



AGENDA
PLANNING COMMISSION
 Tuesday, April 19, 2016 – 5:00 p.m.
City Council Chambers
 125 East Avenue B, Hutchinson, Kansas

1. ROLL CALL

- | | | |
|--|---|-----------------------------------|
| <input type="checkbox"/> Macklin | <input type="checkbox"/> Woleslagel | <input type="checkbox"/> Bisbee |
| <input type="checkbox"/> Hamilton (Vice Chair) | <input type="checkbox"/> Peirce (Chair) | <input type="checkbox"/> Obermite |
| <input type="checkbox"/> Carr | <input type="checkbox"/> Hornbeck | <input type="checkbox"/> Peterson |

2. APPROVAL OF MINUTES – Meeting of April 5, 2016.

3. CORRESPONDENCE & STAFF REPORTS – Motion to accept documents into the official record.

4. NEW BUSINESS

None.

5. PUBLIC HEARINGS

- a. **16-ZA-04: Zoning Amendment for 302 E 30th Ave, 322 E 30th Ave, 324 E 30th Ave, and 3009 N Elm St.**
 Petition for rezone of four properties from C-2 Neighborhood Commercial District to C-3 Outdoor Commercial District, submitted by Doug Malone & Josie Thompson (J.P. Weigand & Sons, Inc.)
(Staff Representative: Casey Jones, Senior Planner)

6. UPCOMING CASES

- a. Preliminary Plat and Final Plat - Meadowlake Reserve Area Division – On hold
- b. 16-ZA-05, 1024 N Hendricks St – Rezone from R-4 to P/I for a fire station reconstruction [May 3, 2016]

7. CITY COUNCIL UPDATE

8. STUDY SESSION

- a. Zoning Regulations for Accessory Structures

9. OPEN COMMENTS FROM THE AUDIENCE (Please limit comments to five minutes.)

10. ADJOURNMENT

Staff Contacts:	Jana McCarron	620-694-2681	Casey Jones	620-694-2667
	Amy Denker	620-694-2638	Stephanie Stewart	620-694-2635
	Charlene Mosier	620-694-2639		

Item 2.

MINUTES
CITY PLANNING COMMISSION
TUESDAY, APRIL 5, 2016 – 5:00 p.m.
CITY COUNCIL CHAMBERS
125 EAST AVENUE B

1. The Planning Commission meeting was called to order with the following members present: Terry Bisbee, Harley Macklin, Janet Hamilton, Todd Carr, Tom Hornbeck, Mark Woleslagel, Robert Obermite, and Ken Peirce. Darryl Peterson was absent. Staff present were Casey Jones, Senior Planner; and Charlene Mosier, Planning Technician.

2. APPROVAL OF MINUTES

The minutes of the March 15, 2016, meeting were approved on a motion by Bisbee, seconded by Macklin, passed unanimously.

3. CORRESPONDENCE & STAFF REPORTS

The documents and staff reports were accepted into the official record on a motion by Bisbee and approved unanimously by acclamation.

4. NEW BUSINESS

- 4a. 16-SD-04 and 16-SV-01: North Pointe Subdivision
Preliminary Plat, Final Plat, Subdivision Variance
2803 N. Lorraine St. and 1225 E. 30th Ave.

Peirce asked the applicant for a presentation. Jim Strawn, 507 N. Whiteside, said he has invested in landscaping, drainage, and building designs and does not want the project to be placed on hold because of a waterline flow request from the Fire Department. They are asking for a water flow of 5500 to 6500 gallons per minute for two hydrants. The local architect does not do these calculations and Strawn said he gave this request to the Wichita architect. Strawn said he will install whatever is needed for the waterline. The lots along 30th Ave. are deep lots and the land behind them is difficult to develop because of vehicle and utility access to this area. He asked that the cases be heard tonight so he could keep the project moving.

Casey Jones, Senior Planner, said the Fire Chief has asked for a report from a licensed engineer confirming the proposed water line meets the capacity required. The water line could impact the design of the preliminary plat and the requirements for the conditional use permit, which is why Staff recommends tabling North Pointe preliminary plat, final plat and the subdivision variance until the applicant has provided the information and revised the plats. The conditional use permit cannot be heard by the City Council until we have all the required water line information.

Carr asked when the calculations would be completed. Strawn said the report should be completed within two weeks. Hornbeck said if the waterlines only affect Strawn's property and no other properties, he would feel better about considering the cases.

Peirce suggested hearing the cases today and including the water flow request as a condition. He asked for the staff report.

Jones reviewed the staff report for the case. James Strawn is requesting approval of the preliminary plat and final plat for North Pointe, which consists of two tracts of land at 2803 N. Lorraine St. (North Pointe Center) and 1225 E. 30th Ave. (Fast Lane Car Wash). The tracts will be reconfigured into three lots totaling 5.355 acres. The car wash will be on Lot 1, the proposed self-storage facility will be on Lot 2, and North Pointe Center will be on Lot 3. The applicant has submitted conditional use permit application 16-CUP-02 for the proposed self-storage facility, which is contingent upon approval of the North Pointe plats. According to the Hutchinson Zoning Regulations, the property is required to be platted prior to any new construction. The property is zoned C-4.

Jones said the parking spaces for the mini storage use need to be on the same lot as the mini storage, and the applicant has provided a parking easement on the north side of Lot 2. The existing storage shed needs to be removed or reset. On the preliminary and final plats, separate easements for utilities and drainage need to be provided on Lots 2 and 3. A note on the plat will need to state the date of the variance approval if the variance is granted.

The applicant is also requesting a variance from the Hutchinson Subdivision Regulations, Sec. 9-619 Underground Utilities, which requires all existing overhead utilities to be moved underground in any new subdivision. There are overhead electric lines crossing Lot 1 and Lot 3, and the applicant requests a variance so these lines can remain in place.

Jones showed maps of the property and photos of North Pointe Center, the overhead utility lines along Lorraine St. and over the access drive off of 30th Ave. Staff is not recommending approval of the subdivision variance for the overhead electric lines. All new powerlines are required to be placed underground. The spirit and intent of the regulation is for powerlines to be located underground wherever feasible. However, this property poses a unique situation due to the aboveground lines that continue north and south of the subdivision along Lorraine St. and east and west of the subdivision on both sides of Lot 1. Moving the electrical lines will also represent additional cost to the owner.

It was noted that other properties in this area are also not platted and have above ground utilities.

Hornbeck said if we continue to do variances for above ground utilities, they will never get closer to meeting the new requirements of utilities be located underground. Peirce commented that digging up the concrete to move the electric lines is more difficult than digging dirt on undeveloped property.

There were no comments from the audience. Peirce asked for a motion on the variance request.

A motion was made by Bisbee, seconded by Macklin to approve variance 16-SV-01 for the North Pointe Addition at 2803 N. Lorraine St. and 1225 E. 30th Ave. The variance is from the requirements of the Hutchinson Subdivision Regulations, Sec. 9-619 Underground Utilities, which require overhead utilities to be removed and reinstalled underground. The Planning Commission made the following findings:

- 1. The granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property or improvements in the neighborhood where the subdivision is located.**
- 2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought, and are not generally applicable to other property in the vicinity.**
- 3. Because of the particular physical surroundings, shape or topographical conditions of the subdivision property, an extraordinary hardship to the owner would result, as distinguished from a mere inconvenience, if the standards of the Subdivision Regulations were applied.**
- 4. The variance will not in any manner cause the need for variances of the zoning regulations, comprehensive plan, official street classification map or other adopted plan or regulation of the City.**

The motion passed with the following vote: Yes - Woleslagel, Hamilton, Obermite, Carr, Hornbeck, Bisbee, Macklin, Peirce.

Peirce asked for a motion on the Preliminary Plat.

Motion by Macklin, seconded by Bisbee to approve the preliminary plat for the North Pointe Addition subject to the provision of an approved waterline calculation and the following revisions:

- 1. Label the “30th Avenue right-of-way line” where it abuts Lot 1.**
- 2. Correct the spelling of “Alpha” at the found ½” rebar at the SW corner of the property.**
- 3. On the east side of Lot 2, provide a separate 10-foot utility easement and a separate 10-foot drainage easement running North to South. The utility easement shall be extended to the North to connect to the proposed utility easement running East to West.**
- 4. The shed on Lot 2 is located in an easement and it crosses a lot line. Add a note indicating that the shed will be removed from the property or moved to an approved location.**

The motion passed with the following vote: Yes - Woleslagel, Hamilton, Obermite, Carr, Hornbeck, Bisbee, Macklin, Peirce.

Peirce asked for a motion on the Final Plat.

Motion by Carr, seconded by Bisbee to recommend to the City Council approval of the final plat for the North Pointe Addition subject to all conditions of the preliminary plat, waterline calculation approval, and the following revisions:

- 1. Add a note referencing the approved subdivision variance, including the nature of the subdivision variance, the date the subdivision variance was granted (4/5/2016), and the case number (16-SV-01).**
- 2. Label the “30th Avenue right-of-way line” where it abuts Lot 1.**
- 3. On the east side of Lot 2, provide a separate 10-foot utility easement and a separate 10-foot drainage easement running North to South. The utility easement shall be extended to the North to connect to the proposed utility easement running East to West.**

The motion passed with the following vote: Yes - Woleslagel, Hamilton, Obermite, Carr, Hornbeck, Bisbee, Macklin, Peirce.

5. PUBLIC HEARINGS

- 5a. 16-CUP-02 Request for a conditional use permit to establish a climate-controlled self-storage facility on property at 2803 N. Lorraine St. in the C-4 Special Commercial District.

Peirce asked if there were any outside contacts or conflicts of interest; there were none.

Jones reviewed the staff report for the case. The applicant, James Strawn, is requesting a conditional use permit to construct a self-storage facility on property located at 2803 N. Lorraine St. This property is zoned C-4 Special Commercial District. According to Sec. 27-406 of the Hutchinson Zoning Regulations, self-storage facilities require a conditional use permit in the C-4 District. Approval of this conditional use permit will be contingent on approval and recording of the final plat.

The applicant proposes to construct three freestanding self-storage buildings that would be ten feet in height. Two of the buildings would be 40' x 200'. The third building would be 100' x 200'. The facility would be accessible from 30th Ave. or Lorraine St. across private property that is also owned by the applicant. An access easement to 30th Ave. will be dedicated on the final plat and will provide a legal means of access to the property in the future in the event of a change in ownership. Driveways around the buildings will be paved with concrete. A 5' landscape buffer with juniper trees and a 35' drainage easement containing grass would be provided along the South property line, where the property abuts the rear yards of several houses. A 15' drainage easement containing a 7' grass strip would be provided along the East property line, the side facing Lorraine St. A 6' fence would be installed around the perimeter of the facility, with chain link on the North, South, and West, and wrought iron on the East.

