



UDC Text Amendments

Unified Development Code (UDC)

Planning Commission
August 7, 2019



Overview

- Purpose: Updating the Unified Development Code (UDC) to streamline development process
 - Uses/Businesses that require rezonings or Zoning Board of Adjustment action
 - Reduces the need for Special Permits



Special Permits

- **Automatic Car washes**- Allow the “Car Wash, Automated” use by-right within the “CN” Neighborhood Commercial Districts with limitations.
 - Currently, any type of car wash is regulated to the Resort Commercial, General Commercial, Intensive Commercial, Central Business, and Light Industrial Districts.
 - **Paint and Body Shops**- Allow the “Vehicle Service, Heavy” use by-right when the use is an accessory use to a vehicle sales establishment with limitations. Currently, a “Vehicle Service, Heavy” use is regulated to the Industrial Districts as a primary use.
 - **Aggregate Storage**- Allow the “Stockpiling of Sand, Gravel, or other aggregate materials” use by-right when the use is an accessory use to a “plants” retail sales establishment with limitations. Currently, a “Stockpiling of Sand, Gravel, or other aggregate materials” use is regulated to the Industrial Districts by-right and via Special Permit in the “CI” Intensive Commercial and “BP” Business Park Districts.
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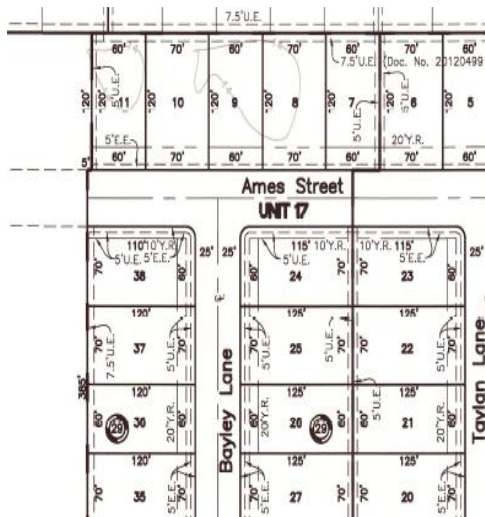


Special Permits

- **Crematoriums**- Allow the “Crematorium (Human)” use by-right when the use is an accessory use to a “Funeral Home” retail (Personal Service-Oriented) establishment with limitations. Currently, a “Crematorium (Human)” use is regulated to the Industrial Districts.
 - **Above Ground Fuel Tanks**- Eliminate requirement for approval as a Special Use Exception (SUEs) granted by the Zoning Board of Adjustment (ZBA). Will still require fire marshal approval.
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Side Yard Requirements



- Also known as the “Back-to-Back” rule.
- For corner lots backing to an adjacent lot’s rear yard, the corner lot street side yard requirement shall be not less than the *adjacent lot’s rear yard*, but in no case less than 10 feet and no greater than the required front yard setback of the subject lot.
- For corner lots backing to an adjacent lot’s front yard, the corner lot street side yard requirement shall be not less than the *adjacent lot’s front yard*, but in no case less than 10 feet and no greater than the required front yard setback of the subject lot.
- If a corner lot backs up to a parcel that is unplatted, zoned Farm Rural or is outside city limits, *and* is at least 10 acres in size, then the corner lot street side yard shall be a minimum of not less than ten (10) feet and no greater than the required front yard setback of the subject lot.



Townhomes

- UDC Section 4.4.3.A
 - Currently, allowed by-right in multiple districts as a land use.
 - To apply the “RS-TH” Townhome District standards, the property must be zoned “RS-TH”, “RM-1” and “RM-2”. Amendment adds “RM-3”.
 - Removal of the minimum site area required. The current requirement is a minimum site area of 20,000 square feet.
 - Amend the definition of a Townhouse to clarify the difference between fee simple lots and condominiums.
 - A townhouse development may be platted on a separately owned lots and lots may be sold fee simple ~~or as condominiums~~ or the development may occupy a single lot ~~parcel~~ with the units being leased or sold as condominiums.
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Accessory Buildings

- Amend the definition of an accessory building to clarify that the total square footage of all accessory buildings combined must be at or below 50% of the total square footage of the principal structure.
- Detached accessory buildings shall be located behind the front face of the main principal structure and the total square footage of all accessory buildings shall not exceed 50% of the main principal structure total square footage.



Waivers and Administrative Adjustments

- Amend waiver process for sidewalks regarding platting approvals. The UDC provides for exceptions to this requirement, but only as requests for a plat waiver to Planning Commission, under certain conditions. This proposed amendment provides for exceptions to the requirement without waiver, and also provides an Alternative Pedestrian Plan that may be approved administratively by City Staff.
 - Provide administrative adjustment for side and rear yard setbacks in conjunction with easement vacation/modification.
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Staff Recommendation

Approval
