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Department of Planning and Zoning



## Staff Comments: Zoning Ordinance Draft review highlights

The **FINAL ZONING ORDINANCE DRAFT1** updates reorganize several administrative sections, introduce a **new annexation section and process**, add a **new residential district (RA Large Lot Residential/Agricultural)**, expand procedures for **zoning of annexed land**, refine **site plan/design review references** (moving sign standards to **Section 12** and shifting building design guidance to a **Design Review Guidelines Manual**), **permit Accessory Dwelling Units by-right in R1**, and **tier the sign permit fees** by sign size. The draft also clarifies industrial use permissions by **excluding "Sexually Oriented Business" and "High Impact Facilities" from IL while retaining them in IH.**

### Detailed Changes by Section

#### 1) Administrative Procedures & Applications (Section 4)

##### Annexation (NEW Sec. 4.7):

- Establishes **two paths—owner consent and referendum**—with requirements for **contiguity, Plan of Services, Planning Commission report (90 days)**, and **robust public notice** (mailed, posted, newspaper, on-site signs). For referenda, sets election window **30–60 days after last notice** and allows optional city-wide voting (requiring dual majorities).

##### Zoning Amendment (moved to Sec. 4.8):

- Substantive process remains consistent (commission hearing, findings, two readings), but numbering changes from **4.7 → 4.8.**

##### Zoning Permit / Use & Occupancy / Sign Permit / Fee Schedule (numbering alignment):

- Draft retains **Zoning Permit at Sec. 4.9, Use & Occupancy at Sec. 4.10, Sign Permit at Sec. 4.11**, and shifts **Application Fee Schedule to Sec. 4.12**; current places the **Fee Schedule at Sec. 4.11. Sign Permit fees (substance):**
  - Draft **specifies tiers** (\$50/1–10 sf; \$75/11–20 sf; \$100/21–30 sf; \$150/31–60 sf; \$250/>60 sf), clarifying the previously **generic "based on square footage"** entry.



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## 2) Site Plan & Design Review (Section 4.6)

- **Authority/References:** Draft replaces internal "building design standards" with an external **Design Review Guidelines Manual** (still used by Planning Commission), and recognizes **Section 12 as Sign Standards**, not building design.
- **Current ordinance** explicitly evaluates conformance to **Section 11 (site)**, **Section 12 (building design)**, and **Section 13 (signs)**.

**Implication:** Staff and applicants will reference the **Design Review Guidelines Manual** for architecture/façade reviews rather than a codified Section 12; signage conformance remains codified in **Section 12** of the draft.

## 3) Zoning of Annexed Land (Section 5.4)

- **Current:** Zoning is **set simultaneously with annexation** (brief provision).
- **Draft:** Requires a **public hearing** and **separate votes** for annexation and zoning **at the same meeting**, and aligns zoning review for annexed land with **Sec. 4.8 findings** (land use plan consistency, public welfare, changed conditions).

## 4) Zoning Districts (Section 5 & 6)

### **New District – RA Large Lot Residential/Agricultural (Sec. 6.5):**

- **Purpose:** Very low density residential with agricultural compatibility.
- **Bulk:** **Min. lot size 5+ acres; 250' width; 50' front/rear, 25' side; 5–10% lot coverage; 35' height; no design review required.**
- **Permitted:** Single-family residences, agricultural uses (sod farming/nursery), public utilities, community facilities (fire/police), schools, parks/playfields.
- **Conditional:** Places of worship/assembly.
- **Current district list does not include RA.**

### **R1 Low Density Residential (Sec. 6.1):**

- **Draft adds ADUs as permitted** in R1.
- **Current R1 permitted uses do not include ADUs.**

**Note:** Draft still treats **ADUs as conditional** in **R2** and **R3**.



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**CN Neighborhood Commercial – editorial cleanup:**

- **Current text** includes a stray string “;hg;” preceding a design standard bullet; **draft corrects list formatting** (no stray characters).

**5) Industrial District Use Permissions (Section 7)**

**IL – Light Industrial (Sec. 7.4):**

- **Draft: Does not list “Sexually Oriented Business” or “High Impact Facilities”** among permitted IL uses.
- **Current:** Both uses are listed as **permitted** in IL.

**IH – Heavy Industrial (Sec. 7.5):**

- **Draft: Retains both “Sexually Oriented Business” and “High Impact Facilities”** as **permitted** uses in IH.

**Policy impact:** Sensitive or high-externality uses are **shifted away from IL into IH only**, narrowing where these uses may locate.

**6) Numbering & Cross-References (Section 1.5 Transition Rules)**

- **Current:** Nonconformities referenced as **Section 14.3 / 14.4 / 14.5**.
- **Draft:** Same topics (nonconforming uses/buildings/lots) now referenced under **Section 13.3 / 13.4 / 13.5**.



