

Land-Based Classification Standards and Coding

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Introduction

- Why is this topic important?
- Explaining use classification systems
- Preparing use classification systems
- Coding
- Examples

Why is this topic important?

- Ordinance drafting
- Implementation
- Tracking changes
- Legal defensibility
- Uniformity
- Rationality

Form v. Function



Form v. Function



Applications

- Euclidean zoning
- Form-based/design-based zoning
- Impact fees
- Transfer of development rights

Advantages of Classification Systems

- Systematically categorizing uses
- Defining uses
- Streamlining
- Relationships

Need for Classification Systems

- Who needs it?
 - Landowners/developers
 - Public officials
 - Neighborhoods
 - Zoning administrators
- State/federal law

LBCS

- Collaborative effort
- 5 categories
 - Activity
 - Function
 - Structure
 - Site
 - Ownership



Preparing
use
classification
systems

Issues with Typical Zoning Classifications

- Under inclusive
- Over inclusive
- Failure to define
- Cases
 - *County of Adams v. Romeo* (WI. 1995)
 - *State ex rel. Sunshine Enterprises of Missouri, Inc. v. Board of Adjustment of City of St. Ann* (Mo. 2002)

Objectives of a Classification System

- Clarity / user-friendly
 - Avoid ambiguity
 - Logical organization
 - Definitions
- Comprehensive
- Consistent with plan

Coding

- Framework
 - Euclidean based
 - Design based
 - Hybrid

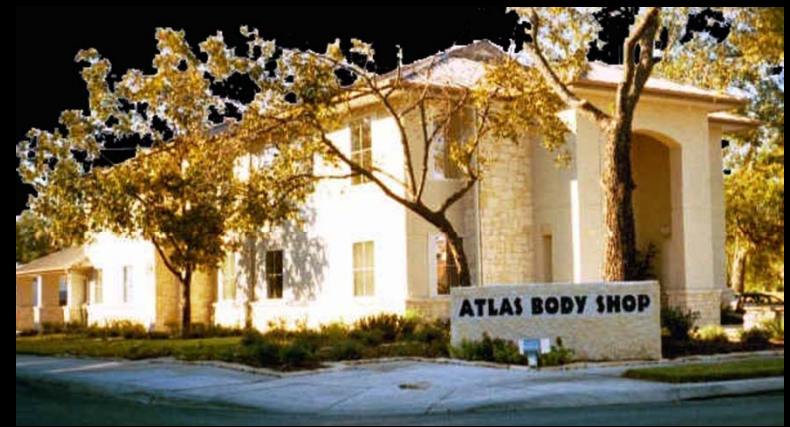


Coding

- Initial list of uses
 - LBCS base
 - Existing list of uses
 - Emerging uses
- What should be added?
- What can be –
 - Consolidated
 - Eliminated (careful!)
- Cross-reference audit

Coding

- Distribute uses to districts
- Permitted by right
- Discretionary review
 - Conditional or special use
 - Special exception
 - Floating zones
- Prohibited uses
- Unusual uses
- Supplementary standards



Coding

- Display
 - Individual districts
 - Comprehensive matrix
- Definitions
 - Embedded
 - Cross-references

TABLE 511-1 RESIDENTIAL USE MATRIX

PERMITTED USE	RCD	RE	R-20	RP-15	RP-10	RP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-25	MF-30	MF-40	MF-60	ER-20	LCIS FUNCTION	LCIS STRUCTURE
Accessory Uses (Supplemental To The Residential Use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	9900	
Assisted Living Or Elderly Home								S		S		S	P	P	P	P	P	1230	
Athletic Fields (Non-Commercial & Supplemental To The Residential Use)	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	5370	
Automobile Noncommercial Parking (Board Of Adjustment)													P	P	P	P	P	2110	
Bed And Breakfast			S	S	S	S	S	S	S	S	S	S						1310	
Cemetery Or Mausoleum	S	S	S				S		S		S							6700	
Child - Care																			

5.4.1 INTENT

The Neighborhood Center District is coded to serve as a focal point for pedestrian activities within a neighborhood. Typical neighborhood centers contain a variety of uses including commercial, civic, and residential structures mixed both along street frontages and within buildings. Neighborhood Centers serve as focal points of neighborhoods within 1/4 mile (5 minute walk) of the center and are scaled in size to the surrounding neighborhood.

In order to promote a pedestrian scale and encourage a perception of safety, on-street parking is required for all commercial buildings. Parking may be satisfied using on-street parking or shared rear-lot parking areas.

The architectural guidelines detailed in this section are enumerated to permit the construction of attached, apartment, civic and shopfront building types in close proximity to each other. Such buildings are made compatible through similar massing, volume, frontage, scale, and/or architectural features. Transitions from Neighborhood Residential areas to the Center should be accomplished through proper street design.

Commercial components of the Center may not exceed 15,000 square feet within a single building. Individual buildings are encouraged to be mixed vertically with street level commercial and upper level office and/or residential.

5.4.2 USES PERMITTED

Residential

One & Two Family Detached Homes built in accordance w/the NC Bldg. Code
Attached Homes
Apartment Buildings

Mixed Use and Commercial

In general, office, retail, or service uses which are designed and/or operated to service the daily needs of the residents of the surrounding neighborhoods and provide workplace opportunities for the community are permitted unless otherwise noted in buildings up to 6,000 sq ft of first floor area.

