Town of Timnath Planning Commission
Regular Meeting
Tuesday, May 16, 2017 at 6:00 p.m.
Regular Meeting will be held at the Timnath Administration Building,
4800 Goodman Street, Timnath, Colorado

1. Regular Meeting Call to Order
   a. Roll Call
      Chairperson                Philip Goldstein
      Vice Chairperson           Kristen Seidel
      Commissioner               Donald Risden
      Commissioner               Scott Roys
      Commissioner               Vacant
      Alternate                  Marty Jost
      Alternate                  Don Nohavec

2. Amendments to the Agenda

3. Administrative
   a. Determination of Alternate Voting (if necessary)
   b. Appointment of Alternate Jost to Planning Commissioner

4. Public Comments
   a. Public Comment is a time for the Public to address the Planning Commission on
      any item that is not on the agenda as a public hearing.

5. Consent Agenda
   a. Approval of the April 18, 2017 Planning Commission Meeting Minutes will be
      brought forward at the June 6, 2017 Meeting.

6. Business and Discussion Items
   a. Harmony Subdivision PD Overlay – Public Hearing
   b. Fisher Subdivision Sketch Plan – Public Hearing
   c. Land Use Code Amendments

7. Reports (if available)
   a. Commissioner Reports
   b. Town Manager
   c. Town Planner
   d. Town Engineer

8. Adjournment
EXECUTIVE SUMMARY: This action is to amend the current PD Overlay to add uses that will be permitted or conditional to the CMU zoning. All previously approved PD Overlay modifications will remain/unchanged.

STAFF RECOMMENDATION: Staff recommends the approval of the PD Overlay application.

KEY POINTS/SUPPORTING INFORMATION:

Owner: Harmony, LLC
Applicant: Mark TIngey
Application Type: Rezoning

Legal Description/Address: Parcel(s) of land located at the northwest corner of Harmony and Latham Parkway (LCR1) in the Harmony Subdivision.

Parcel Size (Acres): 642 +/- total acres

Existing Zoning: R-E, R-3, CMU with PD Overlay  Proposed Zoning: R-E, R-3, CMU with PD Overlay
Existing Land Use: Vacant, Single-Family Residential  Proposed Land Use: Single-Family Residential
Comprehensive Plan Designation: Very Low Density Residential, Medium Density Residential, Mixed Use

SERVICES:

Water: Fort Collins – Loveland Water District
Sewer: South Fort Collins Sanitation District
Fire: Poudre Fire Authority
Electric: Xcel

Adjacent Zoning/Land Uses:

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<thead>
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<th>Land Use</th>
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<tr>
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<tr>
<td>East</td>
<td>RMU (Town of Windsor)</td>
<td>Ridge at Harmony Subdivision</td>
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<tr>
<td>West</td>
<td>R-3, R-2, MU</td>
<td>Vacant Land (Timnath Landing Subdivision)</td>
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</tbody>
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USES BEING ADDED AS PERMITTED OR CONDITIONAL:

Permitted:
1. Multiple Family Dwellings
2. Senior Housing
3. Single Family Detached
4. Single Family Attached on small lots
5. Two Family Dwellings
6. Community Facilities
7. Auto, RV, Boat and Truck storage
8. Equipment, rental establishments with outdoor storage
9. Membership clubs
10. Mixed Use Dwelling
11. Grocery Store
12. Tourist Facility
13. Veterinary Facility, Small animal

Conditional:
1. Golf Course
2. Public facilities with business offices, repair, and storage
3. Family child care homes
4. Child care center
5. Entertainment facilities and theaters
6. Gasoline stations
7. Limited indoor recreation facility
8. Limited outdoor recreation facility
9. Motor vehicle repair, minor
10. Restaurants with drive-thru
11. Plan nurseries and greenhouses

REVIEW CRITERIA:
From Section 2.9.14.9 of the Land Use Code:

Final PD Development Plan Review Criteria:
1. The proposed Planned Development District shall have a unified character throughout the district. The Planned Development District shall have no more adverse effects on health, safety, or welfare of the surrounding properties, or shall be no more injurious to property or improvements in the area than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to:
   a. The location, type, and height of buildings or structures;
   b. The type and extent of landscaping and screening on the site; and
   c. Whether the proposed use is consistent with any policy of the comprehensive plan that encourages mixed uses and/or densities

Response: This PD Overlay does not have more adverse effects on health, safety or welfare of
the surrounding properties as it is only adding certain specific uses to be permitted or conditional in the Commercial Mixed Use (CMU) zone. This will actually encourage a larger range of mixed uses and/or densities. These uses were previously approved with the MU district.

2. Adequate utilities shall be provided
   Response: The adequate utilities have been provided through previous platting and development.

3. The proposed Planned Development District will not substantially impair the appropriate use or development of adjacent property.
   Response: This PD Overlay well not impair the appropriate use or development of adjacent property since it is only adding new uses to the Harmony Subdivision

4. No significant traffic issues are created.
   Response: This PD Overlay does not create traffic issues. A traffic study was done for the entire Harmony Subdivision. If a use is proposed that exceeds the original traffic study, a memo update will be required to address any additional impacts.

5. The Planned Development District results in a more efficient development.
   Response: This PD Overlay is a more efficient development with the addition of more uses to give a larger range of mixed uses to the community. The future development will require site plan review and approval that complies with the Town’s Land Use Code.

RECOMMENDED MOTION:
I move to recommend approval of the Harmony Amended Planned Development Overlay District to the Timnath Town Council, with the following conditions:
   a. Allow staff to continue to work with applicant to address all unresolved non-substantive technical comments to the satisfaction of Town Staff and Referral Agencies

ATTACHMENTS:
1. Harmony Planned Development Overlay Map
2. Existing PD Overlay (For Reference)
### EXECUTIVE SUMMARY
The Fisher property is a 235.9 acre site located north of Old Town Timnath on the west side of CR 5 and is annexed to the Town of Timnath. The intent is to provide 213.1 acres of residential and 22.8 acres of residential mixed-use. Sketch plan is a bubble concept plan that is setting unit and density maximums. The proposed maximum units is 750 units which will have a maximum density of 3.18 DU/AC. The Sketch Plan is consistent with the Town’s Comprehensive Plan and PROST Plan.

### STAFF RECOMMENDATION
Staff recommends the approval of the sketch plan, with conditions.

### KEY POINTS/SUPPORTING INFORMATION

**Owner:** The Landhuis Company  
**Applicant:** Jeff Mark, The Landhuis Company  
**Application Type:** Sketch Plan  
**Case Number:** SP-2015-002

**Legal Description/Address:** Parcel(s) of land located west of CR 5 and south of CR 42E

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**Parcel Size (Acres):** 236 +/- Total Acres  

**Number of Lots:** Approximately 750 units

**Existing Zoning:** R-2, RMU  
**Existing Land Use:** Vacant / Farming  
**Proposed Zoning:** Unchanged  
**Proposed Land Use:** Single-Family Residential, Multi-family, Mixed-use, Open Space, Trails, Parks
SERVICES:

Water: ELCO Water District
Sewer: Boxelder Sanitation District
Fire: Poudre Fire Authority
Special Districts: None at this time

Adjacent Zoning/Land Uses:

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<td>Vacant/Farming</td>
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<tr>
<td>East</td>
<td>FA-1 Unincorporated Larimer County; CR 5</td>
<td>Vacant/Farming</td>
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</tbody>
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This Property will be required to undergo the following processes:
- Preliminary Plat - Future Submittal
- Final Plat - Future Submittal

Reference Timnath Land Use Code Section 2.9.10.9.B Sketch Plan for details on the Sketch Plan Process

Land Use Code, Section 2.9.10.9.B

Sketch Plan review criteria. The Town shall use the following criteria in addition to other applicable provisions of this code to evaluate the applicants sketch plan application:

1. The land use mix within the project conforms to the Town’s Zoning District Map and Land Use Map and furthers the goals and policies of the Comprehensive Plan.
   
