Town of Timnath Planning Commission
Regular Meeting
Tuesday, June 6, 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       Marty Jost
      Alternate          Don Nohavec
      Alternate          Vacant

2. Amendments to the Agenda

3. Administrative
   a. Determination of Alternate Voting (if necessary)
   b. Presenting of a plaque on behalf of Dick Weiderspon

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
   b. Approval of the May 16, 2017 Planning Commission Meeting Minutes

6. Business and Discussion Items
   a. Land Use Code Amendments – Public Hearing
   b. Harmony Corridor Plan

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

8. Adjournment
1. **Regular Meeting Call to Order**
   Chairperson Goldstein called to order the meeting of the Planning Commission on Tuesday, April 18, 2017 at 6:00 p.m.

   **Present**
   Chairperson Philip Goldstein
   Vice Chairperson Kristen Seidel
   Commissioner Scott Roys
   Commissioner Don Risden
   Alternate Marty Jost
   Alternate Don Nohavec

   **Absent**
   Commissioner Dick Weiderspon
   Commissioner Don Risden

   **Others in Attendance**
   Matt Blakely, Community Development Director
   April Getchius, Town Manager
   Brian Williamson, Town Planner
   Don Taranto, Public Works Director
   Megan Garn, Town Intern
   Jim Rooney, Timnath Trail LLC
   Bill Albright, Timnath Trail LLC
   John Gagnan, JG Architects
   Mike Beach, Ridgetop Engineering
   Bev McBride, County Resident
   Mike McBride, County Resident

2. **Amendments to the Agenda**
   a. None

3. **Administrative**
   a. Moment of Silence for Commissioner Dick Weiderspon
   b. Determination of Alternate Voting (if necessary)
      i. Alternate Nohavec will vote for the absent Commissioner Weiderspon
      ii. Alternate Jost will vote for the absent Commissioner Risden
   c. Chairperson and Vice Chairperson Elections
i. Chairperson Goldstein was elected to remain Chairperson
ii. Vice Chairperson Seidel was elected to remain Vice Chairperson
iii. Alternate Novavec seeks a motion for approval
iv. Commissioner Roys seconds the motion
v. Motion passes unanimously by 5-0 voice vote

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.
   i. None

5. Consent Agenda
   a. Approval of the April 4, 2017 Planning Commission Meeting Minutes
      i. Chairperson Goldstein seeks a motion for the approval of the April 4, 2017 Planning Commission Meeting Minutes
      ii. Alternate Novavec makes a motion for approval
      iii. Vice Chairperson Seidel seconds the motion
      iv. Motion passes unanimously by 5-0 voice vote

6. Business and Discussion Items
   a. Timnath Trail at Riverbend Minor Subdivision -Public Hearing
      i. Matt Blakely introduces the item as detailed in the staff report.
      ii. Jim Rooney introduces Timnath Trail at Riverbend.
      iii. Bill Albright states the theme is a three-story walk up type product with high end amenities for the residents that live in the neighborhood. There will be a centrally located clubhouse and will have pedestrian flow within the neighborhood and access to trails.
      iv. Jim Rooney presents the site plan, the concerns from the McBride property directly adjacent to the west, as well as the building height exception. He notes at the site was modified to move the taller buildings away from the McBride property as much as possible.
      v. Chairperson Goldstein opens public comment.
      vi. Chairperson Goldstein closes public comment.
      vii. Alternate Novavec asks if the 279 parking spaces includes garage parking?
      viii. Mr. Blakely states that the 279 spots does include garage parking.
      ix. Alternate Novavec asks whether some of the landscaping could be reduced to increase the number of parking spaces?
      x. Mr. Rooney responds that the Town allows for up to a 10% reduction in the overall required parking. This plan is within that 10% threshold, and that they are comfortable with the number of parking spaces being provided. They have done the analysis and are confident that they have adequate parking relative to the mix of units.
      xi. Vice Chairperson Seidel ask about other uses along Stone Fly? She also asks if those other uses will require on-street parking and have additional parking implications?
xii. Mr. Blakely mentions that there is nothing currently planned on the south side of Stone Fly other than what the Sketch Plan shows and that is a future mixed-use/office parcel. The on-street parking on the north side of Stone Fly would be the only parking counted toward this project.

xiii. Vice Chairperson Seidel is concerned with the general public using Stone Fly as a trailhead for the Poudre River Trail.

