C-2 | C-3 | OCR-1 | OCR-2 | USE SPECIFIC STANDARDS |
| Agricultural Land Use Group With Land Use Class/Type: | | | | | | |
| *** | | | | | | |
| Commercial Services Land Use Group With Land Use Class/Type: | | | | | | |
| *** | | | | | | |
| Additional Permitted Accessory Uses | | | | | | |
| The following uses are permitted accessory uses to any permitted Commercial Services Uses: <ul style="list-style-type: none"> • General Manufacturing; • Heavy Equipment Manufacturing; • Perishable Goods Manufacturing (limited to baked goods and confectionary products); • Precision Manufacturing; or | | <u>P</u> | P | P | P | C-2, C-3: 4.9.5.C.9 OCR-1: 4.9.5.C.9 |

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|---|---|---|---|---|---|-------------------------------|
| • Primary Manufacturing | | | | | | |
| The following are permitted accessory uses to any permitted Commercial Uses: • General Manufacturing; • Heavy Equipment Manufacturing; or, • Perishable Goods Manufacturing (limited to baked goods and confectionary products manufacturing only) | | | | | P | OCR-2: 4.9.5.C.9 |
| Perishable Goods Manufacturing as an accessory use to any permitted Commercial Services use | P | | | | | C-1: 4.9.5.E.4, .5, & .8 |
| Salvaging and Recycling as an accessory use to any permitted Commercial Services use | P | P | P | P | P | C-1, C-2, C-3: 4.9.5.G.1 & .3 |

#2 Clarify Child Care with Extended Hours Use

Summary: Corrects an error to allow for Child Care with Extended Hours in R-3 and not MH-1. This reflects what was previously required in the LUC.

Affected Section: Section 4.8.4

Proposed Amendment:

**UNIFIED DEVELOPMENT CODE
ARTICLE 4. ZONES
SECTION 4.8. USE TABLES**

4.8.4. PERMITTED USES: URBAN RESIDENTIAL ZONES

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| <p>TABLE 4.8-2: PERMITTED USES - URBAN RESIDENTIAL ZONES P = Permitted Use S = Permitted as Special Exception Use [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2</p> |
|---|

| LAND USE | R-1 | R-2 | R-3 | MH-1 | MH-2 | USE SPECIFIC STANDARDS |
|--|-------|-------|--------------|------------------|------|---|
| Agricultural Land Use Group With Land Use Class/Type: | | | | | | |
| *** | | | | | | |
| Commercial Services Land Use Group | | | | | | |
| *** | | | | | | |
| Day Care: | | | | | | |
| Adult Care | P | P | P | P | | R-1, R-2, MH-1: 4.9.4.B.1 R-3: 4.9.4.B.2 |
| Child Care, maximum 30 children | P | P | | | | R-1, R-2: 4.9.4.H.1-5, .6.a & .7.d. |
| Child Care, maximum 100 children | | | P | | | R-3: 4.9.4.H.1-5, .6.b, & .7.e |
| Child Care, unlimited number of children | S [2] | S [2] | S [2] | S [2] | | R-1, R-2: 4.9.4.H.1-5, .6.c, 7.f, & .8 R-3: 4.9.4.H.1-5, .6.c, 7.g, & .8 |
| Child Care with extended hours (before 6:00 am or after 7:00 pm) | S [2] | S [2] | <u>S [2]</u> | S [2] | | R-1, R-2, R-3: 4.9.4.H.1, .2, .8, & .9 |

#3 Clarify Group Dwelling Parking Regulations

Summary: Clarifies language in Section 4.9.7.B.7 to clearly reflect the intent of the regulation related to group dwelling parking requirements.

Affected Sections: Section 4.9.7.B.7

Proposed Amendment:

**UNIFIED DEVELOPMENT CODE
ARTICLE 4. ZONES
SECTION 4.9. USE SPECIFIC STANDARDS**

4.9.7. RESIDENTIAL USE GROUP

B. Family Dwelling

7. For any new single-family dwelling in the R-1 zone with five bedrooms, three parking spaces are required. For every bedroom over five, one additional space is required for each bedroom. For all single-family dwellings in the R-1 zone with five or more bedrooms, and for all lots containing two or more single-family dwellings, with the second dwelling having more than one bedroom, all parking spaces must be located on-site, either in a side or rear perimeter yard. Parking spaces may not be located in a vehicular use area in any front street perimeter yard. A parking area is not required to be developed to a commercial standard. A dustproof parking surface is required to at least a minimum of two inches of compacted pea gravel. An existing covered residential parking area may be used.

#4 Revise Protective Services Land Use Classification

Summary: Add its own row for protective services in the Rural and Suburban Residential Zones permitted use table and adds protective services in the Industrial Zones permitted use table, to reflect what was required in the LUC.

Affected Sections: Sections 4.8.3 and 4.8.7

Proposed Amendment:

**UNIFIED DEVELOPMENT CODE
ARTICLE 4. ZONES
SECTION 4.8. USE TABLES**

4.8.3. PERMITTED USES: RURAL AND SUBURBAN RESIDENTIAL ZONES

| TABLE 4.8-1: PERMITTED USES - RURAL AND SUBURBAN RESIDENTIAL ZONES P = Permitted Use S = Permitted as Special Exception Use [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSO Special Exception Procedure, Section 3.4.2 | | | | | | |
|---|----|----|----|------|------|------------------------|
| LAND USE | RH | SR | SH | RX-1 | RX-2 | USE SPECIFIC STANDARDS |
| Agricultural Land Use Group With Land Use Class/Type: | | | | | | |
| *** | | | | | | |
| Civic Land Use Group With Land Use Class/Type: | | | | | | |
| *** | | | | | | |

| | | | | | | |
|--|--|---|---|---|---|--------------------------|
| —Protective Service (government owned and operated only) | | P | P | P | P | SH, RX-1, RX-2: 4.9.13.F |
|--|--|---|---|---|---|--------------------------|

4.8.7. PERMITTED USES: INDUSTRIAL ZONES

| TABLE 4.8-5: PERMITTED USES - INDUSTRIAL ZONES* P = Permitted Use S = Permitted as Special Exception Use [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2 *Any Land Use Class not permitted or a Special Exception Use in any other zone, or permitted in the I-2 zone, may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use. | | | | |
|---|----------|----------|----------|------------------------|
| LAND USE | P-I | I-1 | I-2 | USE SPECIFIC STANDARDS |
| Agricultural Land Use Group With Land Use Class/Type: | | | * | |
| *** | | | | |
| Civic Land Use Group With Land Use Class/Type: | | | * | |
| *** | | | | |
| <u>Protective Service (government owned and operated only)</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