   Response: The sketch plan proposed uses conform with the Town’s Zoning Map and Comprehensive Plan. The property is designated as both Mixed-Use, and Residential Land Uses.

2. The sketch plan represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code and the Town Comprehensive Plan.
   
   Response: The sketch plan proposed is a functional system of land use and is consistent with the Code and the Comprehensive Plan. The uses proposed are compatible with each other and are appropriate for the locations depicted.

3. The utility and transportation design is adequate, given existing and planned capacities of those systems.
   
   Response: The sketch plan has an adequate utility and transportation design at this time. A transportation study and utility design will be done at the final plat stage.

4. Negative impact on adjacent land uses have been identified and satisfactorily mitigated.
   
   Response: The negative impacts on adjacent land uses have been identified and this sketch plan mitigates those impacts. The sketch Plan shows buffering to adjacent properties.
**REFERRAL COMMENTS:**

*Not returned:* AT & T Communications, Poudre River Public Library District, Poudre School District, Qwest Communications, Timnath Finance, Timnath Post Office, Timnath Public Works, Xcel Energy, Timnath Town Attorney, Larimer County Dept. of Natural Resources, Comcast Cable, Lake Canal, Cache LaPoudre Reservoir Co

*Returned with no comments:* Safebuilt, Timnath Police Department, Poudre Fire Authority, ELCO Water District, Boxelder Sanitation District

*Returned with comments:* Timnath Engineering, Colo. Geological Survey, Timnath Community Development

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**RECOMMENDED MOTION:**

Finding that a complete application was submitted and reviewed in accordance with all applicable Town regulations, the application conforms with the mission and goals of the Timnath Comprehensive Plan, and all criteria outlined in Section 2.9.10.9.B. of the Timnath Municipal Code have been met, I move to recommend approval of the Fisher Subdivision Sketch Plan with the following conditions:

1. Allow staff to work with the owner applicant to address minor, non-substantive modifications prior to signatures.

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**ATTACHMENTS:**

1. Project Narrative/Annexation Assessment Report
2. Sketch Plan
3. Lotting Plan – For Reference
PROJECT DESCRIPTION

Design Rationale:

The Fisher Property is a 235.92 acre site located north of Old Town Timnath on County Road 5. Consistent with the Town’s Comprehensive Plan 2013, the majority of the site has been designated as low density, single-family homes. This area is proposed to be zoned R2 Single-Family Residential. A central area is proposed to be zoned MU Mixed Use and will include a variety of home types, with the general density tapering to single-family detached homes at the edge of the district. The MU zone may also include parks, a community recreation center, central gathering spaces, and entry monumentation. The southern portion of the site will likely be open space and is a possible location for a community park. The development will include a variety of trails, parks, and open spaces, which will provide opportunities for recreation and pedestrian/bicycle circulation outside of the formal road network. Because the R2 zone also includes parks as an allowable use, and because there is no formal Parks or Open Space zone, we are proposing that the open space portion of the Fisher Property be zoned R2.

Proposed Density:

The Fisher Property will comply with the density standards for each zone on the property. In the case of R2 Single-Family Residential, which comprises approximately 70% of the site, the minimum lot size is 6,000 sf. The MU zone permits smaller lot sizes, and therefore higher possible density in the center of the site. Please refer to the Land Use Summary table on Sheet 2 in the Sketch Plan for more information on this subject. No more than +/-750 dwelling units are proposed for the site as a whole.

Standard lots within the R2 zone are anticipated to be 54’ and 64’, with varying lot depths to comply with the Town’s minimum lots size requirements. The anticipated price of homes has not yet been determined.

Drainage and Stormwater:

The site naturally drains into the Boxelder Drainage, which is currently in the process of a substantial renovation. It is anticipated that on-site detention will be located in the open space within the Boxelder Drainage, or possibly in the MU zone as a central pond feature. This issue will be further refined in the Preliminary and Final Plat.