xiv. Mr. Blakely states that the on-street parking is public parking, but will primarily be used by the residents of the apartment complex.

xv. Mr. Rooney states that they will try to monitor the public parking for the trail usage. They will also manage the on-site parking and not allow folks to use it for the trailhead, nor will they allow boats or other trailers to occupy parking spaces. Again, he is confident that they have adequate on-site parking.

xvi. Commissioner Jost asks if Stone Fly road is going to be improved?

xvii. Mr. Blakely mentions that Stone Fly will be improved with this development, but only for their frontage.

xviii. Commissioner Roys asks if this site is ADA compliant?

xix. Mr. Albright states that there are 6 Type A units in the project that are ADA compliant, all other ground floor units are Type B units that are ADA visit-able, and 19 handicap parking spaces are being provided.

xx. Mr. Blakely states that 13 ADA parking spaces are required, and the project is providing 19 spaces.

xxi. Commissioner Roys has concerns about buffering along the trail. The more accessible the trail becomes, there will be a greater mix of varying user groups. There will be more trash, people using the trail at night, and generally more public interactions. The buildings appear very close to the trail and would like to see more separation and buffering between the trail and the buildings.

xxii. Mr. Blakely mentions that there is a 30 foot wide trail easement on the west side of the property that the trail is located within. The trail meanders through the easement and in some places the trail is closer to the fence side of the easement and others it is closer to the apartment units. There is more room along the north side where the buildings are setback further due to the Magellan easement than on the south end. The buildings are required to be outside the easement so they are at least 30’ from the western property line.

xxiii. Chairperson Goldstein has a question about the land use code change relative to the height exception and if the land use code was changed specifically for this project?

xxiv. Mr. Blakely mentions that this project did contribute to the reasoning for making the land use code change to the height requirements. The height exception was passed based on the fact that current building standards don’t align with the code requirements. The Trails group did make a presentation at the public hearings when the code change was being considered to help illustrate different building heights.

xxv. Mr. Rooney mentions that all of the apartment buildings are three stories except the garage units. When you take the code of 35 feet, which is measured from the middle point of the eve and the highest peak of the roof it is hard to make a 3 story building work. The new standard for apartment units is 9 foot ceilings.
When you add in the 2 feet space between the ceiling and floor and a 6:12 roof pitch the height of the building exceeds the 35-foot maximum height requirement.

xxvi. John Gagnon states that from 140 feet away you won’t be able see a difference between a 35-foot roof to a 40-foot-high roof. He also notes that it is standard building practice to have 9-foot-high ceilings.

xxvii. Chairperson Goldstein is concerned with the amount of parking and that this site is twenty parking spots under the required number of spaces. What are the possibilities of creating those parking spots without having parking along Stone Fly?

xxviii. Mr. Blakely mentions that a removal of units will reduce the amount of required spaces.

xxix. Chairperson Goldstein wonders if they might be able to fill some of these spaces if you eliminate some of the handicap parking spots.

xxx. Mr. Blakely notes that this may be a viable option to add a couple of spaces.

xxxi. Commissioner Roys mentions that as the units build out, the parking demands increase and the parking will need to match the phasing.

xxi. Commissioner Roys also comments that there needs to be other housing options in Timnath and this is a good project for the Town.

xxii. Chairperson Goldstein wonders if they might be able to fill some of these spaces if you eliminate some of the handicap parking spots.

xxiii. Mr. Blakely notes that they can create a parking management plan for the apartment residents to help manage the parking demands.

xxiv. Mr. Rooney mentions that this is something they have done before.

xxv. Chairperson Goldstein notes that they are short on parking by about 8%. The parking plan would help because they would then manage their parking.

xxvi. Chairperson Goldstein asks about the buffer situation, what other alternatives are there to help alleviate the reduced buffering?

xxvii. Mr. Blakely mentions that there are options of changing the plant material to provide more buffering in a tighter space. This can be achieved by using more evergreen shrubs or more upright plan materials.

xxviii. Mr. Rooney states that the wood privacy fence that already exists along the McBride property is the best buffer possible.

xxix. Mr. Albright states that they have rearranged the project many times and that the McBride home is now roughly 335 feet away from the closest building located on the project.

x. Commissioner Roys states that the buildings look tight along the trail. Most houses are setback 25ft from a street. These appear to be closer than that.