A public hearing notice was published in *The Hutchinson News* on February 22, 2016. Public hearing notices were sent to 28 owners of the 29 parcels located within 200 feet of the subject property. One comment was received from Holly and Greg Horning, 1300 E 28th Ave., who have concerns about fencing for privacy, exterior lighting, and hours of operation. The Development Review Committee meeting was held March 8, 2016 and the Committee's comments were included in the packet.

Jones reviewed the analysis of the factors the Planning Commission must consider when making a recommendation

Staff recommends approval of this request contingent upon the applicant providing the City with sufficient evidence, as determined by the Fire Chief and City Engineer, that adequate fire flow to the facility can be provided.

Required conditions:

1. This conditional use permit shall only be used for construction of a self-storage facility on the property at 2803 North Lorraine Street;
2. Approval of this conditional use permit is contingent upon approval and recording of a final plat for the property.
3. A building permit shall be obtained prior to any construction;
4. An approved drainage study is required prior to issuance of a building permit;
5. The parcel shall be developed in accordance with the approved site plan, landscape plan, and architectural elevation drawings;
6. All driveways and parking spaces shall be paved with concrete or asphalt;
7. Rooftop and ground mounted mechanical equipment shall be screened from public view with a compatible architectural treatment, such as metal panels, stucco panels, a parapet wall, or similar treatment, as required by Section 27-908.E.8. of the Hutchinson City Code;
8. Exterior lighting must be shaded from adjacent residential properties as required by Section 27-909 of the Hutchinson City Code;
9. A sign permit shall be obtained prior to installation of any signs;
10. A certificate of occupancy shall be obtained prior to using each building. All site improvements, including landscaping, shall be installed prior to the issuance of a final certificate of occupancy.

Staff recommended condition:

1. Hours of operation shall be limited to the hours between 6:00 a.m. and 11:00 p.m.

Peirce asked the applicant for his presentation.

Jim Strawn said the proposed climate-controlled storage facility will be fenced, gated, have paved parking, landscaping, and minimal lighting. The interior is heated and cooled and will be ideal for storing vehicles, antiques or pharmaceuticals. The location is close to the hospital and clinics to use for this type of storage. He plans to construct the first building and when that one fills he will do the next buildings. The fence will be 6' chain link because the adjacent neighbors already have 6' privacy fences and trees will be located on the south

side. Signage will be placed along Lorraine. Strawn said he needs the restriction on hours of operation to be removed and allow for access 24 hours a day. He said no other storage facilities in Hutchinson have hours of operation restrictions. The gates will have codes for access and there will be security cameras. Based on the card codes, it will be possible to know who has accessed the property. The hallways of the facility will be illuminated. Most people will access the building between 8:00 a.m. and 8:00 p.m.; however, he asked that no restrictions be placed on hours of operation.

Strawn said he might decide to construct one large storage building instead of the two small buildings shown on the site plan.

The question was asked if another conditional use permit would be required if only one of the buildings was constructed and later a second building was constructed rather than two smaller buildings. Jones said that would not be considered a significant enough change to the site plan to require another conditional use permit.

The consensus of the commission was not to regulate the hours of operation.

There were no comments from the audience. Peirce asked for a motion.

Motion by Carr, seconded by Bisbee to recommend to the City Council approval of this request for a conditional use permit for a self-storage facility at 2803 North Lorraine St. based upon due consideration of the following factors and conditions:

Factors

- 1. Character of the neighborhood;**
- 2. Zoning and uses of nearby property;**
- 3. Suitability of the property for the proposed zoning classification and use;**
- 4. Impacts on nearby properties;**
- 5. Length of time the property has remained vacant;**
- 6. Relative gain to the public health, safety, and welfare, as compared with the hardship to the land owner if the application were denied;**
- 7. Availability of public utilities to serve the development;**
- 8. Conformance to the Comprehensive Plan; and**
- 9. Recommendations of the professional staff.**

Conditions

- 1. This conditional use permit shall only be used for construction of a self-storage facility on the property at 2803 North Lorraine Street;**
- 2. Approval of this conditional use permit is contingent upon approval and recording of a final plat for the property.**
- 3. A building permit shall be obtained prior to any construction;**
- 4. An approved drainage study is required prior to issuance of a building permit;**
- 5. The parcel shall be developed in accordance with the approved site plan, landscape plan, and architectural elevation drawings; changes to the site plan shall be subject to administrative site plan review and approval;**

6. All driveways and parking spaces shall be paved with concrete or asphalt;
7. Rooftop and ground mounted mechanical equipment shall be screened from public view with a compatible architectural treatment, such as metal panels, stucco panels, a parapet wall, or similar treatment, as required by Section 27-908.E.8. of the Hutchinson City Code;
8. Exterior lighting must be shaded from adjacent residential properties as required by Section 27-909 of the Hutchinson City Code;
9. A sign permit shall be obtained prior to installation of any signs;
10. A certificate of occupancy shall be obtained prior to using each building. All site improvements, including landscaping, shall be installed prior to the issuance of a final certificate of occupancy.
11. The self-storage facility shall not be subject to limitations on hours of operation.

The motion passed with the following vote: Yes – Macklin, Woleslagel, Hamilton, Obermite, Hornbeck, Bisbee, Carr, Peirce.

6. UPCOMING CASES

- 6a. Preliminary Plat and Final Plat – Meadowlake Reserve Area Division.
On hold.
- 6b. Zoning Amendment C-2 to C-3 (302-324 E. 30th Ave. and 3009 N. Elm St.)
April 19, 2016.

7. CITY COUNCIL UPDATE

- 7a. 16-ZA-03 Jones said the City Council approved the rezoning request for the NW Corner of E. Bigger St. and Elm St. from R-4 to P/I at the City Council meeting today.

8. OPEN COMMENTS FROM THE AUDIENCE – None.

9. ADJOURNMENT – The meeting adjourned at 6:10 p.m.

Respectfully Submitted,
Charlene Mosier, Planning Technician

Approved this _____ day of _____

Attest: _____



Planning Commission
Staff Report

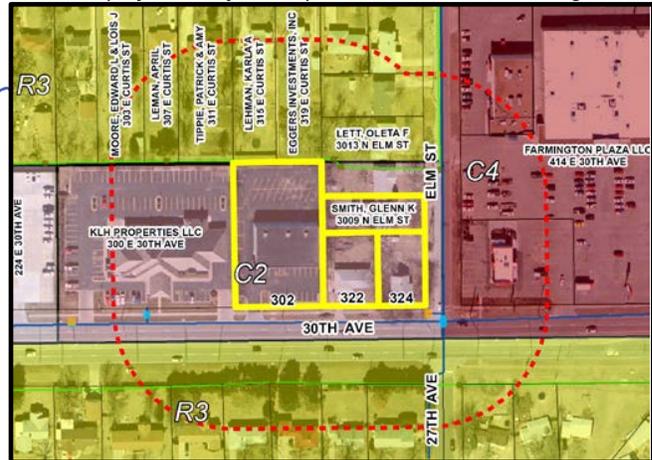
Public Hearing: 4/19/2016

April 13, 2016

TO: Hutchinson Planning Commission
FROM: Casey A. Jones, AICP, CFM, Sr. Planner *CJ*
SUBJECT: 16-ZA-04, request to rezone the following properties from C-2 to C-3:

302 E 30th Ave
322 E 30th Ave
324 E 30th Ave
3009 N Elm St

Map of the Subject Properties with Current Zoning



OWNER/APPLICANT: Glenn K. Smith and
Westbrook Baptist Church of Hutchinson

REPRESENTATIVES: Doug Malone and Josie Thompson, J.P. Weigand & Sons, Inc.

REQUEST:

The applicant has submitted a request to the City to change the zoning designation of the four parcels of property listed above from *C-2 Neighborhood Commercial District* to *C-3 Outdoor Commercial District*. The four parcels have a combined size of 63,445 square feet, or 1.456 acres.

The parcel at **302 E 30th Ave** contains a commercial building that was constructed in 1998 and was originally used as an auto parts store. In 2000, the building was remodeled to create several offices inside. In 2005, the building was purchased by Westbrook Baptist Church and was converted to a religious assembly use. The church has since moved out of the building, and it has been vacant for more than one year. The applicant proposes to lease this property to a party that would operate a tire sales and installation business in the existing building. In the C-2 District, tire sales is permitted, but motor vehicle repair work or installation of vehicle parts is not permitted. If this property were rezoned to C-3, vehicle repair and vehicle parts installation would be permitted as a conditional use, and the applicant would need to submit a conditional use permit application.

The parcels at **322 E 30th Ave**, **324 E 30th Ave**, and **3009 N Elm St** are developed with single family dwellings. The existing dwellings are nonconforming, as single family dwellings require a conditional use permit in the C-2 District, and the existing dwellings do not have conditional use permits. The applicant has no immediate plans to change the use of these dwellings or redevelop these three parcels. In the future, the applicant may choose to develop these properties or sell them for commercial use.

STAFF RECOMMENDATION: Staff recommends approval of this request.

MOTION: Motion to recommend to the City Council (approval / denial) of this request to rezone the properties commonly known as 302 E 30th Ave, 322 E 30th Ave, 324 E 30th Ave, and 3009 N Elm St, and legally described as Lot 12 and Lot 13, except the North 57 feet of said Lot 13; Block 1, Farmington Addition, from *C-2 Neighborhood Commercial District* to *C-3 Outdoor Commercial District* based upon due consideration of the following factors:

Factors:

1. Character of the neighborhood;
2. Zoning and uses of nearby property;
3. Suitability of the property for the proposed zoning classification and use;
4. Impacts on nearby properties;
5. Length of time the property has remained vacant;
6. Relative gain to the public health, safety, and welfare, as compared with the hardship to the land owner if the application were denied;
7. Availability of public utilities to serve the development;
8. Conformance to the Comprehensive Plan; and
9. Recommendations of the professional staff.

PUBLIC NOTIFICATION AND COMMENTS:

A public hearing notice was published in the *Hutchinson News* on March 21, 2016. Public hearing notices were mailed to all 22 owners of the 22 parcels located within 200 feet of the subject properties. No comments were received as of the writing of this report.

DEVELOPMENT REVIEW COMMITTEE:

The Development Review Committee met to review this proposal on March 22, 2016. The Committee had no comments or concerns about the proposed zone change.

ANALYSIS:

The following is Staff’s analysis of the factors that the Planning Commission must consider when making its recommendation.