Water and Taps:

Water service will be provided to the site by East Larimer County (ELCO) Water District and may possibly be augmented by on-site wells. The final proposed volume of water required for the site will be determined at the time of Final Plat.

Commercial Mineral Deposits:

Mineral rights are held by Bradley Marsheffel, LLC.

Floodplain Hazards:
Currently the Boxelder Drainage floodplain and floodway encompass the southern portion of the Fisher Property. The Boxelder Drainage is currently undergoing substantial improvements and it is anticipated that the floodplain will be removed from the property.

**Relationship between Proposal and the Town Comprehensive Plan:**

This proposal is consistent with the Town’s Comprehensive Plan, and its proposed long-term land uses for the Fisher Property. Similar residential land uses are also proposed by the Comprehensive Plan for abutting and nearby properties.

For a more thorough analysis of how the Fisher Property complies with the Comprehensive Plan and the Town’s key planning documents, please refer to the attached Annexation Assessment Report that outlines in detail how the Fisher Property design meets the standards of the Town and furthers the Town’s long-term planning objectives.

We look forward to working with the Town as these plans are refined and revised. Please contact us if you have any additional questions.

Sincerely,
Norris Design

Mitch Black  
Principal
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 27, AND A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 7 NORTH, RANGE 68 WEST, 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SOUTHEAST QUARTER OF SECTION 22;

THENCE NORTH 89°46'10" EAST ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 AND A DISTANCE OF 2,611.12 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 5 AND A POINT ON THE TOWN LIMITS OF THE TOWN OF TIMNATH;

THENCE SOUTH 16°03'10" EAST ALONG THE EASTERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 AND ALONG SAID TOWN LIMITS A DISTANCE OF 2,677.17 FEET TO THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22;

THENCE SOUTH 89°51'10" WEST A DISTANCE OF 2,647.77 FEET TO THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF SECTION 27;

THENCE SOUTH 16°03'10" WEST A DISTANCE OF 10.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 5;

THENCE SOUTH 89°51'10" WEST A DISTANCE OF 1060.69 FEET;

THENCE NORTH 89°51'10" EAST A DISTANCE OF 1053.64 FEET;

THENCE NORTH 16°03'10" EAST A DISTANCE OF 2,647.77 FEET TO THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 22 AND ALONG SAID TOWN LIMITS A DISTANCE OF 10.00 FEET;

THENCE NORTH 89°51'10" WEST A DISTANCE OF 2,649.79 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 10,276,877 SQUARE FEET, OR 235.92 ACRES,

MORE OR LESS.

PLANNING COMMISSION CERTIFICATE

APPROVED THIS ________ DAY OF ____________, 20______,

BY THE TOWN PLANNING COMMISSION, TIMNATH, COLORADO.

BY: ____________________________

TOWN COUNCIL CERTIFICATE

APPROVED THIS ________ DAY OF ____________, 20______,

BY THE TOWN BOARD, TIMNATH, COLORADO.

BY: ____________________________

TIMNATH MAYOR

TIMNATH TOWN CLERK

BASIS OF BEARING

BASIS OF BEARINGS SHOWN HEREIN ARE BASED ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 22, T7N, R68W OF THE 6TH PRINCIPAL MERIDIAN, WHICH WAS ASSUMED TO BE NORTH 00°00'00" EAST.

APPROVED THIS ____________ DAY OF ______________________, 20______,

BY ____________________________

PLANNING COMMISSION CERTIFICATE

APPROVED THIS ____________ DAY OF ______________________, 20______,

BY ____________________________

TOWN COUNCIL CERTIFICATE

APPROVED THIS ____________ DAY OF ______________________, 20______,

BY ____________________________
FISHER PROPERTY SKETCH PLAN

TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF LARIMER, STATE OF COLORADO

CONTEXT MAP

LEGEND

FISHER PROPERTY
REGIONAL TRAIL NETWORK
(PER COMPREHENSIVE PLAN)
POCKET PARK
(PER COMPREHENSIVE PLAN)
NEIGHBORHOOD PARK
(PER COMPREHENSIVE PLAN)
COMMUNITY PARK
(PER COMPREHENSIVE PLAN)

EXISTING WATER LINES
EXISTING SEWER LINE

NOTES:
1. FISHER PROPERTY AND ALL OTHER SURROUNDING PROPERTIES ARE SHOWN AS PAINTED PER COMPREHENSIVE PLAN.
2. PROPOSED LINES INCLUDE EXISTING MAIN ELEMENTS AND UNMARKED WATER MAINS.

