



City Council Report

DATE: September 14, 2015
TO: Mayor Giles and City Council Members
THROUGH: Karolyn Kent, Assistant City Manager
Christine Zielonka, Development Services Director
John Wesley, Planning Director
FROM: Gordon Sheffield, Zoning Administrator
SUBJECT: Proposed Amendment to the Zoning Ordinance
Reception Centers in Employment Districts

PURPOSE AND RECOMMENDATION

This proposed amendment to the zoning ordinance would allow Banquet and Conference Centers (sometimes also known as wedding reception centers) as a conditional use in employment/industrial zoning districts. These facilities are 'public assembly' oriented, designed to accommodate a large number of people in one space at the same time, and often used for large social occasions, such as bar/bat mitzvah ceremonies, weddings and large parties. As presently configured, banquet and conference centers are not permitted in any of the employment/industrial zoning districts: PEP-Planned Employment Park, LI-Light Industrial, GI-General Industrial, or HI-Heavy Industrial. The proposal would permit this use in LI and PEP districts, subject to approval of a Special Use Permit.

The Planning and Zoning Board recommended approval of Alternative A, approval of the text amendment as written, (Motion passed, 5-0, with Boardmembers Dahlke and Hudson absent).

BACKGROUND

Under the previous (pre-2011) zoning ordinance, the formatting and organization was such that several commercial land uses automatically carried over to the employment/industrial districts. Land use classifications listed as permitted in commercial districts, such as general offices, medical offices, hospitals, hotels and similar activities, were not specifically listed as permitted in industrial districts, but rather were included in a catch-all category of "...uses not otherwise specified in the (commercial) zoning districts", and would then be listed as allowed as the catch-all category in Limited Industrial and General Industrial districts. The formatting of the updated zoning ordinance changed this practice. Instead of carrying everything over in a single catch-all category, commercial land use activities were each specifically listed after each of these uses had been reviewed for compatibility with the purpose and intent of the employment/industrial districts. The lack of mention of reception centers as a conditional permitted activity in at least the 'lighter' industrial districts, such as PEP and LI, was an oversight. There are existing reception centers in areas zoned LI that were established under the former zoning ordinance that are now non-conforming.

DISCUSSION *(For specific text amendment language, see Appendix A)*

Banquet and Conference Centers are defined in Section 11-86-4 of the Zoning Ordinance as:

Facilities that are rented for short-term events such as weddings, receptions, banquets, and conferences, as a principal business activity (not accessory to another use such as a Place of Worship or Community Center).

Presently, this activity is permitted in every commercial zoning district (OC-Office Commercial, NC-Neighborhood Commercial, LC-Limited Commercial, GC-General Commercial, and MX-Mixed Use), but not in any of the employment/industrial districts. Most small scale commercial uses, such as retail shops, offices, automotive repair and hotels/motels, are permitted in PEP-Planned Employment Park and LI-Light Industrial districts. Theoretically, based on the concept of transitioning uses across multiple land use districts; it is generally favorable to have some smaller-scaled commercial activities available in employment/industrial districts to facilitate the day-to-day operations of industrial activities, including purchasing gas and convenience items, or having food service activities such as restaurants and cafes available nearby. The premise for allowing Banquet and Conference Centers in employment/industrial districts follows a similar pattern of logic, that operators of employment/industrial activities could and do make use of such facilities for large meetings, conferences, receptions and similar activities. Because bringing any additional traffic associated with a public assembly related activity into industrial areas may not always be compatible with heavy industrial uses, or with some larger scale, indoor manufacturing activities, this proposal would limit banquet and conference centers to a conditional use in the more restrictive employment/industrial zoning districts: PEP and LI. More specifically, it would require a Special Use Permit process, which involves a public hearing through the Board of Adjustment/Zoning Administrator Hearing Officer.

ALTERNATIVES

Alternative A (Recommended) - Adopt the suggested amendment language: The proposed amendment is designed to review the context in which a Banquet and Conference Center may be situated through a public review/hearing process. This use is already permitted, without a public hearing process, in all commercial districts, principally because commercial districts are intended to be placed in high traffic areas that are designed to accommodate large numbers of vehicles and events. With regard to employment/industrial districts, limiting a Banquet and Conference Center activity to the PEP and LI districts (and not the GI or HI districts), and requiring approval of a Special Use Permit, will assure that this high assembly-oriented use remains compatible with the principal nature of employment/industrial zoning districts. The Planning and Zoning Board recommended approval of this alternative at their August 19, 2015 meeting, with the motion to recommend approval passing on a 5-0 vote.

Alternative B - Revise the suggested amendment language: As with the development of any ordinance modification, there may be items or typical circumstances related to this topic that were somehow overlooked and should be addressed, but the proposed language may not have taken into account as presently written.

Alternative C (Not Recommended) - Make no changes to the existing zoning ordinance: Doing so would leave the existing prohibition on Banquet and Conference Centers from locating in employment/industrial districts in place. There are a few existing Banquet and Conference Centers located in LI districts that were allowed before the Zoning Ordinance Update became effective in September 2011. These facilities are legal, but nonconforming, and as such, are limited to the existing footprint of those buildings. Leaving the existing prohibition in place will also prohibit any revisions, expansion or other physical exterior changes to these existing reception facilities that are located in employment/industrial districts.