1. Character of the neighborhood.

Met. The immediate neighborhood is characterized by various commercial uses, including a funeral home, a vacant commercial building (former church and auto parts store), professional offices, a restaurant with drive-through service, a shoe store, a fitness club, and two salons. There are also many single family dwellings in the neighborhood. The subject property contains three dwellings and is adjacent to three residential properties. 30th Avenue is an arterial street, and the north side of the street is completely commercial in this area, except for the houses at 322 and 324 E 30th, which are owned by the applicant, Glenn Smith. Elm Street is a local street that provides access to single family dwellings on the West and businesses on the East.

2. Current zoning and uses of nearby property.

Met.

	EXISTING ZONING	LAND USE	OWNER
SITE	C-2 Neighborhood Commercial District	Vacant building (prior church assembly use) and 3 single family dwellings	Westbrook Baptist Church of Hutchinson; Glenn K. Smith
NORTH	R-3 Moderate Density Residential District and C-2 Neighborhood Commercial District	Single family dwellings	Karla A. Lehman; Eggers Investments, Inc.; Randall and Tina Beeghly
SOUTH	R-3 Moderate Density Residential District	Single family dwellings	Sunflower Rental LLC; Jimmy O. and Barbara I. Earnest; Faydean Garcia; Philip C. and Stephanie M. Howe

	EXISTING ZONING	LAND USE	OWNER
EAST	C-4 Special Commercial District	Taco John's restaurant, Brown's Shoe Fit, Genesis Health Club	Twodays Properties LLC, c/o Sterns Bank; Farmington Plaza LLC, c/o Rodney L. Steven II
WEST	C-2 Neighborhood Commercial District	Mortuary/Funeral Home (Hutchinson Funeral Chapel)	KLH Properties LLC

3. Suitability of the property for its current zoning designation and use as compared to the proposed zoning designation and use.

Met. The property's current zoning classification, C-2, does not permit automotive services, such as tire and wheel sales and installation. There are some uses permitted in the C-2 District which would be suitable for the property at 302 E 30th Ave, but the property is currently unoccupied and rezoning to C-3 would facilitate its reuse. The applicant's three single family dwellings on small lots would not lend themselves to commercial development, whether zoned C-2 or C-3, unless they were combined into one larger parcel and completely redeveloped. There is potential for combining all four parcels so that the building at 302 E 30th could be someday expanded. While the C-2 district is an acceptable designation for the property, rezoning to C-3 would make the properties available for more uses and would establish a reasonable transition going East along 30th Avenue from C-2 to C-3 to C-4. Including four properties in the rezoning request would create a small C-3 District and avoid a so-called spot zone.

4. Extent of detrimental effects to nearby properties if the application were approved.

Met. Depending upon the ultimate use of the property, rezoning it to C-3 could have some detrimental impacts on the abutting properties. Some commercial uses in the C-3 District can generate more traffic and noise than uses in the surrounding C-2 and R-3 Districts. The proposed tire installation business, for example, could involve the use of noisy air compressors, tools, and lifts, which could impact nearby residents and businesses. This particular use and some others can be reviewed on a case-by-case basis, and mitigation measures, such as landscape buffering, limiting outdoor activities, and restrictions on hours of operation, can be put in place through the conditional or special use permit approval process. In some cases, mitigation measures can be required through the site plan approval process.

5. Length of time the property has remained vacant.

Partially met. The property at 302 E. 30th Ave. has been vacant for almost two years. The existing zoning designation may be a factor in why the property is not occupied. The three single family dwellings are currently occupied, so the zoning designation is not a hindrance to the occupancy of those properties.

6. Relative gain to the public health, safety, and welfare compared to the hardship imposed upon the landowner if the application were denied.

Health, safety, and welfare: Met. Some of the permitted uses in the C-3 District could bring additional traffic, noise, and lighting to the area. Those uses with the greatest impact, such as a gas station or auto repair shop, require a conditional use permit, and their suitability for this location can be reviewed on a case-by-case basis. Some impacts can be addressed through site plan review and current city ordinances.

Landowner hardship: Partially met. If the application were denied, the proposed tire sales and installation center would not be a possible use for this location, and the owner would have to find a different use for the property. Under the property's current zoning designation, C-2, the building at

302 E 30th could be used for a number of other purposes, such as an office, a retail shop, a restaurant, a reception and event center, or a place of religious assembly. There is a valid concern, however, that the owner may not find be able to find an occupant for this building as it has been vacant for almost two years. In the case of this building, the owner would face a hardship if the application were denied.

In contrast, since the owner has no plans to redevelop the single family dwellings, the applicant would not face a hardship with regard to those three properties.

7. Conformance of this request to the Comprehensive Plan.

Not met. The *Comprehensive Plan 2005-2010* calls for *office* uses on the subject property. While offices are permitted in all commercial districts, the C-1 District is the only district in which restricts commercial uses to offices only. The property's existing zoning, C-2, does not conform to the Comprehensive Plan, since retail shops and restaurants are permitted in the C-2 District. The proposed change from C-2 to C-3 would represent a greater divergence from the Comprehensive Plan.

8. Impact on public facilities and utilities.

Met. The change of zoning will have no foreseeable significant impact on public facilities or utilities.

Streets: No impact. Each parcel has adequate street access.

Sidewalks: A public sidewalk is in place along the north side of 30th Avenue. A sidewalk may be required to be installed on the west side of Elm Street when the two parcels on Elm Street are developed.

Water and sanitary sewer: No impact. Water and sewer lines are already connected to the property. Future development on the three lots where the single family dwellings are currently located may require the provision of a sanitary sewer easement, if one is not already in place, for access to the sanitary sewer mains located to the North of these parcels and on the south side of 30th Avenue.

Drainage: A drainage plan or drainage study is not required at this time since the parcels are already developed. An expansion or redevelopment in the future may prompt the need for a drainage plan or drainage study.

Legal description of the subject property:

Lot 12 and Lot 13, except the North 57 feet of said Lot 13; Block 1, Farmington Addition, a subdivision of the Southeast Quarter of Section 36, Township 22 South, Range 6 West of the 6th P.M., Hutchinson, Reno County, Kansas, according the duly recorded plat thereof.

EXHIBITS:

- A. Zoning Amendment Application
- B. Current Zoning Map
- C. Future Land Use Map
- D. List of Property Owners within 200 Feet
- E. Photos of the Subject Properties
- F. Table of Land Use Categories

CC: Jana McCarron, AICP, Director of Planning and Development
Charlene Mosier, Planning Technician
Stephanie Stewart, Planning Technician

2016 ZONING AMENDMENT APPLICATION



CITY OF HUTCHINSON

CITY OF HUTCHINSON
Planning and Development Department
 125 E Avenue B, Hutchinson, KS 67501
 620-694-2639 phone ~ 620-694-2673 fax

FOR OFFICE USE ONLY

DATE RECEIVED: 3/9/2016 CASE #: 16-ZA-04 FEE PAID (\$210): Pd. Check

PROJECT INFORMATION

Project Address 302 E. 30th, 322 E. 30th, 324 E. 30th, 3009 N. Elm - Hutchinson, KS

Legal Description

Lot 12, Block 1, Farmington Addition to City of Hutchinson (302 E 30th)
Lot 13, except North 57', Block 1 Farmington Addition to City of Hutchinson (322, 324 E 30th + 3009 N Elm)

Applicant Doug Malone/Josie Thompson Company J.P. Weigand & Sons, Inc.
 Mailing Address 1009 N Main Street, Hutchinson, KS
 Phone (316) 208-1018, (620)560-2823 E-Mail dmalone@weigand.com / jthompson@weigand.com

Property Owner Westbrook Baptist Church Glenn K. Smith
 Mailing Address 1410 E. 30th Ave, Hutchinson, KS 67502 6314 RAINIER DR EVERETT, WA 98203-4649
 Phone (620) 727-4882 E-Mail gksjms71@aol.com
rod@crosspointnow.net

Surveyor/Engineer/Architect
 _____ Company _____
 Mailing Address _____
 Phone _____ E-Mail _____

USE AND ZONING INFORMATION

- The property is currently being used for the following purposes:
former church building and residential houses
- I/we request that the zoning designation of the property be changed from C2 to C3.
- The Comprehensive Plan designation for the property is commercial use.
- The proposed use for the property is:
A retail tire store and installation center is proposed to lease 302 E. 30th Avenue. The current
Use for hte other parcels will continue as residential until such time the owner is in a position to
develop it into commercial or sell it for commercial use.



SUBMITTAL REQUIREMENTS

- Completed Zoning Amendment Application.**
- Zoning Amendment Application Fee (\$210.00).**
- A written and signed certification from the Reno County Treasurer's office that all property taxes for the property have been paid.**
- Copy of the deed (available from the Reno County Register of Deeds).**
- Legal description of the parcel.**
- The names and mailing addresses of all property owners located within 200 feet of the boundaries of the parcel. If the parcel is adjacent to the city limits, the above list must also include all the properties located outside the city, but within 1,000 feet of the city limits. Please provide this information in print-out form from the Reno County Appraiser.**
- Other documentation, as required.**

Please note: If the zoning amendment is being requested in order to change the use of a property or to construct a new building, additional applications and approvals will be required. Please contact the Planning and Development Department for more information.

ZONING AMENDMENT STATEMENT

Applicants for zoning amendments must submit a statement justifying how the proposed zoning amendment meets the factors listed in *Sec. 27-1201.B. of the Hutchinson City Code*. The Planning Commission and City Council are required to consider these factors when reaching a decision on a zoning amendment application. The factors are listed below and space is included for applicant responses. Please feel free to attach additional pages and any other supporting documentation, such as photographs, drawings, maps, statistics, legal documents and letters of support.

1. How will the proposed development be in keeping with the character of the neighborhood?

The zoning is already commercial. This slightly higher zone would allow for better utilization of the building.

2. How will the proposed use be consistent with the zoning and uses on nearby parcels?

This change would create a transition zone from C1,2 to the west into C4 in the next block to the East.

3. Why is the property more suited for its proposed zoning than its current zoning?

This transition to C3 allows for a new business to come to town and reuse an existing building. The users are unable to find another suitable existing building in town. Tire installation is not allowed in a C2.

4. Will the proposed zoning have any detrimental effects on nearby properties?

No. The property already has a fence to the residential neighborhood to the north and their houses sit a considerable distance from the property line.

5. How long has the property been vacant prior to filing this application?

18 months or more.



6. What hardships would be faced if this application were denied?

The Seller would lose the sale on the building. The tenant is unable to find another suitable building in town and would not open a business here which would be unfortunate for Hutchinson.

7. Does the proposed zoning designation conform to the Comprehensive Plan? Please explain.

Yes. This area is designated as commercial use for the future. The higher zoning for the corner lots would make them more valuable and has interested the owner in selling. Commercial use for the corner would mean removal of the houses that are in disrepair. Those houses cannot be replaced under the current zoning.