CITY OF GREELEY

REVIEWED BY: _____________________________
WATER/SEWER DIRECTOR
DATE: ________________________________

REVIEW DOES NOT CONSTITUTE "APPROVAL" OF PLANS PREPARED BY RESPONSIBLE PARTY.
PLANNING COMMISSION COMMUNICATION

Meeting Date: 5/16/2017

Item: Timnath Land Use Code Amendments

Presented by:
Matt Blakely,
Community Development Director

EXECUTIVE SUMMARY:
This proposal is to amend multiple sections of the Land Use Code, it will correct tables that were missing standards for zoning districts, change designations for Motor Vehicle Repair Major and Minor, Car Wash, and add in the use of Food Trucks to the use table. It also adds permitted conditions for Clubs and Lodges, and Veterinary Facility for Small Animals as those were missing.

There is also an addition to the parking section of 5.8 of the code that now adds requirements for any commercial, mixed-use, business, and industrial developments to provide parking spaces and charging stations for electric vehicles.

The other changes are minor grammatical and technical errors.

STAFF RECOMMENDATION: Staff recommends the approval of these Land Use Code Amendments.

KEY POINTS/SUPPORTING INFORMATION:
The following amendments are being recommended by Staff to the Land Use Code since adoption by Town Council on January 12, 2016:

Table 4.1: There are missing designations for Pharmacy with Drive-thru in certain zoning districts. The designations for Motor Vehicle Repair Major and Minor don’t line up with the zoning district. Car wash is prohibited in the Regional Commercial (RC) while it is Permitted with Conditions (PC) in the Community Commercial (CC) and Neighborhood Commercial (NC). There is also the addition of the use of Food Trucks and those will be Permitted with Conditions (PC).

Therefore the following changes are being made to the land use table:

1. Change Car Wash from Prohibited (*) to Conditional Use (C) in the Regional Commercial (RC) zoning district.
2. Change Motor Vehicle Repair Major from Permitted (P) to Conditional Use (C) in Community Commercial (CC). Also change it from Prohibited (*) to Conditional Use (C) in Regional Commercial (RC), and change it from Prohibited (*) in Industrial (I) to Permitted (P).
3. Change Motor Vehicle Repair Minor from Conditional Use (C) to Prohibited (*) in Residential Mixed-Use (RMU), change it from Prohibited (*) to Conditional Use (C) in Commercial Mixed-Use (CMU) and Regional Commercial (RC). Change it from Permitted (P) in Neighborhood Commercial (NC) and Community Commercial (CC) to Conditional Use (C). Lastly change from Prohibited (*) to Permitted (P) in Industrial.
4. Add the use of Food Trucks as Permitted with Conditions (PC) in Residential Mixed-Use (RMU), Commercial Mixed-Use (CMU), Business (B), Neighborhood Commercial (NC), Community Commercial (CC), Regional Commercial (RC), and Industrial (I). Food trucks will be Prohibited (*) in all other zoning districts.

5. Pharmacy with Drive-thru will be Prohibited (*) in all residential and agricultural zones. It will also be Conditional (C) in the Community Commercial (CC), and Regional Commercial (RC) and Industrial (I) zone.

Section 4.4.10 is missing conditions for Clubs and Lodges. Those conditions are as follows:
4.4.10.1 – Hours of operation shall be no earlier than 6:00 a.m. and no later than midnight when this use abuts a lot containing a legal, conforming residential use or a residentially zoned lot.