xli. Mr. Blakely refers to the southernmost apartment building that is adjacent to the McBride property. This building is the most constrained. The rest of the buildings are setback more because of the Magellan pipeline easement. The northern two thirds of the western property line is pretty well buffered, not necessarily with plant materials, due to the easements, but by an additional setback distance.

xlii. Mr. Rooney understands and reiterates the Commissioner’s concerns. One is the buffering and the other is the parking. They understand that they are 21 parking spots short of the goal. The parking on Stonefly can fit up to 20 cars. They are confident that the parking is adequate. He states that they have spent 9 months
and half a million dollars on planning and engineering and this is the best plan. Removing a building won’t work.

xl. Chairperson Goldstein states that the Planning Commission is a recommending body. They bring forward recommendations to Council and Town Council makes the final decision on the approval.

xl. Mike Beach states that his firm is working on other multi-family projects. Those projects have 1.6, 1.5, and 1.7 ratios. This project’s ratio as proposed is 1.5 spaces per unit.

xl. Vice Chairperson Seidel asks if they have looked at existing projects in the area and if they are crowded?

xlvi. Mr. Rooney states that they have spent time counting parking at other projects and are in alignment with those.

xl. Vice Chairperson Seidel notes that peak time is in the evening.

xl. Mr. Rooney states that they will manage the parking through the leasing process and will self-manage any problems that may arise.

xl. Chairperson Goldstein is concerned that when folks rent a unit that only allow one car and come with two cars they will overwhelm the available parking. The parking management plan may be the solution.

li. Commissioner Roys states that it will fall to management to ultimately manage the parking. They could require fees or be on a waiting list. Until it is fully built out there may not be an issue.

li. Vice Chairperson Seidel agrees that there isn’t much space to accommodate the trail. It appears that the only thing is to reduce the buildings, but doesn’t know that makes sense economically.

lii. Commissioner Roys states that there’s been a lot of effort made to make an effort to be accommodating. There are advantages and disadvantages to being first.

liii. Chairperson Goldstein states that this is a needed project but need to take into consideration parking and the trailhead and asks for a motion for approval for the Minor Subdivision.

liv. Chairperson Goldstein would like these comments noted for Town Council.

lv. April Getchius states that the Commissioners’ comments will be in staff report. There are ways to mitigate the trailhead concern. This discussion will be noted to council.

lvi. Vice Chairperson Seidel states that she is supportive of the height. However, the site plan does feel like it is trying to achieve too much on too small of a lot.

lvii. Alternate Nohavec asks about phasing the project?

lviii. Mr. Rooney states that they will not build certain units unless the market changes significantly.

lix. Vice Chairperson Seidel asks if the units will have balconies or outdoor spaces?

lx. Mr. Gagnon states that some of the units have balconies.

lx. Chairperson Goldstein seeks a motion to approve the Timnath Trail at Riverbend Minor Subdivision

lxii. Commissioner Roys makes a motion to approve.

lxiii. Alternate Nohavec seconded the motion.

lxiv. Motion passed by 4-1 voice vote with Chairperson Goldstein dissenting.
b. Timnath Trail at Riverbend Site Plan
   i. Matt Blakely introduces the item as detailed in the staff report.
   ii. Chairperson Goldstein seeks a motion to approve the Timnath Trail at Riverbend Site Plan with the condition that the Commissioners’ concerns are acknowledged in the staff report to Town Council.
   iii. Alternate Nohavec makes a motion to approve.
   iv. Commissioner Roys seconded the motion
   v. Motion passed by 4-1 voice vote with Chairperson Goldstein dissenting.

c. Zoning Map Amendment
   i. Matt Blakely introduces the item as detailed in the staff report.
   ii. Commissioner Jost asks if there is a reason that the Thornton property isn’t shown on the map?
   iii. Mr. Blakely states that the Thornton properties aren’t yet annexed into the Town.
   iv. Commissioner Jost asks why the properties aren’t willing to make the change now?
   v. Mr. Blakely responds that some of the property owners aren’t sure what the future development will be and are willing to defer the change to a time when they have an active development proposal.
   vi. Alternate Nohavec are there any other ways that the uses have changed?
   vii. Mr. Blakely states that the uses are very similar, however there are some changes and those are noted in the staff report.
   viii. Chairperson Goldstein seeks a motion to approve the Zoning Map Amendment
   ix. Vice Chairperson Seidel makes a motion to approve
   x. Commissioner Roys seconded the motion.
   xi. Motion passed unanimously by 5-0 voice vote.