8. Are existing public utilities and facilities adequate to serve the proposed use? List any new public facilities and utilities that will be required.

yes

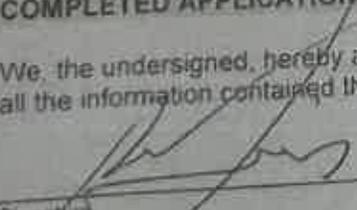
9. Additional comments

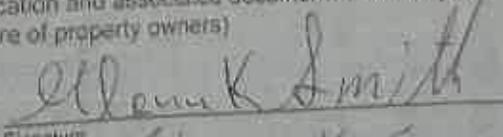
ZONING AMENDMENT APPLICATION PROCESS

1. Submit the Zoning Amendment Application and all required supporting materials to the Planning and Development Department in accordance with the application deadlines on page 4
2. Following receipt of a complete Zoning Amendment Application, planning staff will
 - a. Set date a date for a public hearing before the Planning Commission. The public hearing must be held within 60 days of acceptance of the application
 - b. Notify property owners located within the notification radius of the date, time and place of the hearing. The general public and property owners located within the notification area will be invited to comment upon the application
 - c. Publish a public hearing notice in the Hutchinson News. The notice must be published a minimum of 20 days prior to the public hearing
 - d. Transmit application materials to the Development Review Committee (DRC) for their review, if needed. The DRC will meet to discuss the project. The DRC will provide written comments which will be sent to the applicant. Based upon the comments received, revised plans may be required. Revised plans, once received, will be routed to the DRC for final comment.
3. The Planning Commission will hold a public hearing on the project, typically in accordance with the attached schedule. The Commission provides a recommendation to the City Council. The applicant MUST be present at the public hearing in order for the application to be considered. The application will be tabled if the applicant is not present
4. No sooner than 14 days, nor later than 30 days after the public hearing, the City Council will consider the zoning amendment request. (The Council normally meets at 9 AM on the first and third Tuesday of each month). City Council may only override the Planning Commission's recommendation with a 2/3 majority vote.

UNDER NORMAL CIRCUMSTANCES, A MINIMUM OF 60 DAYS IS REQUIRED FROM SUBMITTAL OF A COMPLETED APPLICATION TO THE FINAL DECISION.

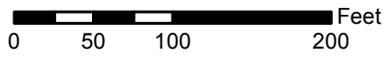
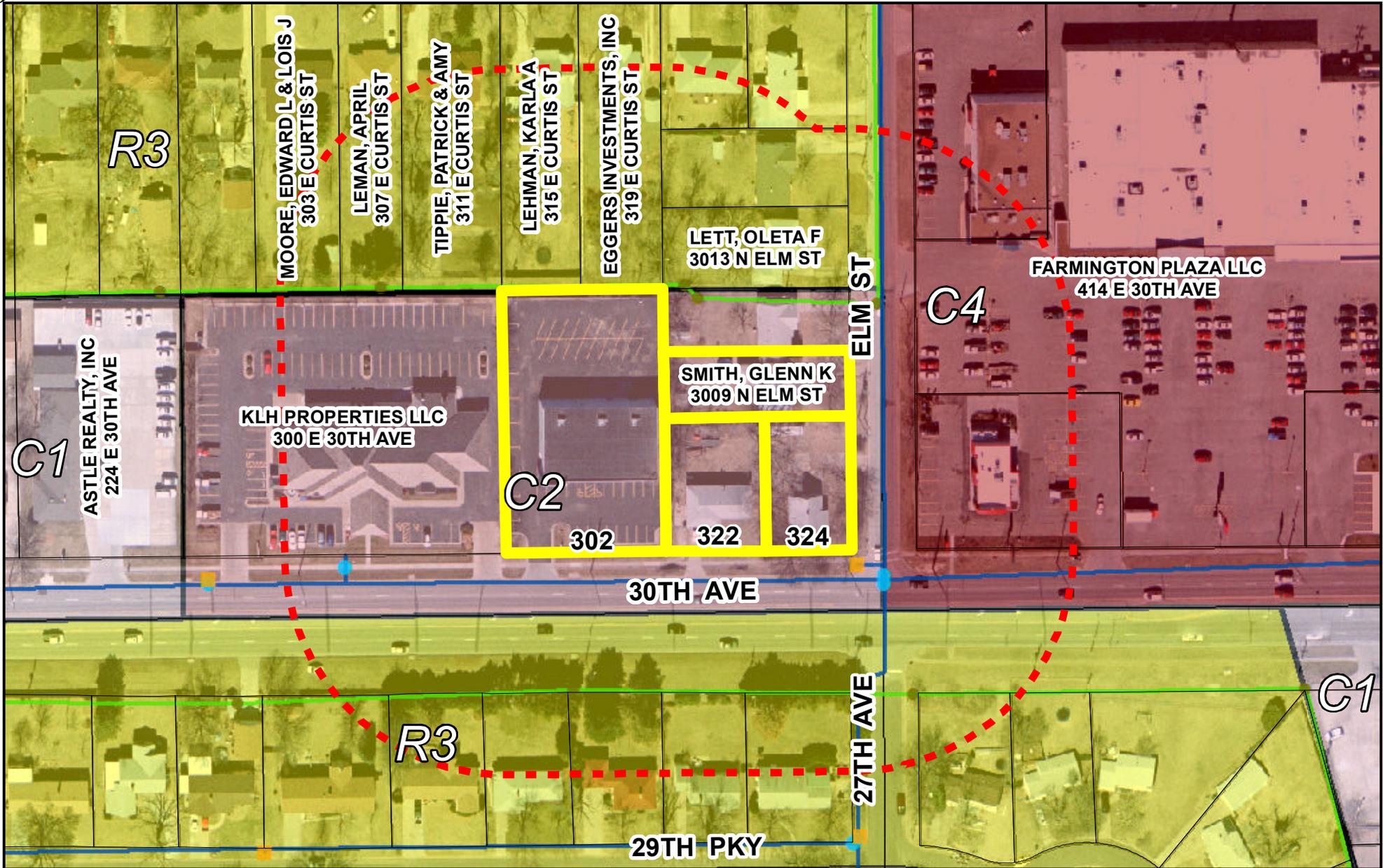
We, the undersigned, hereby authorize the submittal of this application and associated documents and certify that all the information contained therein is true and correct. (Signature of property owners)


Signature
Rod Smith, Executive Pastor
Printed Name


Signature
Glenn K Smith
Printed Name

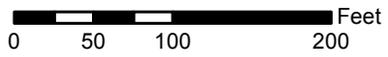
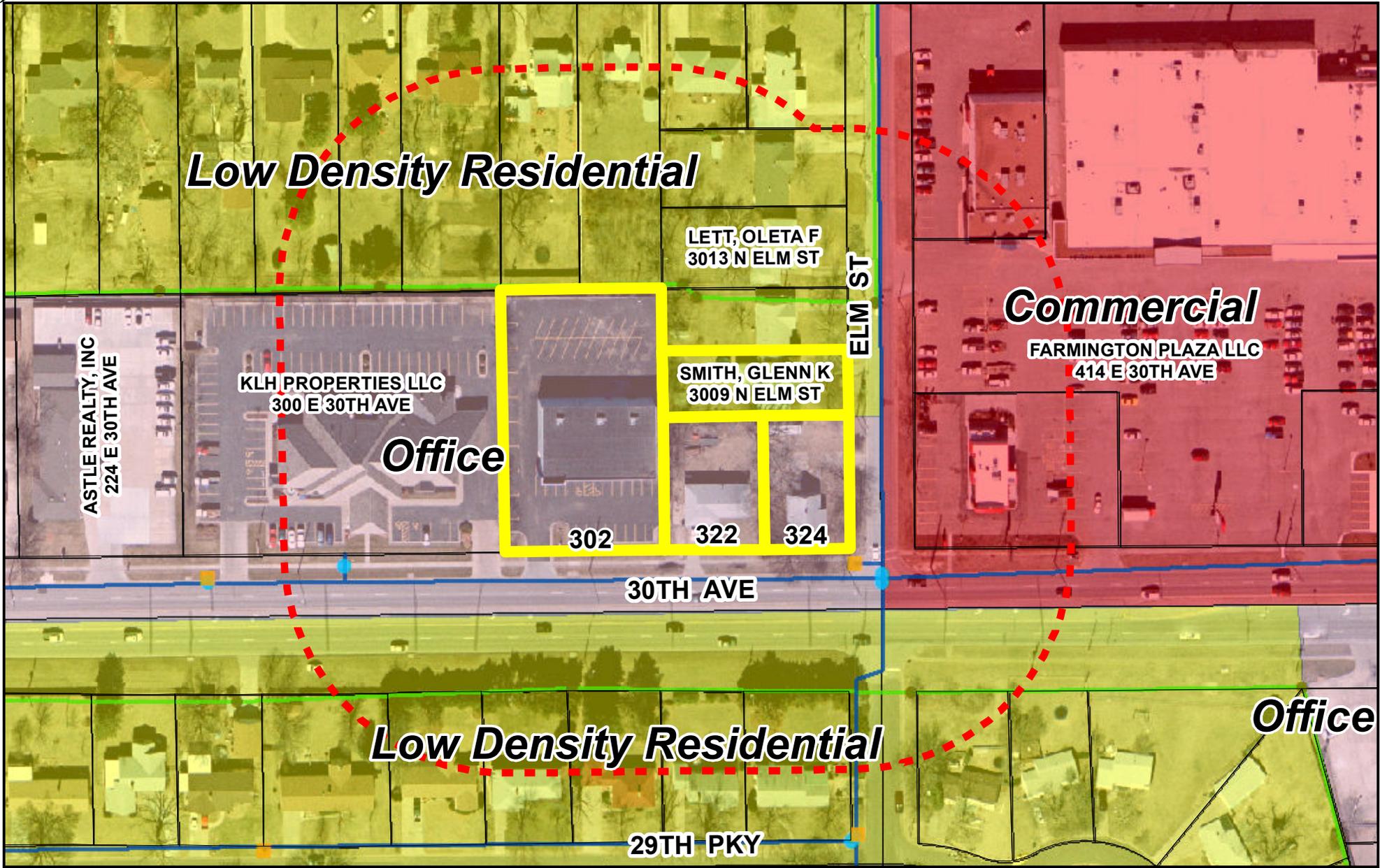
16-ZA-04: Current Zoning Map