Section 4.4.12 will be the conditions for a Food Truck Vendor. Those conditions are as follows:
4.4.12.1 – Requires a food truck vendor permit application.
4.4.12.2 – May vend only on lots in non-neighborhood zone districts or on streets in locations in non-residential zone districts where parallel parking is allowed.
4.4.12.3 – Vending may occur in a residentially zoned lot if it is apart of a Special Events permit.
4.4.12.4 – May not vend within 500 feet within a public or private school for students from pre-school through 12th grade.
4.4.12.5 – May vend only food and non-alcoholic beverages.
4.4.12.6 – Logos or signage must be permanently attached to the mobile food truck with no banners or signs put up on adjacent trees’ buildings, or light poles.
4.4.12.7 – Hours of operation when on a lot or street that abuts a existing residentially zoned lot shall be limited from 10 a.m. to 8 p.m.
4.4.12.8 – The food truck shall utilize power from an adjacent building as best as possible, if power is not available a generator can be used given it does not exceed 80 decibels.

The definition of Food Truck Vendor will be added to section 11 and will read as follows:
A person whether as owner, agent, or employee who sells or attempts to sell food or beverage to the public from motorized wheeled vehicle, or towed wheeled vehicle designed and equipped to serve food. The food is either cooked and prepared on site or where food is prepared off site and packaged to be sold on site.

Section 4.4.29 will now be conditions for Veterinary Facilities Small Animals. Those conditions are as follows:
4.4.29.1 – There shall be no exterior dog run or kenneling
4.4.29.2 – Animals that stay overnight must be kept inside the building.

Table 5.5 will add buffer yard requirements from an existing B zone to an adjacent proposed NC, CC, RC zone.

Section 5.8.18 is adding Electric Vehicle Parking & Charging Requirements
5.8.18.1 All new commercial, mixed-use, business and industrial developments shall provide designated parking spaces and wiring to provide for the charging of electric vehicles. There are three different levels of charging: Level 1 – 120V charging, provides 2-5 miles of range per hour of charging, Level 2 – 240V or 208V charging provides 10-20 miles of range per hour of charging, Level 3 – Also known as “DC Fast Charging” 208/480V AC three-phase input charging provides 50-70 miles of range per 20 minutes of charging.

A. Level 1 and 2 charging stations shall be permitted in the R-E, R-1, R-2, R-3, R-4, B, NC, CC, RC,
RMU, CMU, and I zoning districts. Level 3 charging stations shall only be permitted in the CC, RC, CMU, and I zoning districts.

B. Any master planned commercial, mixed-use, and industrial development shall provide 1 charging station per every 75 parking spaces. Any individual development of one building or a development with multiple buildings with less than 75 parking spaces can apply as part of the development plan review for one of the following incentives if charging stations are provided:

1. Option A – Density increase incentive:
   a. Increase in .25 FAR in any commercial, business, or mixed use zoning district or 1 DU/AC in the CMU or RMU zoning districts only.

2. Option B – Reduction in required parking incentive:
   a. A decrease in 5% of required parking

3. Option C – Open Space/Landscape reduction incentive:
   a. A decrease of required open space from 20% to 18%

C. Any existing commercial, mixed-use, business, and industrial developments wishing to convert parking spaces to electric vehicle charging stations can do so. Any existing structure and use wishing to install charging stations can apply for one of the incentives.

D. Parking stalls shall be signed and striped as a designated parking space for the exclusive use of charging electric vehicles. No person shall park in that space any nonelectric vehicle, or electric vehicle that is not connected to the electric vehicle charging station, electric vehicle that is not charging, or electric vehicle that has been charging for more than four hours.

ADVANTAGES:
- These changes will provide better clarity to the land use code on these issues.
- Will correct omissions.
- Provides regulations on Food Trucks.
- Allows the opportunity for electric car charging stations.

DISADVANTAGES:
- None

FINANCIAL IMPACT:
- None

RECOMMENDED MOTION:
- I move to recommend approval of these Amendments to the Land Use Code to the Timnath Town Council.