7. Reports (if available)
   a. Commissioner Reports
      i. Commissioner Goldstein states that at the first meeting in May, Marty will become a full time commissioner. There will also be no meeting on May 16th and 23rd.
   b. Town Manager
      i. April Getchius states that the Town clean-up will be this weekend along with the inaugural safety fair.
   c. Town Planner
      i.
   d. Town Engineer
      i. None

8. Adjournment
   a. Chairperson Goldstein seeks a motion to adjourn.
   b. Alternate Nohavec moved to adjourn the meeting.
   c. Vice Chairperson Seidel seconded the motion.
   d. Motion passed unanimously by 5-0 voice vote.
Chairperson Goldstein adjourned the April 18, 2017, Planning Commission meeting at 7:34 p.m.

TOWN OF TIMNATH
PLANNING COMMISSION

Philip Goldstein, Chair

ATTEST:

Kevin Koelbel, Town Planner
1. **Regular Meeting Call to Order**

Chairperson Goldstein called to order the meeting of the Planning Commission on Tuesday, May 16, 2017 at 6:00 p.m.

**Present**

Chairperson Philip Goldstein  
Vice Chairperson Kristen Seidel  
Commissioner Scott Roys  
Commissioner Don Risden  
Alternate Marty Jost  
Alternate Don Nohavec

**Others in Attendance**

Matt Blakely, Community Development Director  
Kevin Koelbel, Town Planner  
Brian Williamson, Town Planner  
Don Taranto, Public Works Director  
Jeff Mark, Landhuis Company  
Mark Tingey, Harmony LLC  
Steve Whittall, Fort Collins Resident  
Andrew Blum, County Resident  
Jana Konkel, County Resident  
Andrew Blum, County Resident

2. **Amendments to the Agenda**

None

3. **Administrative**

   a. Determination of Alternate Voting (if necessary)
      i. Alternate Nohavec will vote for the Vacant Commissioner seat
   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.
      i. Steve Whittall wants to introduce the Timnath Downtown Redevelopment Group that is a group of Old Town property owners that has formed to speak to planning
issues, and the vision of Downtown. The group wants to turn the dreambook into a reality for downtown businesses.

5. Consent Agenda
   a. None

6. Business and Discussion Items
   a. Harmony Subdivision PD Overlay -Public Hearing
      i. Matt Blakely introduces the item as detailed in the staff report.
      ii. Chairperson Goldstein opens public comment.
      iii. Chairperson Goldstein closes public comment.
      iv. Vice Chair Seidel wants to get clarification if this is only for how it can develop with uses and not for the layout of the subdivision.
      v. Mr. Blakely mentions that it is an effort to allow the property to develop how it was originally intended.
      vi. Chairperson Goldstein seeks a motion to approve the Harmony Subdivision PD Overlay
      vii. Vice Chair Seidel makes a motion to approve.
      viii. Commissioner Risden seconded the motion.
      ix. Motion passed unanimously by 5-0 voice vote.

   b. Fisher Subdivision Sketch Plan – Public Hearing
      i. Matt Blakely introduces the item as detailed in the staff report.
      ii. Jeff Mark, introduces the project and the location of the subdivision. Mentions that the sketch plan is conformance with the approved zoning. The plan is to phase development from the north to the south of the property. There is still a location for the potential of a school site in the subdivision.
      iii. Chairperson Goldstein opens public comment.
      iv. Andrew Blum has a question about the RMU zoning and what that will end up developing in that area since it is adjacent to his property?
      v. Jeff Mark mentions that they will gladly work with the surrounding property owners to make development work. Initial plans will have a trail that will run along the property.
      vi. Mr. Blakely mentions that there will be a buffer requirement from the higher intensity use to the lower intensity use. There will be other improvement requirements that will occur as well.
      vii. Chairperson Goldstein closes public comment.
      viii. Commissioner Risden has a question to what type of development could occur in the RMU zoning?
      ix. Alternate Jost has a question about potential home size?
      x. Jeff Mark states the home size will be about 1600-2500 square feet.
      xi. Alternate Jost has a question about where the water comes from and the quality of the water?
      xii. Jeff Mark mentions that there is a coffin well that serves the property. As of now the quality of the water hasn’t been tested, but it has worked for the farming that currently exists on the property.
xiii. Mr. Blakely responds to Chairperson Risden’s question and states that residential, mixed-use, some multi-family, duplexes, galleries, bed and breakfasts, convenience shopping, retail, care centers, grocery store, health clubs, medical and dental offices, professional offices, restaurants would be general types of uses that could be in the RMU district.

