



Planning and Economic Development

Sara Roediger, AICP, Director

From: Chris McLeod, AICP, Planning Manager
Sara Roediger, AICP, Director
To: Planning Commission
Date: 12/4/2025
Re: Potential Ordinance Amendments

City staff is continually tracking potential housekeeping amendments to improve or clarify regulations in the zoning ordinance. Below please find a description of each proposed amendment. After discussion and review by the Planning Commission, staff would intend to proceed with the refinement and finalized of the proposed draft amendments and schedule a public hearing for the Planning Commission meeting when appropriate. At this time, we are seeking input on the amendments from the Planning Commission.

SITE CONDOMINIUM PRELIMINARY PLAN APPROVAL

Last year, the Planning Commission and City Council extended the length of site plan approval from one (1) year to two (2) years for typical site plans. Staff is suggesting extending the length of approval for a preliminary site condominium plan to match typical site plans.

SCHEDULE OF REGULATIONS – RESIDENTIAL DISTRICTS.

Staff has determined there is a typographical error in the front yard setback footnotes within the R-4 District that makes reference to industrial yards.

PERMITTED USES BY DISTRICT

With the updated uses noted in other amendments included herein, the use table was updated to reflect modified or expanded use names.

SPECIFIC DESIGN STANDARDS FOR USES

There are multiple items to be addressed as follows:

- Amend the current **Automotive Gasoline Service Station** provision to address all fueling stations, gasoline or EV in the same manner.
- Delete the current **Automotive Service Center** provision since the design standards would require a use such as a Belle Tire to be attached to a shopping center in the CB District and the I Industrial provision appears to conflict with the definition of **Automotive Repair Garages**.
- Amend the **Golf Courses** provision to allow for a reduction in the 200-foot setback for all buildings/structures when it can be shown no impacts will be created or that any impacts can be mitigated.
- **Places of Worship** and **Places of Assembly** are permissible in different districts within the City, the specific design standards notes that these uses are located in any zoning district which is not the case.
- Expanding the **Utilities** provision to include **Community Facilities**. Further, nonprofit organizations could be added to the **Community Facilities** provision and require a locational requirement that such a use be located only on a major roadway.

The specific use for “Cat Cafes” was discussed previously by the Planning Commission. The party interested in pursuing the use has provided additional information for the Planning Commission to review as a part of the overall Zoning Ordinance amendment discussion. This information has been included in your packets. The information provided indicates that use, as proposed, will essentially act as two (2) separate units, one for the “café” and one for the keeping and interacting of the animals, limiting the original concern of food preparation and the keeping of animals. Therefore, the larger question likely becomes how to handle the keeping or boarding of animals as a part of this use and how that relates to the city’s current regulations for kennels, boarding facilities, traditional pet stores, etc. Staff would like to have this larger conversation with the Commission to gain direction and to create an overall unified, cohesive regulation/guideline for the keeping of animals (outside of one’s residence).

R-4 ONE FAMILY RESIDENTIAL DISTRICT REDUCED MINIMUM LOT WIDTH

Currently, the City’s Zoning Ordinance includes a provision that allows for the reduction of a lot width within the R-4 One Family Residential District from the normally required 80- feet to 60 feet and allows lot area to be reduced from 9,600 square feet to 7,000 square feet (the minimum width and area of a lot needed to construct a home). This allowance is based on a review by City staff of the existing character of the neighborhood. The issue that has been occurring is a lack of definition of what is the defined neighborhood contributing to the character, whether the neighborhood should be the “block” that the lot is located, a certain distance in each direction or a general area of the City, such as the Brooklands (which is one of the areas where this issue arises on a somewhat regular basis) as a whole. The context of such reviews is more often as part of Staff’s review of land division applications.

City staff is suggesting the elimination of this provision in its entirety. This will eliminate the need for defining the extent of neighborhood that is included in the review, and will eliminate what may be perceived as ambiguity in the ordinance and would lead to more consistent reviews over time. This would also limit the number of new homes that would be permitted within the existing neighborhood fabric of many of the city’s older neighborhoods. Existing lots that are substandard would not be impacted as they already exist, however, the elimination of this provision could impact anyone wishing to further divide an existing lot that has a lot between 120-160 feet depending on their surrounding context. However, those property owners would always have the right to seek recourse by applying to the Zoning Board of Appeals for a variance.

RETAINING WALLS

Due to the City’s naturally occurring topography, a number of proposed developments have included significant retaining walls which allow for modifying the existing grade. Retaining walls have also been used to help minimize impacts to identified natural features areas. Currently, the City does not have any requirements for how tall a retaining wall may be or where it can be located related to a property line. Staff is suggesting that guidelines be developed to limit the height of a retaining wall without creating a “step” in the wall. This would limit the overall “mass” of the wall and limit how imposing the wall may appear from public rights of way or adjacent properties. The guidelines would also likely include the requirement for vegetation to be planted within the “step” portion of the wall to also help break up the mass of the wall. Guidelines could also include the setback of retaining walls of a certain height near a property line to limit impacts to abutting properties.

LANDSCAPING PERFORMANCE GUARANTEE

Currently, the City requires a performance guarantee for the installation of required landscape. In addition, after all plantings have been planted, the city requires a 2-year maintenance bond. The city has seen several bonds that have expired due to time limit placed on the bonds by the issuer. To help with ensuring bonds remain valid, Staff is suggesting an amendment clearly noting the responsibility for ensuring the validity of the bond is the applicants.

SCREENING OF PUBLIC AND PRIVATE ROADS

Currently the City does not have a specific requirement for screening a public or private road, which may be proposed to be constructed as a part of a development when the road abuts or is otherwise adjacent to a property that not included within the proposed development. This can lead to significant negative impacts to adjoining properties if they have a road constructed directly adjacent to their property line.

As noted, Staff desires to increase screening required of a public or private road that is proposed to be developed proximate to a property that is not otherwise within the proposed development property. The buffer level proposed is a Level C that would require a 20-foot greenbelt and a series of plantings per 100 feet.

FOUNDATION PLANTINGS and LANDSCAPE ISLAND PLANTINGS

Currently the City does not require plantings alongside a building/building façade and does not require additional plantings (other than a singular tree) within required parking islands. Staff desires to upgrade landscaping requirements to require foundation plantings along building foundations, in order to provide a more harmonious setting, especially with new construction.

As noted, Staff desires to increase foundation plantings along most side of a building. This would include greenery and pervious surface onsite. The planting area as proposed would allow portions of the building to not have foundation plantings to allow for entrance doors, additional sidewalk area, loading areas, etc. A provision of this nature could reduce the overall building size allowable by requiring additional planting areas. The additional plantings in parking islands would not require additional land area, rather would just increase number of plantings. Proper plant types would need to be provided due to harsh conditions in these areas.

DEFINITIONS

Based on the constant evolution of uses and how certain uses may be regulated at the county or state level, definitions require updating.

Current proposed definition amendments include **Automotive Gasoline Service Station** to include EV charging stations (that are a primary use); **Automotive Repair Garage** and **Automotive Service Centers** to ensure compatibility with the City's permissible use table as they also relate to general and light industrial uses; **Community Facilities** to include non-profit organizations since the City's Zoning Ordinance does not clearly define where these uses may be permitted; **General Industrial** uses, to coordinate with **Automobile Repair Garages** (see above) and also include Data Centers; **State Licensed Residential Facility** to update references to Section #'s within the Zoning Ordinance and eliminate regulatory provisions contained in the definition.