Exhibit B



**302, 322 & 324 E. 30th Ave. & 3009 N. Elm St.
Hutchinson, KS**





**302, 322 & 324 E. 30th Ave. & 3009 N. Elm St.
Hutchinson, KS**



16-ZA-04
Property Notification List

Exhibit D

	OWNER OF RECORD	MAILING ADDRESS	CITY	STATE	ZIP	SITE ADDRESS	PARCELID
1	WICKS, DANIEL L	914 E 4TH AVE	HUTCHINSON	KS	67501	3017 N ELM ST	373604015001000
2	HUDDLE, GARRY H & CLARA K	321 CURTIS ST	HUTCHINSON	KS	67502	321 E CURTIS ST	373604015002000
3	EGGERS INVESTMENTS, INC	16 W 4TH AVE STE C	HUTCHINSON	KS	67501	319 E CURTIS ST	373604015003000
4	LEHMAN, KARLA A	315 E CURTIS ST	HUTCHINSON	KS	67502	315 E CURTIS ST	373604015004000
5	TIPPIE, PATRICK & AMY	311 E CURTIS ST	HUTCHINSON	KS	67502	311 E CURTIS ST	373604015005000
6	LEMAN, APRIL	307 E CURTIS ST	HUTCHINSON	KS	67502	307 E CURTIS ST	373604015006000
7	MOORE, EDWARD L & LOIS J	303 CURTIS ST	HUTCHINSON	KS	67502	303 E CURTIS ST	373604015007000
8	LEATHERBURY, MICHAEL W SR & DAVID C JR	3015 N ELM ST	HUTCHINSON	KS	67502	3015 N ELM ST	373604015035000
9	LETT, OLETA F	4810 COTTONWOOD DR	HUTCHINSON	KS	67502	3013 N ELM ST	373604015034000
10	BEEGHLY, RANDALL R & TINA M	3011 N ELM ST	HUTCHINSON	KS	67502	3011 N ELM ST	373604015033000
11	WESTBROOK BAPTIST CHURCH OF HUTCHINSON	1410 E 30TH AVE	HUTCHINSON	KS	67502	302 E 30TH AVE	373604015029000
12	KLH PROPERTIES LLC	113 S MADISON ST	SMITH CENTER	KS	66967	300 E 30TH AVE	373604015026000
13	SMITH, GLENN K	6314 RAINIER DR	EVERETT	WA	98203	3009 N ELM ST	373604015032000
14	SMITH, GLENN K	6314 RAINIER DR	EVERETT	WA	98203	324 E 30TH AVE	373604015031000
15	SMITH, GLENN K	6314 RAINIER DR	EVERETT	WA	98203	322 E 30TH AVE	373604015030000
16	EARNEST, JIMMY O & BARBARA I	101 COUNTRYSIDE DR	HUTCHINSON	KS	67502	50 29TH PKWY	1210101002003000
17	EDGINGTON, JOHN C & GLENDA RUTH	45 E 27TH AVE	HUTCHINSON	KS	67502	85 RANDOM RD	1210101001003000
18	GARCIA, FAYDEAN	5502 N LORRAINE ST	HUTCHINSON	KS	67502	52 29TH PKWY	1210101002002000
19	BIEHLER, TROY D	87 RANDOM RD	HUTCHINSON	KS	67502	87 RANDOM RD	1210101001004000
20	HOWE, PHILIP C & STEPHANIE M	54 29TH PKWY	HUTCHINSON	KS	67502	54 29TH PKWY	1210101002001000
21	CASH, RICHARD C & BEVERLY A	46 29TH PKWY	HUTCHINSON	KS	67502	46 29TH PKWY	1210101002005000
22	SUNFLOWER RENTAL LLC C/O SMITH, LADANNA	515 E WASHINGTON	STERLING	KS	67579	48 29TH PKWY	1210101002004000
23	STRAYER, RONALD M & PENNY L	44 E 29TH PKWY	HUTCHINSON	KS	67502	44 29TH PKWY	1210101002006000
24	TWODAYS PROPERTIES LLC C/O STERNS BANK	4191 2ND ST S	ST CLOUD	MN	56301	420 E 30TH AVE	373604016003000
25	KIRKPATRICK, JAMES S REV TRUST	14625 INVERNESS	OLATHE	KS	66061	410 E 30TH AVE	373604016002000
26	FARMINGTON PLAZA LLC C/O STEVEN, RODNEY L II	6100 E CENTRAL UNIT 3	WICHITA	KS	67208	414 E 30TH AVE	373604016001000

Exhibit E

302 E. 30th Ave.



322 E. 30th Ave.



324 E. 30th Ave.



3009 N. Elm St.



Exhibit F

Hutchinson City Code.

Sec. 27-405 Table of Land Use Categories Explanation.

The Table of Land Use Categories found in Sec. 27-406 of these regulations is a listing of uses that may be allowed in each of the zoning districts. Land use types are grouped into specific land use categories in the table. The land use categories are later listed in each of the zoning district sections in lieu of specific use types. If a land use category is listed in a specific zoning district section, this does *not* mean that every use in that land use category is allowed. One must refer to the specific use types in the table to determine whether or not a particular use is permitted within a specific zoning district.

The various uses within Sec. 27-406 are classified as: permitted (P); allowed upon approval of a conditional use permit (C); allowed upon approval of a special use permit (S); or not allowed (-).

Special use permits are heard and decided by the Board of Zoning Appeals. Conditional use permits are heard by the Planning Commission, who makes a recommendation to the City Council, who in turn makes the final decision.

The table in Sec. 27-406 also lists accessory uses which may be allowed or not allowed in each zoning district. The list of accessory uses can be found at the end of the table.

Uses of land not listed in the Table of Land Use Categories are not necessarily excluded. The zoning administrator shall be empowered to make interpretations of land use categorical similarity.

Hutchinson City Code.
Sec. 27-406 Table of Land Use Categories.

Use Category	Use Type	ZONING											DISTRICTS								
		TA	R-1	R-2	R-3	R-4	R-5	MH	MP	EN	P/I	C-1	C-2	C-3	C-4	C-5	CR	I-1	I-2	I-3	AE
Agricultural Uses																					
Agriculture and Related Sales and Services	Agricultural buildings for general agricultural use	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
	Agricultural chemicals, fertilizer, anhydrous ammonia storage and distribution	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	
	Agricultural feed mixing and blending, seed sales and grain handling operations	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
	Agricultural implement and vehicle sales and service	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
	Agricultural processing	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	
	Agricultural research farms	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Agricultural sales and services	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Community gardens	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Equestrian centers and stables	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Farm wineries	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	General agriculture	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-
Horses and other noncommercial livestock on residential lots	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Residential Uses																					
Household Living	Ground floor housing in a commercial building	-	-	-	-	-	-	-	-	C	-	-	-	-	C	C	-	-	-	-	
	Manufactured homes, Residential-design	P	P	P	P	P	P	P	-	P	C	C	C	C	-	C	-	-	-	-	
	Manufactured homes, Single-wide or Double-wide	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-	
	Manufactured home parks	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	
	Multiple family dwellings	-	-	-	-	C	P	-	-	P	P	P	P	P	P	S	-	-	-	-	
	Single family attached dwellings / Townhomes	-	-	-	C	P	P	-	-	P	P	C	C	C	C	C	-	-	-	-	
	Single family detached dwellings	P	P	P	P	P	P	P	-	P	C	C	C	C	C	-	C	-	-	-	
	Two family dwellings / Duplexes / Twin homes	-	-	C	C	P	P	-	-	P	C	C	C	C	C	C	-	-	-	-	
Upper story housing	-	-	-	-	-	-	-	-	C	-	-	-	-	C	P	-	-	-	-		
Residential Commercial/ Institutions	Adult care homes	C	C	C	C	C	C	-	-	P	P	C	C	C	C	-	-	-	-		
	Adult family homes	C	C	C	C	C	C	-	-	P	P	C	C	C	C	-	-	-	-		
	Assisted living facilities	C	C	C	C	C	C	-	-	P	P	S	S	S	S	S	-	-	-		
	Bed and breakfasts	C	-	C	C	C	C	-	-	P	C	C	C	C	C	-	-	-	-		
	Boarding and rooming houses	C	-	C	C	C	C	-	-	P	C	C	C	C	C	-	-	-	-		
	Convents	C	-	C	C	C	C	-	-	P	P	C	C	C	C	-	-	-	-		
	Dormitories	C	C	C	C	C	C	-	-	P	P	C	C	C	C	-	-	-	-		
	Emergency shelters	C	-	C	C	C	C	-	-	P	C	C	C	C	C	-	-	-	-		
	Fraternity and sorority houses	C	C	C	C	C	C	-	-	P	P	C	C	C	C	-	-	-	-		
	Group boarding homes	C	C	C	C	C	C	-	-	P	C	C	C	C	C	-	-	-	-		
	Hospices	C	C	C	C	C	C	-	-	P	S	S	S	S	S	S	-	-	-		
	Monasteries	C	C	C	C	C	C	-	-	P	P	C	C	C	C	-	-	-	-		
	Nursing homes	C	C	C	C	C	C	-	-	P	C	C	C	C	C	-	-	-	-		
	Retirement homes	C	C	C	C	C	C	-	-	P	P	S	S	S	S	S	-	-	-		
Transitional housing	C	C	C	C	C	C	-	-	P	C	C	C	C	C	-	-	-	-			
Institutional and Civic Uses																					
Community Services and Civic Uses	Animal shelters (public)	C	-	-	-	-	-	-	-	C	P	C	C	C	C	C	P	P	P	-	
	Bus/transit garages	C	-	-	-	-	-	-	-	-	P	C	C	C	C	-	P	P	P	-	
	Cemeteries	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	
	Churches, synagogues, temples and similar uses	P	C	C	C	C	C	C	C	P	P	P	P	P	P	C	-	-	-	-	
	Columbarium	P	-	-	-	-	-	-	-	P	P	S	S	S	S	-	-	-	-	-	

