

MEMORANDUM

Business Item C

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission review & discussion on proposed changes to Division 3 (Allowable Land Uses) of Article 8 of the Town of Clayton Zoning Code of Ordinances.

This covers the proposed changes to the Land Use Matrix, Exhibit 8-1, by land use section. Red text has been preliminarily reviewed and will have larger impacts to consider than just the matrix change – these are more involved and wide-reaching changes that should be considered carefully.

1. Agriculture
 - a. Add a conditional use permit process for having fewer than 500 animal units on R-1, Rural residential zoned lands.
 - b. Add permitted use allowances for Greenhouses in the B-2, B-3, I-1, and I-2 districts.
2. Resource Based Uses
 - a. Remove conditional use allowance for hunting preserves in I-1 and I-2, making A-2 the only district for this use through CUP process
3. Residential
 - a. Make mixed use housing a permitted use in B-2 from a CUP process.
 - b. Change multifamily buildings with 5-8 units to a Permitted use in M-1 district
 - c. Remove CUP allowances for townhouse from the B-3 district
4. Special Care Facilities
 - a. Remove R-1 permitted and conditional uses for any use in this category
 - b. Change Group Daycare Center uses to permitted in R-3 and R-4; remove conditional use path for this use in I-1 and I-2 districts
 - c. Hospice care centers permitted in R-2, R-3, B-1, B-2, and M-1; remove A-2 and R-1 allowance for this use.
 - d. Remove nursing home from R-1 uses, change B-2 and M-1 to permitted
 - e. Remove retirement home CUP allowance from R-1; make use permitted in B-2 and M-1
5. Group Accommodations
 - a. Remove CUP in B-3 for Campgrounds and group recreation camps
 - b. Remove Resort CUP allowance in A-2
 - c. Make Resort use permitted in M-1
6. Food and Beverage Sales
 - a. Make brewpub uses permitted in B-2, I-1
 - b. Make Restaurant and Tavern uses permitted in P-1, M-1
7. Vehicle Rental, Sales, Services
 - a. Change Conditional use allowances for 7.03-7.06 to permitted uses.
8. General Sales
 - a. General retail sales from CUP to permitted in B-1 and M-1
 - b. Outdoor sales as permitted in I-1, and not allowed in B-1 and B-2

9. General Services

- a. Administrative services to Permitted in B-1
- b. Remove CUP option in B-1 lands for body-piercing establishments
- c. Commercial kennel as CUP in A-1
- d. Commercial stable as CUP in A-1, remove option for I-1 lands
- e. Remove large equipment rental as CUP in B-2
- f. Remove funeral home as CUP in B-1
- g. Change general repair from CUP to permitted in B-1, I-1 districts
- h. Change general services from CUP to permitted in B-1
- i. Health care clinic as CUP in P-1, permitted in B-1
- j. Health care center as CUP in P-1, permitted in B-2
- k. Instructional services from CUP to permitted in B-1 and I-1
- l. **Landscape business as CUP to permitted in A-2, B-3**
- m. Remove CUP allowance in B-1 for tattoo establishment
- n. Change veterinary clinic (both small animal and general) to permitted uses in A-2, I-2
- o. Change veterinary clinic general to permitted in B-3
- p. Change veterinary clinic small animal to permitted in B-1

10. Recreation and Entertainment

- a. Remove CUP option in P-1 for outdoor shooting ranges

11. Government and Community Service

- a. Change Animal shelter to permitted from CUP in A-2
- b. Make recreation trail a permitted use in A-1
- c. Change worship facility allowance in P-1 lands – is currently Permitted

12. Telecommunications and Utilities

- a. **Make solar energy systems a conditional use in all districts**

13. Transportation

- a. Make parking structures a permitted use in I-1
- b. **Remove park-and-ride allowances for A-2, R-1 districts**

14. General Storage

- a. Remove allowance in B-3 for personal storage facility

15. Industrial

- a. Make artisan shops a permitted use in B-1, B-2
- b. Remove allowances in A-1 and A-2 districts for nonmetallic mine batching plans and biofuel production plants

16. Solid Waste

- a. Reevaluate the conditional use allowance of P-1 lands for solid waste landfills and transfer stations

17. Accessory Uses

- a. Reevaluate the use of Adult Family homes as a permitted use in R-1
- b. Backyard chickens – add as permitted in A-1, R-1, R-2, R-3, and R-8**
May depend on July 2 Town Board meeting
- c. Set Short term rentals as permitted in A-1, A-2, R-1, R-2, R-3, B-1 and B-2 districts
- d. Change CUP to permitted use of farm building storage in A-2
- e. Change Farmstead retail outlet to a permitted use in A-1 and A-2 (from CUP)
- f. Household livestock on 5 acres or more from CUP to permitted use in R-1
- g. Storage containers, any number of units - move to temporary use section.

Align with 9.08-31

18. Temporary Uses

- a. Remove administrative review requirements for agricultural product sales, both onsite and offsite; no change to zoning districts and regulations
- b. Remove administrative review requirements for on-site construction offices and yards; no change to zoning districts and regulations
- c. Evaluate the need to keep the special event uses of 18.14-18.17

Additionally, discussion could be had as to:

- new administrative review permits, such as temporary use permits which provide a specific and therefore more enforceable end date for the use
- operations plan that would detail the functions for the relevant use

DISCUSSION ITEM ONLY – NO ACTION TO BE TAKEN

Respectfully Submitted,
Kelsey