ATTACHMENTS:
1. Table of Land Use Code Changes
Table 5.5 Buffer Yard Requirements

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Table 4.1 Business/Commercial/Retail Uses

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<th>Uses</th>
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<th>RE</th>
<th>R1</th>
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<td>Car Wash</td>
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<td>Food Truck</td>
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<td>Motor vehicle repair, minor</td>
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<td>Pharmacy with drive-thru</td>
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4.4.10.1 Clubs and Lodges:

4.4.10.1 – Hours of operation shall be no earlier than 6:00 a.m. and no later than midnight when this use abuts a lot containing a legal, conforming residential use or a residentially zoned lot.

4.4.12.1 Food Truck Vendor:

4.4.12.1 – Requires a food truck vendor permit application.
4.4.12.2 – May vend only on lots in non-neighborhood zone districts or on streets in locations in non-residential zone districts where parallel parking is allowed.
4.4.12.3 – Vending may occur in a residentially zoned lot if it is apart of a Special Events permit.
4.4.12.4 – May not vend within 500 feet within a public or private school for students from pre-school through 12th grade.
4.4.12.5 – May vend only food and non-alcoholic beverages.
4.4.12.6 – Logos or signage must be permanently attached to the mobile food truck with no banners or signs put up on adjacent trees’ buildings, or light poles.
4.4.12.7 – Hours of operation when on a lot or street that abuts a existing residentially zoned lot shall be limited from 10 a.m. to 8 p.m.
4.4.12.8 – The food truck shall utilize power from an adjacent building as best as possible, if power is not available a generator can be used given it does not exceed 80 decibels.

4.4.29 Veterinary Facilities, Small Animal:

4.4.29.1 – There shall be no exterior dog run or kenneling.
4.4.29.2 – Animals that stay overnight must be kept inside the building.

5.8.18 Electric Vehicle Parking & Charging Requirements

5.8.18.1 All new commercial, mixed-use, business and industrial developments shall provide designated parking spaces and wiring to provide for the charging of electric vehicles. There are three different levels of charging: Level 1 – 120V charging, provides 2-5 miles of range
per hour of charging, Level 2 – 240V or 208V charging provides 10-20 miles of range per hour of charging. Level 3 – Also known as “DC Fast Charging” 208/480V AC three-phase input charging provides 50-70 miles of range per 20 minutes of charging.

A. Level 1 and 2 charging stations shall be permitted in the R-E, R-1, R-2, R-3, R-4, B, NC, CC, RC, RMU, CMU, and I zoning districts. Level 3 charging stations shall only be permitted in the CC, RC, CMU, and I zoning districts.

B. Any master planned commercial, mixed-use, and industrial development shall provide 1 charging station per every 75 parking spaces. Any individual development of one building or a development with multiple buildings with less than 75 parking spaces can apply as part of the development plan review for one of the following incentives if charging stations are provided:

1. Option A – Density increase incentive:
   a. Increase in .25 FAR in any commercial, business, or mixed use zoning district or 1 DU/AC in the CMU or RMU zoning districts only.

2. Option B – Reduction in required parking incentive:
   a. A decrease in 5% of required parking

3. Option C – Open Space/Landscape reduction incentive:
   a. A decrease of required open space from 20% to 18%

C. Any existing commercial, mixed-use, business, and industrial developments wishing to convert parking spaces to electric vehicle charging stations can do so. Any existing structure and use wishing to install charging stations can apply for one of the incentives.

D. Parking stalls shall be signed and striped as a designated parking space for the exclusive use of charging electric vehicles. No person shall park in that space any nonelectric vehicle, or electric vehicle that is not connected to the electric vehicle charging station, electric vehicle that is not charging, or electric vehicle that has been charging for more than four hours.

| Food Truck Vendor Definition | A person whether as owner, agent, or employee who sells or attempts to sell food or beverage to the public from motorized wheeled vehicle, or towed wheeled vehicle designed and equipped to serve food. The food is either cooked and prepared on site or where food is prepared off site and packaged to be sold on site. |