Use Category	Use Type	ZONING										DISTRICTS									
		TA	R-1	R-2	R-3	R-4	R-5	MH	MP	EN	P/I	C-1	C-2	C-3	C-4	C-5	CR	I-1	I-2	I-3	AE
	Community centers and buildings	P	-	-	-	C	C	C	C	P	P	P	C	C	C	C	C	-	-	-	-
	Fire and rescue facilities	P	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	-
	Fraternal organizations	C	-	-	-	C	C	-	-	P	P	P	P	P	P	C	S	S	S	-	
	Governmental offices and necessary secondary uses	P	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	
	Hospitals	C	-	-	-	-	-	-	-	C	P	P	P	P	P	C	-	-	-	-	
	Law enforcement centers including office spaces and holding areas	C	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	
	Libraries and museums	P	-	-	-	-	-	-	-	P	P	P	P	P	P	P	C	C	C	-	
	Planetariums	P	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	
	Senior citizen centers	P	C	C	C	C	C	C	-	P	P	P	P	P	P	P	-	-	-	-	
Treatment, Rehabilitation and Incarceration Facilities	Correctional facilities (public)	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	-	-		
	Drug and alcohol rehabilitation centers	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	-	-		
	Half-way houses	-	C	C	C	C	C	-	-	C	C	C	C	C	C	-	-	-	-		
	Jails	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-		
	Juvenile detention centers	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-		
Day Care and Educational Institutions	Prisons	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-		
	Adult day care facilities	C	C	C	C	C	C	-	C	P	-	-	-	-	-	-	-	-	-		
	Child care centers	S	-	-	C	C	C	S	-	S	S	S	S	S	S	-	S	S	S		
	Colleges and universities	C	C	C	C	C	C	-	-	C	P	C	C	C	C	-	-	-	-		
	Licensed day care homes and licensed group day care homes (as a principal use)	S	C	C	C	C	C	S	S	S	S	S	S	S	S	S	S	S	S		
	Licensed day care homes and licensed group day care homes (as a home occupation)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Preschools	C	C	C	C	C	C	S	-	S	S	S	S	S	S	S	-	-	-		
	Public and private schools (K-12)	C	C	C	C	C	C	-	-	C	P	C	C	C	C	C	-	-	-		
Public Parks and Open Space	Trade, career and technical schools	-	C	C	C	C	C	-	-	C	P	C	C	C	C	C	C	C	C		
	Arboretums	P	-	-	-	-	-	-	-	C	P	-	-	-	-	-	-	-	-		
	Athletic fields	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
	Dog parks (not racing)	P	C	C	-	-	-	-	C	C	P	C	C	C	C	C	C	C	C		
	Nature centers	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-		
	Public parks, trails, picnic areas and playgrounds	P	P	P	P	P	P	P	P	P	P	P	C	C	C	C	C	C	C		
	Public pools and water parks	P	C	C	C	C	C	C	C	C	P	C	C	C	C	C	-	-	-		
	State Fair grounds	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-		
Public and Private Utilities	State Parks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Amateur radio towers and antennae taller than 50 feet – see Sec. 27-922	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
	Amateur radio towers and antennae 50 feet and below – see Sec. 27-922	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Natural gas depots	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
	Oil exploration and extraction	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
	Public works facilities and related storage and maintenance garages	C	-	-	-	-	-	-	-	-	P	C	C	C	C	P	C	P	P		
	Radio and tower transmitters (no offices)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
	Telecommunication Facilities	C	C	C	C	C	C	-	-	C	C	C	C	S	S	C	C	P	P		
	Wind energy conversion systems (small) – see Sec. 27-923	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
	Wind energy conversion systems (commercial/utility grade) – see Sec. 27-924	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C		
Wireless telecommunication facilities and equipment – see Sec. 27-921	Refer to Section 27-921, Wireless Communication Facilities.																				

Use Category	Use Type	ZONING											DISTRICTS								
		TA	R-1	R-2	R-3	R-4	R-5	MH	MP	EN	P/I	C-1	C-2	C-3	C-4	C-5	CR	I-1	I-2	I-3	AE
Retail, Services and Commercial Uses																					
Adult Uses	Adult entertainment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C
Animal Care	Animal boarding, animal shelters and kennels	P	-	-	-	-	-	-	-	C	-	-	S	P	P	S	-	P	P	P	-
	Pet cemeteries	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
	Pet crematoriums	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
	Pet grooming	P	-	-	-	-	-	-	-	C	-	-	P	P	P	P	S	P	P	P	-
	Pet training	P	-	-	-	-	-	-	-	C	-	-	S	S	S	S	S	P	P	P	-
	Veterinary clinics and hospitals	P	-	-	-	-	-	-	-	C	-	C	C	C	C	C	C	P	P	P	-
Business and Household Services	Building maintenance and cleaning services	S	-	-	-	-	-	-	-	S	-	-	P	P	P	P	P	P	P	P	-
	Copying, printing, mailing and packaging services	-	-	-	-	-	-	-	-	S	-	-	P	P	P	P	P	P	P	P	-
	Lawn, garden and yard maintenance services	S	-	-	-	-	-	-	-	S	-	-	P	P	-	-	-	P	P	P	-
	Locksmiths and key duplication	-	-	-	-	-	-	-	-	S	-	-	P	P	P	P	P	P	P	P	-
	Pest control services	S	-	-	-	-	-	-	-	S	-	-	-	-	-	-	-	P	P	P	-
	Small appliances and household equipment repair	S	-	-	-	-	-	-	-	S	-	-	-	P	P	P	P	P	P	P	-
	Well drilling or septic tank cleaning services	S	-	-	-	-	-	-	-	S	-	-	-	-	-	-	-	P	P	P	-
Financial Services	Banks	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-	-
	Brokerages	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-	-
	Credit unions	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-	-
	Insurance offices	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	P	S	S	-	-
	Financial advisory services	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	P	S	S	-	-
	Specialty loan services	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-	-
Food And Beverage Services	Banquet and reception facilities	-	-	-	-	-	-	-	-	S	-	P	P	P	P	P	P	-	-	-	-
	Brew pubs and micro-breweries	-	-	-	-	-	-	-	-	-	-	-	S	S	S	P	-	-	-	-	-
	Catering services	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-	-
	Class A clubs	C	-	-	-	C	C	-	-	P	P	C	C	P	P	P	S	S	S	S	-
	Class B clubs	-	-	-	-	-	-	-	-	-	-	-	C	S	P	P	C	-	-	-	-
	Coffee houses and coffee shops	-	-	-	-	-	-	-	-	P	-	-	P	S	P	P	S	-	-	-	-
	Coffee kiosks	-	-	-	-	-	-	-	-	-	-	-	S	S	P	P	S	-	-	-	-
	Demonstration kitchens (not catering)	-	-	-	-	-	-	-	-	P	-	S	P	P	P	P	-	-	-	-	-
	Donut and pastry shops	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	S	-	-	-	-
	Drinking establishments, taverns and bars	-	-	-	-	-	-	-	-	-	-	-	-	S	S	P	-	-	-	-	-
	Restaurants with drive-in service or drive-through windows	-	-	-	-	-	-	-	-	-	-	-	S	S	S	S	S	-	-	-	-
	Restaurants with no drive-in service and no drive-through windows	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	S	-	-	-	-
General Commercial	Antiques and collectibles stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Art galleries	-	-	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-	-
	Arts and crafts stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Artisan shops	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Bicycle sales and services	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Book stores, and music and musical instrument stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Bridal sales and services	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Camping equipment sales	-	-	-	-	-	-	-	-	P	-	-	-	P	P	P	P	-	-	-	-
	Candy stores, candy makers and kitchens	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Clothing, accessories, and costume sales and rental	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Computer hardware and software sales	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Crematoriums	C	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	P	P	P	-
	Dance studios and schools	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-
	Department stores	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
	Drug stores and pharmacies	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	C	-	-	-	-

Use Category	Use Type	ZONING											DISTRICTS								
		TA	R-1	R-2	R-3	R-4	R-5	MH	MP	EN	P/I	C-1	C-2	C-3	C-4	C-5	CR	I-1	I-2	I-3	AE
	Dry cleaners	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	C	P	P	P	-
	Electronics and appliances sales and service	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	-	-	-	-	-
	Equipment sales and rental businesses (indoors)	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	-	-	-	-	-
	Exercise equipment sales	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	-	-	-	-	-
	Fabric and sewing supply stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Firearms and ammunition sales	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-	-
	Florists	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Food store, including bakeries, meat lockers, butchers, deli, and specialty markets, but not a full-service grocery	-	-	-	-	-	-	-	-	P	-	-	C	P	P	P	C	-	-	-	-
	Funeral homes and mortuaries	C	-	-	-	-	-	-	-	-	-	-	P	P	P	C	C	P	P	P	-
	Garden center	C	-	-	-	-	-	-	-	C	-	-	-	P	P	P	-	-	-	-	-
	Gift stores, novelty and souvenir stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Glassblowers	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	S	P	P	P	-
	Grocery stores and supermarkets	-	-	-	-	-	-	-	-	C	-	-	C	C	P	P	C	-	-	-	-
	Hair salons, barber shops, beauty salons and nail salons	-	-	-	-	-	-	-	-	P	-	C	P	P	P	P	P	-	-	-	-
	Hardware stores	-	-	-	-	-	-	-	-	C	-	-	C	P	P	P	C	-	-	-	-
	Heating and cooling sales and services	-	-	-	-	-	-	-	-	C	-	-	-	P	P	P	-	P	P	P	-
	Home furnishings stores, including paint and wall coverings, lamps and lighting, flooring materials and draperies	-	-	-	-	-	-	-	-	P	-	-	-	C	P	P	C	P	P	P	-
	Kitchenware sales	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Lawn and garden equipment sales and service	C	-	-	-	-	-	-	-	C	-	-	-	P	P	P	-	-	-	-	-
	Martial arts studios and schools	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-
	Massage therapy, health spas and day spas	-	-	-	-	-	-	-	-	P	-	C	P	P	P	P	P	-	-	-	-
	Newspaper and magazine sales stands	P	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-
	Office supplies and furniture sales	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	-	-	-	-	-
	Pawn shops with no outdoor sales or storage	-	-	-	-	-	-	-	-	P	-	-	-	P	P	P	-	-	-	-	-
	Pet stores	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	C	-	-	-	-
	Photographic equipment and supplies	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	-	-	-	-	-
	Pottery stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	-	-	-	-	-
	Religious books, cards and articles stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Secondhand stores, thrift stores and consignment stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	-	-	-	-	-
	Self-service laundry and Laundromats	-	-	-	-	-	-	-	-	P	-	-	C	C	P	P	C	-	-	-	-
	Shoe stores and shoe repair	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Sporting goods stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	-	-	-	-	-
	Tattoo artists and body piercing	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Toy and game stores	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Upholstery shops	-	-	-	-	-	-	-	-	P	-	-	C	P	P	P	C	P	P	P	-
	Video, movie and game rental and sales	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-	-	-
	Warehouse club sales	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Specialized Commercial	Billiard halls	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-
	Brick and tile sales	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	-	P	P	P	-
	Building materials sales	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	-	P	P	P	-
	Bus and train depots including ticket sales	-	-	-	-	-	-	-	-	-	P	-	-	C	C	C	-	P	P	P	-
	Commercial greenhouses	-	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	P	P	P	-