FISCAL IMPACT

Fees would be collected for processing Special Use Permit. It is not anticipated that there will be an overwhelming demand for this use. Because of this, adoption of this proposed amendment to the Zoning Ordinance is unlikely to have more than a minimal impact on the budget.

**Appendix A: Proposed Revisions to Table 11-7-2 Regarding
Commercial Land Use Classifications in Employment/Industrial Zoning Districts**

Note: Proposed Change listed in **ALL CAP BOLD UNDERLINE** font and bordered by bold outline.

Table 11-7-2: Employment Districts (excerpted)					
Commercial Use Classifications					
<i>Proposed Use</i>	<i>PEP</i>	<i>LI (M-1)</i>	<i>GI (M-2)</i>	<i>HI</i>	<i>Additional Use Regulations</i>
<u>Animal Sales and Services</u>					
Kennels	--	P	P	--	
Pet Stores	--	P	P	--	
Veterinary Services	P	P	P	--	
Artists' Studios	P	P	P	P/SUP (6)	
Automobile/Vehicle Sales and Services					
Automobile Rentals	SUP	P	P	--	Section 11-31-5, Automobile Rentals; Automobile/ Vehicle Sales and Leasing
Automobile/Vehicle Sales and Leasing	--	P	P	--	
Automobile/Vehicle Repair, Major	--	P	P	--	Section 11-31-6, Automobile/ Vehicle Repair; Major and Minor
Automobile/Vehicle Service and Repair, Minor	--	P	P	--	
Automobile/Vehicle Washing	SUP	P	P	--	Section 11-31-7, Automobile/ Vehicle Washing
Large Vehicle and Equipment Sales, Services, and Rental	--	P	P	--	Section 11-31-5, Automobile Rentals; Automobile/ Vehicle Sales and Leasing
Service Station	SUP	SUP	SUP	--	Section 11-31-25, Service Stations
Towing and Impound	--	SUP	SUP	CUP	
Banks and Financial Institutions	P	P	P	--	
With Drive-Thru Facilities	SUP	P	P	--	
BANQUET AND CONFERENCE CENTERS	SUP	SUP	--	--	
Building Materials and Services	--	P	P	--	
Business Services	P	P	P	P/SUP (6)	
Commercial Recreation					
Small-Scale	P(10, 12)	P (10, 12)	--	--	
Large-Scale	SUP (10, 12)	P (10, 12)	--	--	
Eating and Drinking Establishments					

Table 11-7-2: Employment Districts (excerpted)					
Commercial Use Classifications					
Proposed Use	PEP	LJ (M-1)	GI (M-2)	HI	Additional Use Regulations
Bars/Clubs/Lounges	P	P	P	--	Section 11-31-19, Outdoor Eating Areas
Coffee Shops/Cafes	P	P	P	P/SUP (6)	
Restaurants, Bar and Grill	P	P	P	P/SUP (6)	
Restaurants, Full-Service	P	P	P	P/SUP (6)	
Restaurants, Limited Service	P	P	P	P/SUP (6)	
With Drive-Thru Facilities	P	P	P	SUP	
With Outdoor Seating Areas	P (10,11)	P (10,11)	P (10,11)	SUP	
Off-track Betting	P(14, 15)	P (14, 15)	--	--	
With Live Entertainment	P	P	--	--	
Farmer's Market	TUP/SUP	--	--	--	Section 11-31-30, Temporary Uses
Food and Beverage Sales					
Convenience Market	P/SUP (1)	P(1,7)	P(1,7)	P/SUP (6)	Section 11-31-11, Convenience Markets
Funeral Parlors and Mortuaries	SUP	P	P	P	
Hotels and Motels	P	P	P	--	
Laboratories	P	P	P	P	
Light Fleet-Based Services	--	P	P	P	
Live-Work Units	SUP (10,11)	SUP (10,11)	SUP (10,11)	--	Section 11-31-17, Live Work Units
Maintenance and Repair Services	--	P	P	--	
Medical Marijuana Dispensaries	--	P	P	--	Section 11-31-34
Medical Marijuana Cultivation Facilities (Accessory to Medical Marijuana Dispensaries)	--	P	P	--	
Medical Marijuana Cultivation Facilities	--	P	P	--	
Offices					
Business and Professional	P	P	P	--	
Medical and Dental	P	P	P	--	
Parking, Commercial	--	P	P	P	
Personal Services	P(2)	P	P	P/SUP (6)	
Plant Nurseries and Garden Centers	SUP	P	P	SUP	
Retail Sales					
General	P	P	P	--	
Large Format	P(8)	CUP	--	--	Section 11-31-16, Large Format Retail
Swap Meets and Flea Markets	--	CUP	CUP	--	Section 11-31-30, Temporary Uses: Swap Meets and Farmer's Markets
Tattoo and Body Piercing Parlors	--	P	P	--	