



STAFF REPORT

Planning Commission Meeting

December 8, 2022 / 7:00 pm / Regularly Scheduled Meeting

Subject: C-1 Downtown Commercial Edit

1. **Background/History:** The Downtown Commercial zoning classification may have, at one point in time, been relegated to the downtown district exclusively, but over time has been used as a light commercial alternative between O-1 and C-2 (Highway Commercial) across all corners of the Town. Given our latest focus on the Town Center (Downtown) district, this has caused some confusion amongst citizens and rezoning applicants as well as business owners.
2. **Findings/Current Activity:** In an effort to reduce confusion, staff recommends a minor update to this district that re-titles it to Community Commercial while retaining the C-1 shorthand classification. It is staff's opinion that this name better reflects the application of the zoning district as it has evolved across Town and reduces confusion when discussing zoning matters.
3. **Actions/Options/Recommendations:** Staff recommends approval of this item.
4. **Planning Commission Recommendation:**

Sec. 113-____. - BTP, Business Technology Park District.

(a) *Purpose.* The purpose of the Business Technology Park District (BTP) is to encourage a business/employment center or technology research park in a planned campus setting with internal streets serving individual lots that contain a single business or multi-tenant buildings housing uses which are free from such nuisances as noise, vibration, smoke, gas, fume, odor, dust, radiation or other injurious or noxious conditions related to those uses. The district regulations are intended to promote an environment that is conducive to continued development of a technology, manufacturing, headquarters, or research park and to accommodate the unique needs of research, development, high tech firms, light manufacturing/distribution firms, and professional firms. Such facilities, along with offices, are the primary intended uses in the district, with secondary uses such as retail and personal services intended for the convenience of workers and visitors in the area. These convenience uses are encouraged to be located on the ground floor of buildings devoted to permitted principal uses and with active pedestrian orientation incorporated in the design. The district is designed to enable flexibility of development, maximum utilization of scarce land resources and innovative and efficient means of providing needed off-street parking facilities, while affording protection from potentially incompatible development. Through the district regulations and the plan of development review process, the district is intended to encourage high-quality development that promotes continued economic investment; that provides amenities that contribute to an attractive and comfortable pedestrian environment; and that complements and does not detract from the adjacent downtown retail, office, and medical areas.

(b) *Permitted uses.* The following permitted uses shall be allowed in the BTP zoning district:

- 1) Business, professional, and/or government offices;
- 2) Research, development and laboratory facilities related to the medical, biotechnology and other life science industries;
- 3) Financial, credit, real estate, and/or insurance offices;
- 4) General medical and surgical hospitals
- 5) Publishing and/or printing;
- 6) Computer services and/or information technology;
- 7) Television/radio broadcasting studio, movie/media productions and/or telecommunication;
- 8) Training center, trade school, and/or vocational center;
- 9) Educational/instructional/tutoring facilities, including, but not limited to: art; computer; dance; driving and/or DUI; martial arts; music; professional/business/trade; and similar facilities;
- 10) College and/or university, classrooms and/or administration only;
- 11) Computer or data collection / processing centers / IT services
- 12) Automotive/ marine parts sales
- 13) Trade contractors;
- 14) Land Development firms
- 15) Professional and/or Business offices
- 16) Light manufacturing and/or fabricating and/or assembling of products, including, but not limited to, the following:
 - a. Production of food, beverages, cosmetics, and/or pharmaceuticals, but not including, fish and meat products, sauerkraut, vinegar, yeast, and rendering plants;
 - b. Fabrication and assembly of metal, wood, cloth, and/or plastic products;

c. Production of computer and/or electronic components and products.

(c) *Support uses.* In addition to the permitted uses in subsection (b) of this section, no more than 25 percent of the floor area of an individual multi-tenant building may consist of business operations providing support services for the larger development. Permitted support service uses include:

- 1) Accounting, auditing and bookkeeping services
- 2) Advertising agencies including sign contractors
- 3) Appraisers
- 4) Automobile claims adjusters
- 5) Blueprinting and photocopying services
- 6) Business agents, property managers and brokers
- 7) Business, professional and government offices
- 8) Business service support establishments
- 9) Call Centers
- 10) Clerical services
- 11) Commercial photography, art and graphics offices
- 12) Counseling and guidance services
- 13) Credit reporting services
- 14) Detective agency and protective services
- 15) Drafting services
- 16) Engineering, planning and architectural services
- 17) Finance, insurance and real estate institutions
- 18) Graphics services
- 19) Interior Decorators
- 20) Land surveying service
- 21) Management, consulting and public relations services
- 22) Occupational physical therapy services
- 23) Photographic studios
- 24) Political organizations
- 25) Radio and television broadcasting stations
- 26) Restaurant/restaurant take-out;
- 27) Telecommuting centers
- 28) Technical and vocational schools
- 29) Ticket brokers
- 30) Travel agencies
- 31) Utility business offices

- 32) Personal services (i.e., alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon;
 - 33) Convenience store;
 - 34) Blueprinting, graphic, and/or copying service;
 - 35) Office and/or computer supplies; and
 - 36) Cellular phone/communication device supplies and/or service.
- (d) *Conditional uses.* The following conditional uses shall be allowed in the BTP zoning district provided that all conditions specified in article V of this chapter are met:
- 1) Movie and media production studios (including ancillary businesses that supply support services, equipment and resources to the movie / media industry);
 - 2) Animal hospitals and veterinary clinics;
 - 3) ATM's
 - 4) Building materials dealers (all materials interior);
 - 5) Telecommunications antennas and towers; and
 - 6) Warehousing and distribution (as an ancillary use not to exceed 40% of gross floor area).
- (e) *Dimensional requirements.* The minimum dimensional requirements in the BTP shall be as follows:
- (1) Minimum site area for a BTP development: 10 acres.
 - (2) Minimum Lot width: 150 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 1. Major arterial: 100 feet.
 2. Arterial: 100 feet.
 3. Collector: 65 feet.
 - b. Minor thoroughfare: 65 feet.
 - (5) Rear yard setback: 25 feet.
 - (6) Side yard setback: 25 feet.
 - (7) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 100 feet shall be provided adjacent to the lot line. Where a side or rear lot line abuts property in a residential or A-R district with little to no dense forestry, there shall be a continuous evergreen vegetative screen within the buffer not less than 4 feet in height at the time of installation or opaque structural fence or wall not less than six feet in height erected along such lot line. Evergreen vegetative material intended to satisfy this subsection shall be planted at such intervals that will result in a continuous visual screen within one year of planting.
 - (8) Height limit: 50 feet.
 - (9) Impervious surface coverage limit, including structure and parking area: 60 percent of total lot area.
 - (10) *Outside storage, refuse area, and bay door requirements.* The following requirements shall apply to outside storage and refuse areas. Where this section contradicts any other requirement, the most restrictive shall apply.

- a. Outside storage of merchandise, equipment, and parts shall not be allowed in the front or side yard and limited to the rear yard only. Exterior storage shall not be visible from Town right of way and shall be screened on all sides as to limit negative effects from adjoining property owners.
- b. All refuse areas shall be allowed in side or rear yards only, shall be screened, and comply with the required buffers and setbacks.
- c. Bay doors shall not be visible from SR-74 right of way and shall be screened from all other right of way.

(11) Maximum building footprint: 200,000 s.f.

(f) *Other requirements.*

(1) *Utilities.* All utilities shall be underground.

(2) *Multi-tenant buildings.*

- a. *Location.* Developable frontage on a major arterial road to a minimum depth of 300 feet shall be reserved for multi-tenant buildings.
- b. *Uses limited.* Multi-tenant buildings in this area will be limited to the aforementioned business uses.

(h) *Rezoning requirements.* The following is required for a rezoning petition for the BTP zoning district in addition to what is normally required for a rezoning petition:

- (1) A development plan is required for the rezoning petition and will take the place of the required concept plan. The development plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved development plan, which affects the intent and character of the development, the land use pattern, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the town council upon the recommendation of the planning commission. A petition for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary. The development plan shall include what is normally required on the concept plan, as well as the following:
 - a. A delineation of the business use area and the light manufacturing/distribution use area, including the acreage within each area and the 30-foot separation buffer;
 - b. A delineation of the internal transportation network, including roads, multi-use paths, and inter-parcel access/roads as applicable;
 - c. Requirements of any overlay zone which is applicable to the property; and
 - d. Indicate and label existing structures to remain.

(Code 1992, § 20-6-24; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-14, § 5, 12-13-2012)