



AGENDA ITEM COMMENTARY

MEETING NAME:	Planning and Zoning Commission
MEETING DATE:	November 12, 2025
ITEM TITLE:	PUBLIC HEARING: Conduct a Public Hearing on amending Chapter 14 Zoning; 14.03.002 Zoning of Newly Annexed Areas; 14.03.008(5) Use Table; 14.03.012(F) Removing Cemeteries as an Allowed Use Under Parks and Open Areas; and 14.03.013 Commercial Use Categories.
STAFF INITIATOR:	Tara Tomlinson, Director of Development Services

BACKGROUND:

This commentary applies to the next two agenda items:

1. Conduct a public hearing on amending the Chapter 14 Zoning; 14.03.002 Zoning of Newly Annexed Areas; 14.03.008(5) Use Table; 14.03.012(F) Removing Cemeteries as an Allowed Use Under Parks and Open Areas; and 14.03.013 Commercial Use Categories.
2. Consider and take appropriate action on amending the Chapter 14 Zoning; 14.03.002 Zoning of Newly Annexed Areas; 14.03.008(5) Use Table; 14.03.012(F) Removing Cemeteries as an Allowed Use Under Parks and Open Areas; and 14.03.013 Commercial Use Categories.

Removing Cemeteries:

On September 9, 2025, the Planning and Zoning Commission reviewed the current zoning table and its permitted uses. One key concern raised was the allowance of cemeteries in areas designated as parks or open spaces. While state law provides specific regulations for cemeteries, the Commission determined it was necessary to remove this use from the list of permitted activities in parks and open spaces. This decision was based on the fact that Parks and Open Spaces are permitted in all zoning districts, potentially allowing cemeteries in any zone by extension.

Newly Annexed Areas:

Currently, the City of WolfForth's ordinances state that any newly annexed land will default to R-1 (Residential Single-Family) zoning if zoning is not established at the time of annexation. City staff has observed that many previously annexed properties did not have zoning assigned at the time of annexation, resulting in discrepancies with the City's Future Land Use Map. Some of these areas now have zoning designations that do not align with the city's long-term planning goals.

To address this issue, city staff is proposing an amendment to the annexation process. Under the proposed change, properties requesting annexation would also be able to request zoning designation concurrently. While annexation would still require prior approval by City Council in a separate agenda item, zoning could be established immediately afterward through a subsequent item.

Use Table, Commercial Use Categories, and Specific Use:

Due to recent growth in our commercial sector, city staff have been actively reviewing the current zoning ordinance. While most business types are adequately addressed, some specific uses remain vaguely defined, which has led to the establishment of businesses in areas that may not align with the city's long-term planning goals.

On September 9, 2025, the Planning and Zoning Commission defined categories that are currently not included in our zoning ordinances for clarification or regulations. In addition to reviewing specific uses, the Planning and Zoning Commission deliberated on the possibility of clarifying and consolidating the definitions of special use and conditional use under a more clearly defined category of specific use. While these terms are often used interchangeably, establishing distinct definitions and expectations will help ensure greater consistency and clarity in zoning decisions.

EXHIBITS:

1. Public Hearing Notices

COMMITTEE ACTION/STAFF RECOMMENDATION:

Conduct a public hearing.