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		TA	R-1	R-2	R-3	R-4	R-5	MH	MP	EN	P/I	C-1	C-2	C-3	C-4	C-5	CR	I-1	I-2	I-3	AE
	Concrete and cinder block sales	-	-	-	-	-	-	-	-	C	-	-	-	C	-	-	P	P	P	-	
	Convenience stores	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	C	C	C	-	
	Drive-in theaters	-	-	-	-	-	-	-	-	-	-	-	-	P	C	-	-	P	P	P	-
	Equipment sales and rental (outdoors)	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	P	P	P	-
	Fencing dealers	-	-	-	-	-	-	-	-	C	-	-	-	C	C	C	-	P	P	P	-
	Gasoline filling stations	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	C	C	C	-
	Hot tub and spa sales	-	-	-	-	-	-	-	-	C	-	-	-	P	P	P	-	P	P	P	-
	Liquor stores	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-
	Lumber yards (indoor or outdoor)	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	P	P	P	-
	Manufactured home sales	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	P	P	P	-
	Monument sales	-	-	-	-	-	-	-	-	-	-	-	-	P	P	C	-	P	P	P	-
	Motels and hotels	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	P	-	-	-	-
	Movie theaters	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-	-
	Nurseries and related retail sales	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	P	P	P	-
	Pawn shop with outdoor sales or storage	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-	-
	Performance theaters and auditoriums	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	-	-	-	-	-
	Swimming pool sales	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	-
	Taxi stands	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	P	P	-
Tobacco stores	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	C	-	-	-	-	
Truck stops	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	P	P	-	
Medical Uses	Chiropractor offices	C	-	-	-	-	-	-	-	P	S	P	P	P	P	P	P	P	P	-	
	Dental offices including orthodontics	C	-	-	-	-	-	-	-	P	S	P	P	P	P	P	P	P	P	-	
	Doctor offices (medical)	C	-	-	-	-	-	-	-	P	S	P	P	P	P	P	P	-	-	-	
	Medical clinics including general practice and specialty care	C	-	-	-	-	-	-	-	P	S	P	P	P	P	P	P	P	P	-	
	Rehabilitation facilities including out-patient services	C	-	-	-	-	-	-	-	P	S	C	C	P	P	P	P	P	P	-	
Office Uses	Accountant and investment counseling	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	S	S	S	-	
	Business offices and call centers	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	S	S	S	-	
	Consultant offices	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	S	S	S	-	
	Contractors' offices with no equipment storage	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	P	P	P	-	
	Counselors, psychiatrists, psychologists and social workers offices	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	S	S	S	-	
	Design offices including architects, engineers, community planners, landscape architects, land surveyors and interior designers	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	S	S	S	-	
	Lawyer/attorney offices	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	S	S	S	-	
	Insurance and real estate agencies and offices	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	S	S	S	-	
	Optical sales and services	-	-	-	-	-	-	-	-	P	S	P	P	P	P	P	S	S	S	-	
	Photographic studios	C	-	-	-	-	-	-	-	P	S	P	P	P	P	P	S	S	S	-	
Radio and television studios (not transmitter towers)	C	-	-	-	-	-	-	-	C	S	S	S	P	P	P	C	S	S	-		
Utility and telephone company offices	-	-	-	-	-	-	-	-	P	-	S	S	P	P	P	C	S	S	-		
Recreational Commercial	Amusement parks	C	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-	-	
	Bingo parlors	-	-	-	-	-	-	-	-	C	-	-	C	P	P	-	-	-	-	-	
	Bowling alley	-	-	-	-	-	-	-	-	C	-	-	-	C	P	P	-	-	-	-	
	Commercial stables	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	
	Commercial swimming pools	-	-	-	-	-	-	-	-	C	-	-	C	C	C	C	-	-	-	-	
	Public and private golf courses	C	-	-	-	-	-	-	-	C	C	-	C	C	C	C	C	-	-	-	-
	Golf driving ranges	C	-	-	-	-	-	-	-	C	C	-	C	C	C	C	-	-	-	-	-

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		TA	R-1	R-2	R-3	R-4	R-5	MH	MP	EN	P/I	C-1	C-2	C-3	C-4	C-5	CR	I-1	I-2	I-3	AE
	Gun clubs	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	
	Gymnasiums (other than school)	-	-	-	-	-	-	-	-	C	C	-	C	P	P	P	C	C	C	C	
	Health clubs and spas including YMCA and YWCA	-	-	-	-	-	-	-	-	C	C	-	C	P	P	P	C	C	C	C	
	Miniature golf courses	C	-	-	-	-	-	-	-	C	-	-	C	P	P	C	C	-	-	-	
	Race tracks	C	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	P	P	P	
	Recreational vehicle parks (RV parks)	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	
	Roller and ice skating rinks	-	-	-	-	-	-	-	-	C	-	-	C	C	P	C	C	C	C	C	
	Sports arenas	C	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	C	C	C	
	Stadiums	C	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	C	C	C	
Video arcades	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	C	-	-	-		
Vehicular Commercial	Boat dealers, sales, rental and leasing	-	-	-	-	-	-	-	-	-	-	-	P	P	C	-	P	P	P		
	Motor vehicle repair, painting and body shops	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	C	C	C		
	Motor vehicle dealers, sales, rental and leasing	-	-	-	-	-	-	-	-	C	-	-	-	P	P	P	-	P	P		
	Motor vehicle washes, self-services or automatic	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	C	C	C		
	Motorcycle dealers, including moped and scooters	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P		
	Recreational vehicle sales and rentals	-	-	-	-	-	-	-	-	-	-	-	-	P	P	C	-	P	P		
Industrial Uses																					
Research and Development	General research facilities	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	C	C	P		
	Scientific research laboratories	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	C	C	P		
Warehousing and Storage	Bulk materials or machinery storage (fully enclosed)	-	-	-	-	-	-	-	-	P	-	-	-	-	C	C	-	P	P		
	Bus garages and bus repair shops	-	-	-	-	-	-	-	-	C	-	-	-	C	-	-	C	C	P		
	Self-service storage facilities (mini warehouses)	-	-	-	-	-	-	-	-	P	-	-	-	C	C	-	P	P	P		
	Storage facilities and outdoor storage yards	-	-	-	-	-	-	-	-	S	-	-	-	C	C	-	P	P	P		
	Truck terminals/motor freight terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P		
	Vehicle, trailer, recreational vehicle and boat storage	-	-	-	-	-	-	-	-	S	-	-	-	C	C	-	P	P	P		
	Warehouses and distribution centers	-	-	-	-	-	-	-	-	S	-	-	-	-	C	-	C	P	P		
	Wholesale businesses and storage	-	-	-	-	-	-	-	-	S	-	-	-	-	C	C	-	C	P		
Contractors, Contractor Yards, Storage and Supply	Carpenters	-	-	-	-	-	-	-	-	S	-	-	-	-	C	-	P	P	P		
	Carpet and rug cleaning plants	-	-	-	-	-	-	-	-	S	-	-	-	-	-	-	P	P	P		
	Carport and storage building sales	-	-	-	-	-	-	-	-	S	-	-	-	C	-	-	P	P	P		
	Contractors' offices with indoor equipment storage	-	-	-	-	-	-	-	-	S	-	-	-	P	P	P	-	P	P		
	Contractors' offices with outdoor equipment storage yards (excluding heavy machinery)	-	-	-	-	-	-	-	-	S	-	-	-	-	C	-	P	P	P		
	Contractor's storage yards (excluding asphalt or concrete mixing)	-	-	-	-	-	-	-	-	S	-	-	-	-	-	-	P	P	P		
	Non-commercial garages and hobby shops	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P	P	P		
	Trade shops (including cabinet makers)	-	-	-	-	-	-	-	-	P	-	-	-	C	C	-	P	P	P		
Large Contracting and Materials Manufacturing	Asphalt and concrete contractors	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P		
	Concrete products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P		
	Excavating contractors	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P		
	Highway and street construction companies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P		
	Manufactured home construction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P		
	Prefabricated buildings and components manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P		
	Wrecking and demolition contractors	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P		
Food Processing and Manufacturing	Food and beverage products processing and manufacturing, excluding breweries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P		

Use Category	Use Type	ZONING											DISTRICTS								
		TA	R-1	R-2	R-3	R-4	R-5	MH	MP	EN	P/I	C-1	C-2	C-3	C-4	C-5	CR	I-1	I-2	I-3	AE
Clothing and Textile Manufacturing	Carpet, rug and mat manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
	Cleaning of rugs, carpets and mats	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
	Clothing manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	P	-
	Dyeing of garments, rugs and other textiles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
	Shoes and footwear manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	P	-
	Textile mills	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
	Yarn, threads and cordage manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Mining and Excavation	Brick, firebrick and clay products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Monument and architectural stone manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Quarries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Salt mining	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Sand and gravel extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Sand, lime and stone products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Machinery and Vehicle Manufacturing	Agricultural or farm implement manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Automobile, truck trailer, motorcycle, motor vehicle and bicycle assembly	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Boat manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Farm machinery manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Trailer, carriage and wagon manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
Metal Processing, Stamping	Metal extrusion, rolling, fabrication, stamping and forming	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
	Metal products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Metal Processing, Forging, Fabrication (Hazardous)	Foundries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Galvanizing or plating (hot dip)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Iron (ornamental) fabrication	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Metal and metal ores, reduction, refining, smelting, alloying and rolling mills (non-ferrous)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Steel works and rolling mills (ferrous)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
	Structural iron and steel fabrication	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Wood Products Manufacturing	Welding	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	-
	Basket and hamper (wood, reed, rattan, etc.) manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Furniture manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
General Manufacturing (Low Hazard)	Lumber and millwork manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Aerospace, aircraft and aircraft parts manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
	Appliance manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Cosmetics and toiletries manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Electronics manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Firearms (but not ammunition) manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Machinery manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Musical instruments manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Office machine manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Paper, paperboard and pressed or molded pulp goods manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Pharmaceuticals manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Photographic equipment supplies manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
	Plumbing supplies manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
Pottery and porcelain products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	

Use Category	Use Type	ZONING											DISTRICTS								
		TA	R-1	R-2	R-3	R-4	R-5	MH	MP	EN	P/I	C-1	C-2	C-3	C-4	C-5	CR	I-1	I-2	I-3	AE
	Printing and publishing plants	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	P	P	-	
	Railroad equipment manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	-	
	Shipping container (corrugated board, fiber or wire bound) manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	
	Solar panel manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	
	Sporting and athletic goods manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	
	Tool, die, gauge and machine shops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	
	Tools and hardware product manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	
	Toys and games manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	
	Vitreous enameled product manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	
	Wallboard, sheetrock and plaster, insulation and composite flooring manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	
Wind turbine manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-		
General Manufacturing (High Hazard)	Abrasive wheels, stones, paper, cloth and related products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Adhesives manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Animal slaughtering, processing and packing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Biofuels manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Boiler manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Breweries and distilleries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Fertilizer manufacturing (organic or inorganic)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Glass products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Grain elevator and storage facilities	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Junkyards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	
	Landfills	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Livestock feed preparation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Motor testing (internal combustion motors)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Motor vehicle graveyards and impoundment lots	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	
	Oilcloth, oil-treated products, and artificial leather manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Oils, shortenings and fats (edible and non-edible) rendering, processing and storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Pharmaceutical products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Petroleum, gasoline or lubricating oil refining and wholesale storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Petro chemical manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Plastic materials and synthetic resins manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Railroad switching and classification yards, roundhouses, repair, and overhaul shops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
	Recycling centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	
	Rendering and storage of dead animals, offal, garbage or waste products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
Roofing materials, building paper and felt manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-		
Rubber products, tire and tube manufacturing and vulcanizing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-		
Salvage yards, scrap yards and salvage operations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-		
Storage battery manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-		
Waste recovery facilities – commercial, industrial and residential	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-		

