

# Zoning Code Discussion

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- Uses
  - Allowed by right
  - Allowed by conditional use
  - Most zoning districts don't have prohibited uses
    - If not specifically listed, use not allowed
- Zoning district determines allowed uses
  - 26 zoning districts
    - 10 residential
    - 16 commercial

# Zoning Code Discussion

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- How are allowed uses determined for commercial zoning?
  - SIC (Standard Industrial Classification)
    - 11
  - NAICS (North American Industry Classification System)
    - 4
  - Uses not defined by other codes/plain English
    - 1
  - Prohibited use section that applies to all properties

# Is My Use Allowed

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- Specific use and specific property
  - Truck parking in OCT – Permitted use
    - Repair – Permitted use
    - Sale of parts
      - Retail – Permitted use
      - Wholesale – Prohibited use
    - Towing – Conditional use
      - Long term storage – Permitted use
        - Junk yard – Prohibited use

# Is My Use Allowed

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- Specific use and specific property
  - Medical office in SO zoning
  - Staff needs additional info to determine what type of activities are occurring
    - Taking blood and collecting samples
    - Who's collecting?
      - Doctor or someone else
        - Doctor – Permitted use
        - Someone else – Conditional use
    - Processed onsite or offsite
      - Onsite – Permitted use
      - Offsite – Conditional use

## 1153.01 - SO SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT.



(a) *Permitted Uses.* Only the uses included under the following listed numbers or as otherwise specified in this district shall be permitted in the Suburban Office and Institutional District.

(1) *Administrative and business.* Administrative office primarily engaged in general administration, supervision, purchasing, accounting, and other management functions.

Business offices carrying on no retail trade with the general public and having no stock of goods maintained for sale to customers.

60 Depository institutions.

61 Nondepository credit institutions.

62 Security and commodity brokers, dealers, exchanges, and services.

63 Insurance carriers.

64 Insurance agents, brokers, and services.

65 Real estate.

67 Holding and other investment companies.

[731](#) Advertising.

[732](#) Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collection agencies.

7383 News syndicates.

736 Private employment agencies.

(2) *Professional.* Professional offices engaged in providing tangible and intangible services to the general public, involving both persons and their possessions.

0781 Landscape counseling and planning.

801 Offices and clinics of doctors of medicine.

802 Offices and clinics of dentists.

803 Offices and clinics of doctors of osteopathy.

804 Offices and clinics of other health practitioners.

811 Legal services.

871 Engineering, architectural and surveying services.

872 Accounting, auditing and bookkeeping services.

8748 Land planners.

(3) *Institutions.*

823 Libraries.

841 Museums and art galleries.

(4) *Organizations and associations.*

861 Business associations.

862 Professional membership organizations.

864 Civic, social and fraternal associations.

865 Political organizations.

867 Charitable organizations.

(b) *Conditional Uses.* The following uses shall be allowed in the Suburban Office and Institutional District subject to approval in accordance with [Chapter 1169](#).

(1) *Drive-in facility.* Drive-in or outdoor service facilities developed in association with a permitted use.

(2) *Reserved.*

(3) *Professional.* Professional offices engaged in providing tangible and intangible services to the general public, involving both persons and their possessions.

806 Hospitals.

807 Medical and dental laboratories.

8099 Health and allied services, not elsewhere classified.

892 Nonprofit educational and scientific research agencies.

899 Services, not elsewhere classified.

(4) *Institutions.*

829 Schools and educational services, not elsewhere classified.

835 Day care centers.

842 Arboreta and botanical or zoological gardens.

(5) *Organizations and associations.*

863 Labor unions and similar labor organizations.

869 Nonprofit membership organizations, not elsewhere classified.

(6) *Public administration.*

93 Public finance, taxation and monetary policy.

94 Administration of human resource programs.

95 Administration of environmental quality and housing programs.

96 Administration of economic programs.

97 National security and international affairs.

(7) *Family care home (as defined in [Chapter 1123](#)).* The purpose of this section is to regulate the establishment of residential care facilities for individuals who are unable to live in their own home or with their family, are unsuited for foster home placement, or when foster home placement is unavailable and who are not in need of institutional care or treatment.

# What Uses Are Allowed In My Zoning

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- What's allowed in SO?
  - Can't just say use x, y, z is permitted
    - Code references SIC numbering and terminology
      - 65 – Real estate
        - 10 unique subsections
        - 63 unique uses
      - 801 – Offices and clinics of doctors of medicine
        - 59 unique uses
      - 899 – Services not elsewhere defined
        - 46 unique uses



# Where's My Use Allowed

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- Where's a vape shop allowed?
  - What is a vape shop?
    - Retail sale of tobacco
  - Depends if zoning district refers to NAICS, SIC, or plain English
    - NAICS – 15 references
      - 453991 – Tobacco stores
      - 4 different zoning districts allow use
    - SIC – 19 references
      - 5993 – Tobacco stores
      - 6 different zoning districts allow use
    - Plain English
      - Allowed if “retail” is allowed
      - 1 zoning district allow use
    - 11 of 16 commercial districts allow a vape shop

# Zoning Code Discussion

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- What is the land use plan role in uses?
  - If zoning permits by right – None
  - If conditional use – Look at FLUM
  - If rezoning – Look at FLUM
- Land use plan
  - Makes recommendations as to where uses should go
    - Very high level
      - Doesn't get into specific uses (few exceptions)
  - Makes recommendations on intensity, setbacks, height
  - Meant as a guide, not law
- Helps guide zoning code rewrite

# Zoning Code Discussion

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- Zoning code rewrite
  - What has happened
    - Formatting, consolidation, eliminating obsolete code
      - Current zoning code has definitions in 10 different areas
      - New code will have one glossary
  - What hasn't occurred yet
    - What uses are appropriate in zoning districts
    - Where to locate zoning districts
  - Workshop 45-60 days out



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