Bars and Nightclubs^{1**}
Conference Centers^{1**}
Country Club²
Day Care Centers²
Entertainment Uses²

Hotels/Motels/Inns²
Institutional Uses²
Office Uses
Outdoor Kennels^{1**}
Restaurants¹
Retail Uses
Uses Adjacent to One & Two Family Homes²

Other Uses

Cemetery²
Civic Uses
Essential Services, Class 1 & 2¹
Recreational Facilities¹
Temporary Uses¹
Water-Related Structures¹

¹ (See Chapter 6 for special conditions)
² (Requires Significant Impact Use Permit)

Exclusions**

Adult establishments
Automotive, boat, heavy equipment, & manufactured home repair/sales/service
Drive-through facilities
Gambling facilities
Light and Heavy manufacturing uses
Mining or Landfill Operations
Mini-storage
Outdoor storage or sales (not including permitted temporary uses such as produce stands)
Warehousing and/or storage necessitating truck travel (not including servicing of establishments located within the district)

**Also excluded are uses which are not specifically enumerated or construed by the Planning Director to be compatible with this District

Examples

- San Antonio, Texas
 - UDO process
 - Initial draft: design-based
 - Committee recommendation: comprehensive
 - LBCS and NAICS references
 - Coordination with Use Patterns

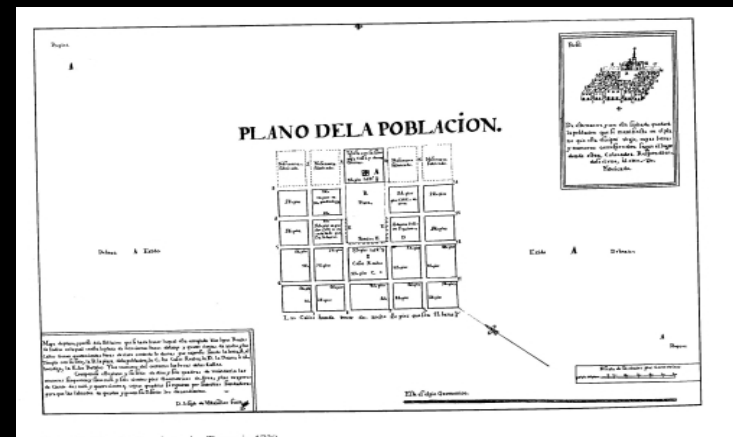
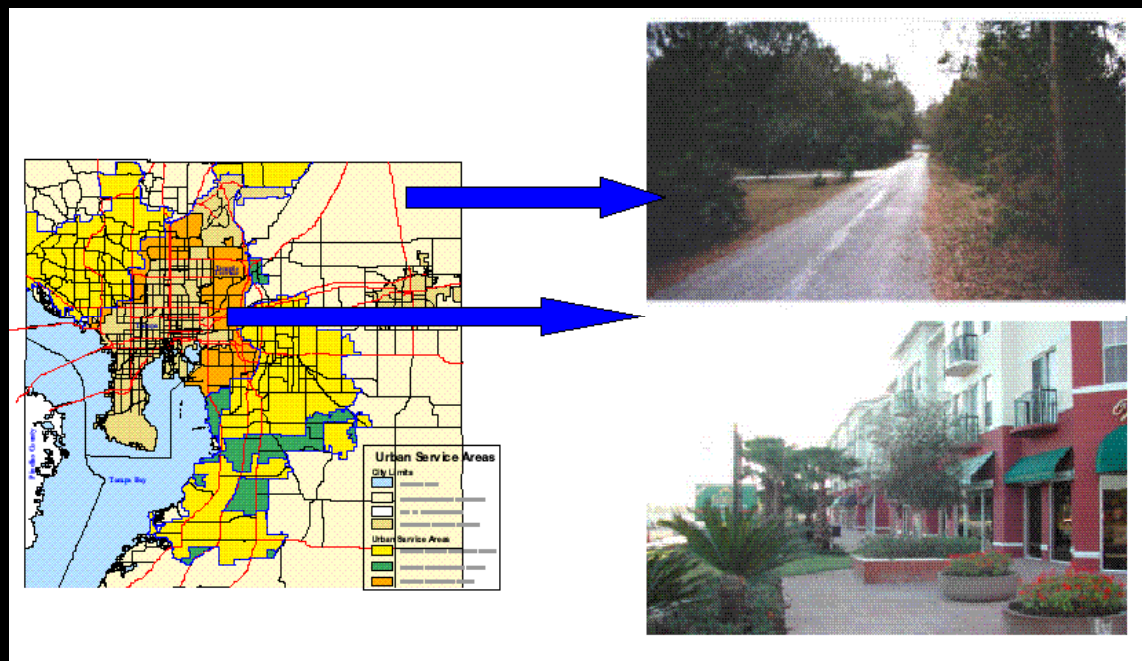


Figure 3. Plan for San Antonio, Texas, in 1793

Examples

- Hillsborough County, Florida
 - Community Design Regulations
 - Traditional Neighborhood Development (TND)
 - LBCS Structure



Examples

- Frederick, Maryland
 - LBCS & NAICS references
 - Performance-based code



Use	RC	RO	R4	R8	R12	R16	R20	PB	NC	BC	MO	M1	M2	DB	DR	DRO	MU	MXE	ST	PRK	LBCS Function	LBCS Structure	NAICS
Camera sales & photo processing (including development & printing services)								A	P	P				P		A	P	P			2132	-	44313
Car Wash										P		P	P				M	P			-	2593	811192
Cards, stationary								A	S	P				P			P	P			2135	-	-
Caterer									S	P				P				P			2560	-	72232
Commercial Use in Historic Structures	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	C	C	C	C	C	-	-	-
Construction Equipment, Sales, Service & Rental										P		P	P					P			-	-	444190

Conclusions

- Classification systems are complex
- Centerpiece of sound zoning
- Does not have to produce bad design
- Coordinate with planning and regulatory framework