

Downtown Elmwood Proposed New Zoning Regulations
(developed from Elmwood NA zoning meetings)

(b) Community retail (CR) district.

(1) Purpose. To provide for the development of community-serving retail, personal service, and office uses at a scale and intensity compatible with residential communities.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

■ **Hydroponic facilities**

(B) Commercial and business service uses.

-- Building repair and maintenance shop. *[RAR]*

-- Catering service.

-- Custom business services.

-- Electronics service center.

-- Medical or scientific laboratory. *[SUP]*

-- Tool or equipment rental.

-- **Custom woodworking, furniture construction, or repair.**

-- **Electronics service center.**

-- **Job or lithographic printing. *[RAR]***

-- **Labor hall. *[SUP]***

-- **Machine or welding shop. ~~*[RAR]*~~-(SUP)**

-- **Medical or scientific laboratory.**

-- **Technical school.**

-- **Tool or equipment rental.**

(C) Industrial uses.

-- ~~Gas drilling and production. *[SUP]*~~

-- ~~Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*~~

(D) Institutional and community service uses.

-- Adult day care facility.

-- ~~Cemetery or mausoleum. *[SUP]*~~

-- Child-care facility.

-- Church.

-- College, university, or seminary.

-- Community service center. *[SUP]*

-- Convent or monastery.

-- Hospital. *[SUP]*

-- Library, art gallery, or museum.

-- Open-enrollment charter school or private school. *[SUP]*

- Public school other than an open-enrollment charter school. [RAR]
- Community Gardens
- -- Convalescent and nursing homes, hospice care, and related institutions. [RAR]
- -- Convent or monastery.

(E) Lodging uses.

- Hotel and motel. [SUP]
- Lodging or boarding house. [SUP]
- Overnight general purpose shelter. [See Section [51A-4.205](#) (2.1)]
- “Air BnB “ type uses

(F) Miscellaneous uses.

- ~~Attached non-premise sign.~~ [SUP]
- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office. (with limited time period)

(G) Office uses.

- Alternative financial establishment. [SUP]
- Financial institution without drive-in window.
- Financial institution with drive-in window. [DIR]
- Medical clinic or ambulatory surgical center. (SUP)
- Office.

(H) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(I) Residential uses.

- College dormitory, fraternity, or sorority house. (SUP)
- Duplex.
- Multifamily (including townhomes)
- Retirement housing.
- Single family.

(J) Retail and personal service uses.

- Alcoholic beverage establishments. [See Section [51A-4.210](#) (b)(4).]
- ~~Ambulance service.~~ [RAR]
- Animal shelter or clinic without outside runs. [RAR]
- ~~Auto service center.~~ [RAR] Grandfather existing businesses
- Business school.
- ~~Car wash.~~ [DIR] Grandfather existing businesses
- Commercial amusement (inside). [SUP may be required. See Section [51A-4.210\(b\)\(7\)\(B\).](#)]
- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage. [RAR]
- Convenience store with drive-through. [SUP]
- Dry cleaning or laundry store. (confirm this does not allow plant, but simply drop-off

facilities)

- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- ~~— General merchandise or food store 100,000 square feet or more. [SUP]~~
- ~~— Home improvement center, lumber, brick or building materials sales yard. [DIR]~~
- Household equipment and appliance repair.
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- ~~— Motor vehicle fueling station.~~
- Nursery, garden shop, or plant sales.
- Paraphernalia shop. [SUP]
- ~~— Pawn shop.~~
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. ~~[DIR]~~ (SUP)
- Swap or buy shop. [SUP]
- Temporary retail use. (confirm what is allowed under this use)
- Theater.

(K) Transportation uses.

- ~~— Transit passenger shelter.~~
- Transit passenger station or transfer center. [By SUP or city council resolution. See Section [51A-4.211](#).] (confirm what is allowed under this use)

(L) Utility and public service uses.

- Commercial radio and television transmitting station.
- ~~Electrical substation.~~
- Local utilities. [SUP or RAR may be required. See Section [51A-4.212](#)(4).]
- Police or fire station.
- Post office.
- Radio, television or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section [51A-4.212](#)(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- ~~Mini warehouse. [SUP]~~
- Office showroom/warehouse.
- ~~Recycling buy back center. [See Section [51A-4.213](#) (11).]~~
- ~~— Recycling collection center. [See Section [51A-4.213](#) (11.1).]~~
- ~~Recycling drop-off container. [See Section [51A-4.213](#) (11.2).]~~
- ~~Recycling drop-off for special occasion collection. [See Section [51A-4.213](#) (11.3).]~~

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section [51A-4.217](#). For more information regarding accessory uses, consult Section [51A-4.217](#).

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Home occupation.
- Private stable.

- (B) In this district, the following accessory use is permitted by SUP only:
- Accessory helistop.
- (C) In this district, an SUP may be required for the following accessory uses:
- Accessory medical/infectious waste incinerator. *[See Section [51A-4.217](#) (3.1).]*
- (4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division [51A-4.400](#). In the event of a conflict between this subsection and Division [51A-4.400](#), Division [51A-4.400](#) controls.)
- (A) Front yard. Minimum front yard is 15 feet.
- (B) Side and rear yard. Minimum side and rear yard is:
- (i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and
 - (ii) no minimum in all other cases.
- (C) Dwelling unit density. No maximum dwelling unit density.
- (D) Floor area ratio. Maximum floor area ratio is:
- (i) 0.5 for office uses; and
 - (ii) 0.75 for all uses combined.
- (E) Height.
- (i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope **using a 1 X 2 ratio**.
Exception: Except for chimneys, structures listed in Section [51A-4.408](#)(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.
 - (ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 54 feet.
- (F) Lot coverage. Maximum lot coverage is ~~60~~ **80** percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (G) Lot size. No minimum lot size.
- (H) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).
- (5) Off-street parking and loading. ~~Consult the use regulations (Division [51A-4.200](#)) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions [51A-4.300](#) et seq.) for information regarding off-street parking and loading generally.~~

Parking requirements should be modified to be similar to those included in the Bishop – Davis PD

- Create Legacy building status to grandfather the older buildings to at least a retail use
- Allow parking agreements via lease (instead of deed restrictions)
- Allow parking agreements with any property in Downtown Elmwood regardless of distance
- Reduce parking requirements to match Bishop Davis
- Allow adjacent on-street parking to count towards additional parking requirements

- (6) Environmental performance standards. See [Article VI](#).

(7) Landscape regulations. See [Article X](#).

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section [51A-4.803](#) before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section [51A-4.803](#) to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section [51A-4.412](#).) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

Remove the distance requirements from schools and churches for the sale of alcoholic beverage establishments for both stores and restaurants

Determine if there is need for additional sign regulations

Restrict outdoor storage

Setbacks – No setback requirements except front yard

No FAR limits (addressed by lot coverage ratio, height restrictions and setback rules)

Implement architectural guidelines (look to other Planned Developments Districts for guidance)