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**Side-by-Side Major Changes Table**

Topic	Current Ordinance	FINAL DRAFT1	What Changed / Impact
<b>Annexation – Section</b>	No dedicated section; zoning amendment is <b>Sec. 4.7.</b>	<b>New Sec. 4.7 (Annexation)</b> with owner-consent & referendum procedures, notices, timelines. <b>Zoning amendment</b> renumbered to <b>Sec. 4.8.</b>	Adds a complete annexation workflow; clarifies roles, notices, and election timing; minor renumbering.
<b>Annexed Land Zoning (Sec. 5.4)</b>	Zoning established <b>upon annexation.</b>	Requires <b>PC/CC hearings at same meeting with separate votes;</b> applies <b>Sec. 4.8 findings.</b>	More public process; tighter linkage to land-use policy in zoning decisions for annexed areas.
<b>New District</b>	No RA district listed.	Adds <b>RA Large Lot Residential/Agricultural</b> (5+ ac lots).	Provides a rural/agricultural low-density option with strong setbacks/coverage controls.
<b>R1 – ADUs</b>	ADUs <b>not</b> listed as permitted in R1.	ADUs <b>permitted by right</b> in R1.	Expands gentle infill housing options in R1.
<b>Industrial Uses (IL vs IH)</b>	IL <b>permits</b> “Sexually Oriented Business” & “High Impact Facilities.”	IL <b>does not permit</b> these; IH <b>permits</b> both.	Concentrates high-impact/adult uses in IH only.
<b>Site Plan/Design Review References</b>	Design review checks <b>Section 12 (Building Design Standards)</b> and <b>Section 13 (Signs).</b>	Design references the <b>Design Review Guidelines Manual;</b> <b>Section 12 = Sign Standards.</b>	Moves architecture guidance out of codified Section 12 to an adopted manual; sign standards are Section 12.
<b>CN Design Standards</b>	Formatting artifact “;hg;” in bullet point.	Clean bullets; no artifact.	Editorial correction (no substantive change).
<b>Fees – Sign Permit</b>	“Based on square footage” (no tiers shown).	<b>Tiered</b> by size: \$50–\$250.	Improves cost predictability and transparency.
<b>Transition References</b>	Nonconformities <b>Section 14.x.</b>	Nonconformities <b>Section 13.x.</b>	Update cross-references throughout staff materials/forms.



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#### Notable Editorial/Structural Alignments

- **Section numbering normalization** around **applications and fees** (4.9–4.12) will require updating forms, checklists, and website references.
- **Design Review Manual** inclusion formalizes staff/Commission use of a guidance document for building design reviews (ensure the latest version is adopted by resolution and readily available).

#### Implementation & Transition Notes

1. **Update public-facing materials:**
  - Revise application packets and webpages to reflect new **section numbers** and the **tiered sign fees**.
2. **Adopt/Publish Design Review Guidelines Manual:**
  - Ensure Commission adoption and public access to the manual referenced in **Sec. 4.6**.
3. **Annexation workflow:**
  - Coordinate with city clerk and legal counsel to implement **21-day notice** procedures and **dual vote** scheduling for combined annexation/zoning meetings.
4. **Industrial siting guidance:**
  - Update internal use matrices to reflect **IL no longer permits** adult/high-impact uses; **IH remains permitted**.
5. **Neighborhood communications (R1 ADUs):**
  - Prepare informational materials clarifying **ADUs permitted by right in R1** and any applicable **use-specific standards** referenced elsewhere.

#### Appendix: Key Passages (for quick reference)

- **Draft Sec. 4.7 Annexation – procedures & notices** (owner consent & referendum).
- **Current Sec. 4.7 Zoning Amendment → Draft Sec. 4.8.**
- **Draft Sec. 5.4 Annexed Land** – hearings & separate votes.
- **Current Sec. 5.4** – zoning upon annexation.
- **Draft Sec. 6.5 RA – bulk & uses.**
- **Current Sec. 5.2 – residential list (no RA).**
- **Draft Sec. 6.1 R1 – ADUs permitted.**
- **Current Sec. 6.1 R1 – ADUs not listed.**
- **Draft Sec. 4.6 – Design Review Guidelines Manual & Sec. 12 (Signs).**
- **Current Sec. 4.6 – Section 12 (Building Design), Section 13 (Signs).**
- **Draft Sec. 7.4 IL – list excludes adult/high-impact; Sec. 7.5 IH – includes both.**
- **Draft Sec. 4.12 – tiered sign fees; Current Sec. 4.11 – generic “based on square footage.”**



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