Use Category	Use Type	ZONING											DISTRICTS								
		TA	R-1	R-2	R-3	R-4	R-5	MH	MP	EN	P/I	C-1	C-2	C-3	C-4	C-5	CR	I-1	I-2	I-3	AE
	Wood preserving treatment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Accessory Uses																					
	Barbeque grills and barbecue pits	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Barns	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Collection bins, free-standing	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	P	P	P	-	
	Decks, patios, pergolas and gazebos	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Fuel storage	P	-	-	-	-	-	-	-	-	C	-	-	-	-	-	P	P	P	-	
	Fuel tanks and dispensing equipment	P	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-
	Garages and carports	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Gardens	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Grain storage bins	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Hobby activities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Keeping of pets (non-commercial)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Multi-modal shipping containers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
	Non-commercial greenhouses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Non-commercial shops (including hobby woodworking and hobby repair)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Offices	P	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P
	Outdoor kitchens	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Parking of motor vehicles, RV's and small trucks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Playgrounds and recreation equipment	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Portable storage units (long-term or permanent)	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	P	P	P	-	
	Propane tanks for household utility fuel	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Silos	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
	Stables	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Stock trailers and horse trailers	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
	Storage of farm materials, products and equipment	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
	Storage sheds	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Swimming pools, hot tubs and accessory equipment (private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
	Tennis courts (private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-



**Planning Commission
Staff Report**

Public Hearing: TBD

DATE: April 14, 2016

TO: Hutchinson Planning Commission

FROM: Jana McCarron, AICP
Director of Planning & Development

SUBJECT: **STUDY SESSION: 16-ZA-06**
Zoning Ordinance Amendments /
Residential Accessory Buildings and
Uses



REQUEST:
Request for Study Session review of proposed amendments to §27-314 of the Zoning Regulations of the City of Hutchinson Municipal Code pertaining to residential Accessory Buildings and Uses.

Staff Recommendation:

Staff recommends moving forward with proposed amendments to the regulations pertaining to residential accessory buildings and uses.

Motion:

Motion to direct staff to (proceed / modify and proceed / not proceed) with amendments to the Zoning Regulations pertaining to accessory buildings and uses.

BACKGROUND:

In February 2011, the City of Hutchinson adopted new Zoning Regulations. Updates were made to the regulations in 2012, 2014 and 2015. Last year, Mr. Norman Grass, 619 N Grandview St, approached the Commission requesting consideration of amendments to the Zoning Regulations pertaining to the maximum allowable size for accessory buildings. The Planning Commission directed staff to research benchmark cities to determine if Hutchinson’s regulations were similar. Due to staff turnover and workload issues, we were unable to perform this research until now.

ANALYSIS:

Section 27-314 of the City’s *Zoning Regulations* contains the residential accessory building requirements for the City. Presently, the following restrictions apply:

Max Size	Max Height	Max Coverage	Number	Materials
Subordinate in size, extent and purpose to the principal building being served	No taller than the established height of the principal structure. Sidewalls shall not exceed 16 feet in height	Combined lot coverage of all accessory buildings and uses shall not exceed the lot coverage of the house nor more than 30% of the entire rear yard	Single family residential: 1 detached garage, 1 detached storage building and 1 carport, detached or attached	Compatible with principal building materials and colors and made of materials associated with residential construction (no metal)

The intent and interpretation section of 27-314 is as follows:

“Unless expressly prohibited, accessory uses and structures shall be permitted in all zoning districts. Accessory uses and structures shall be clearly incidental to and customarily and commonly associated with the principal lawful use of the zoning lot on which they are located. The zoning administrator shall be granted the authority to interpret the provisions of this section and classify accessory uses and structures.”

A review of the ordinances for benchmark communities is attached to this report as **Exhibit A**. Of the communities surveyed, only Dodge City and Newton do not have restrictions on the maximum size of accessory dwelling units. Staff did not have the opportunity to survey the ordinances for Lawrence, Topeka, Lenexa and Olathe. These communities are typically included in our benchmark comparisons, however, it is likely that most of the cities do have maximum sizes established. Of the cities surveyed, only Hutchinson and Salina have compatibility requirements for accessory structures.

Staff’s experience at the counter is that we get an average of one customer per week hoping to place a larger structure than what would be permitted or one that is not compatible with the primary structure (i.e, metal). In some cases, the lot in question is definitely too small to accommodate the size of structure desired, but in others there is a large lot and the proposed structure would fall well within the lot coverage requirements. This is the case with Mr. Grass.

Staff recommends that the Commission consider changing the accessory building requirements as follows:

- Limited to 1 detached garage and 1 carport. No limit on the number of sheds as long as all other criteria are met.
- Maximum size for a detached shed is 400 SF. Any structure with a door 6 feet or wider is considered a garage and would have to meet the requirements for detached garages.
- Maximum size for a detached carport is 600 SF.
- Maximum size for a detached garage is 1200 SF.
- Metal would be allowed on sheds only and only if there are other metal sheds on the property already or on neighboring properties.
- Maximum lot coverage of all accessory structures is 35% of the rear yard.
- Maximum side wall height is 12’, regardless of the height of the structure.

Exhibit B contains the City’s regulations for Accessory Buildings and Uses.

ATTACHMENTS:

Exhibit A – Accessory Structure Requirements: Selected Cities

Exhibit B – Sec. 27-314, Accessory Buildings and Uses

Accessory Structure Requirements
Selected Cities

City	Storage Building				Detached Garage/Carport			Attached Garage/Carport			
	Max Area	Setback		Max Ht	Max Area	Max Ht	Compatibility	Requirement	Max Area	Compability	Setbacks
		Rear	Side								
Dodge City	None	3.5'	3.5'	District height	None	District height	Not required	Same as primary structure	No restriction	Not required	Same as primary structure
Hutchinson (1 garage, 1 carport, 1 shed)	Primary dwelling area	5'	5'	Primary dwelling height	Primary dwelling area	Primary dwelling height	Yes	Same as primary structure	No restriction	Yes	Same as primary structure
McPherson (1 garage, 1 carport)	900 sf	10', garage setback = 20' if accessed from alley	Primary structure setbacks	one story (20')**	Carport-600 sf Garage-960 sf	one story (20')*	No metal storage containers	Same as primary structure	No restriction	Not required	Same as primary structure
Newton	None	7'***, garage-20' if accessed from corner or alley	7'***	12' side wall height	None	12' side well height	No	Same as primary structure	No restriction	Not required	Same as primary structure
Salina	360 sf	5' - No alley 10' - Alley	3'	Residential dwelling height or 16', whichever is less	770 sf*	dwelling height or 20', whichever is less	Must be compatible	Must share common wall	Must be smaller than the dwelling	Must be compatible	Same as primary structure

*May be increased to 1200 sf in the A-1 or RS District

**Can obtain a conditional use permit to go taller if to be used for living space

***5', if platted prior to July 1, 1950; 3', if less than 100 sf

Sec. 27-314 Accessory Buildings and Uses.

Intent and interpretation.

Unless expressly prohibited, accessory uses and structures shall be permitted in all zoning districts. Accessory uses and structures shall be clearly incidental to and customarily and commonly associated with the principal lawful use of the zoning lot on which they are located. The zoning administrator shall be granted the authority to interpret the provisions of this section and classify accessory uses and structures.

All accessory uses and accessory structures shall:

- A. Be subordinate in size, extent and purpose to the principal building or buildings served;
- B. Not be established on any zoning lot unless the principal structure has been more than one-half completed and is watertight;
- C. Not be erected in or encroach into any required yard, easement or sight triangle;
- D. Be located a minimum distance of five feet from all structures, unless permanently attached to such structures; and
- E. Detached accessory structures on interior lots shall not project nearer to the front lot line than the front exterior wall of the principal building and on corner lots shall not project nearer to the side street front lot line than the required setback.
- F. Lot Coverage and Height.
 - 1. The combined lot coverage of the principal building and all accessory buildings shall not exceed the lot coverage requirements found in these regulations.
 - 2. An accessory building shall not exceed the established height of the principal structure.
 - 3. In the MH and MP Districts, accessory buildings shall not exceed 16 feet in height.
 - 4. In the TA District, accessory buildings shall be allowed to exceed the height of the principal building provided that all other restrictions are met. In the TA District, accessory buildings and principal buildings may have combined lot coverage of 10 percent or 25,000 square feet, whichever is less.
- G. Residential Garages, Carports and Storage Buildings.

The following regulations shall apply to all garages, carports and storage buildings for all residential uses in all districts.

1. Accessory buildings to residential uses shall be limited to buildings for domestic or household use or for the parking of motor vehicles and recreational vehicles. A hobby activity may be operated as an accessory use by a residential occupant of the premises solely for personal enjoyment, amusement or recreation; provided that any articles produced or constructed are not sold on the premises, except as may be permitted for an approved home occupation, and that no objectionable noise, odor, light or other adverse effects are created.
2. The combined lot coverage of all accessory buildings and accessory structures shall not exceed the lot coverage of the principal dwelling.
3. Accessory structures on residential lots shall not occupy more than 30 percent of the entire rear yard from the rear of the principal building to the rear lot line.
4. For each single family dwelling, there shall be permitted a maximum of one detached garage, one detached storage building and one carport, whether attached or detached.
5. For each duplex building, there shall be permitted a maximum of one detached garage, one detached storage building and two carports, whether such carports are attached or detached.
6. Carports shall not be attached to the front of a residential principal building. Carports shall be located only to the side or rear of the principal building and shall not project nearer to the front lot line than the principal building, whether attached or detached. On corner lots, carports shall not project nearer to the side street front lot line than the required setback. Carports shall not exceed the height of the principal building.
7. The sidewalls of garages and storage buildings shall not exceed 16 feet in height.
8. Garages, carports and storage buildings shall be constructed of materials customarily used in residential construction. The design and construction of such structures shall be similar to and compatible with the design and construction of the principal building. The exterior building materials and colors shall be similar to the principal building and shall be commonly associated with residential construction.
9. All garages and carports shall be provided and accessed by a driveway of an approved surface and design.