xiv. Vice Chair Seidel has a question about the sketch plan mentioning both RMU and MU zoning and if there is no misunderstanding with those?

xv. Mr. Blakely mentions it is the same and can be cleaned up as a technical item for a grammatical correction.

xvi. Commissioner Risden has a question about the sidewalk along CR-5 and if it will be a straight sidewalk or meandering?

xvii. Mr. Blakely mentions that it will be a discussion with the developer to how the trail will be installed.

xviii. Jeff Mark mentions that the development will most likely have a meandering trail since it is a more appealing trail for the development.

xix. Vice Chair Seidel has a question about the wetlands limit and how will development occur in that area?

xx. Jeff Mark mentions that the south side of the property is in the boxelder flood plain and when that flood plain is removed then the south side will be out of the flood plain and can be developed.

xxi. Mr. Blakely states that development can occur in the wetlands as long as state and town requirements are met. With this being a sketch plan, that allows for lots to move around to either miss the wetlands or still be developed in that area.

xxii. Vice Chair Seidel asks about the potential neighborhood park and if an approval means they may or may not have to create that park?

xxiii. Mr. Blakely states that the park requirements will have to be met and if the location isn’t exactly shown on the sketch plan it will still be in the general area.

xxiv. Chairperson Goldstein seeks a motion to approve the Fisher Subdivision Sketch Plan

xxv. Commissioner Roys makes a motion to approve.

xxvi. Commissioner Risden seconded the motion with the condition that there be a meandering trail along CR-5.

xxvii. Motion passed unanimously by 5-0 voice vote.

c. Land Use Code Amendments – Public Hearing
   i. Matt Blakely introduces the item as detailed in the staff report.
   ii. Chairperson Goldstein opens public comment.
   iii. Steve Whittall believes the restriction on vicinity of food trucks to schools will deter businesses from going to the downtown area.
   iv. Chairperson Goldstein closes public comment.
   v. Vice Chair Seidel has a question about food trucks and the vicinity to schools and if that applies to special event permits as well?
   vi. Mr. Blakely mentions that a special events permit would overrule the code in the vicinity of a food truck.
   vii. Chairperson Goldstein asks staff to research the vicinity of food trucks to schools.
viii. Alternate Jost has concerns about parking a food truck in old town since there is limited parking in the old town area currently.

ix. Vice Chairperson Seidel asks if the food truck definition would preclude ice cream trucks in the residentially zoned lots?

x. Mr. Blakely mentions that as the language is currently written it would preclude ice cream trucks.

xi. Chairperson Goldstein asks staff to research allowing ice cream trucks in residential zones.

xii. Alternate Jost asks if the approved brewery which had a condition of no generators for food trucks, and would this code change then allow the brewery to have a food truck with a generator?

xiii. Mr. Blakely states that the condition of no generators would trump the new code.

xiv. Alternate Nohavec asks what the .25 FAR is for the options of adding electric vehicle parking?

xv. Mr. Blakely mentions that it is an increase of 25% of the allowed floor area allowed.

xvi. Alternate Jost asks if the addition of electric vehicle parking is a common thing in surrounding communities especially making new commercial having the parking spaces?

xvii. Mr. Blakely mentions that the addition of electric vehicle charging stations is becoming more common and would only apply if a development is required to have more than 75 parking spaces.

xviii. Commissioner Risden has a question about the parking reduction incentive for electric vehicle charging stations and if it is a good idea to remove parking spaces to add in a space that only a electric vehicle can use?

xix. Mr. Blakely mentions that if the Planning Commission feels that is not a good incentive then it can be a condition of approval with the removal of that incentive or a different incentive.

xx. Vice Chairperson Seidel also has a question about if the reduction of required open space is the direction the Town would want to go as well.

xxi. Chairperson Goldstein seeks a motion to approve the Land Use Code Amendments

xxii. Commissioner Risden makes a motion to table the action to a future date.

xxiii. Vice Chairperson Seidel seconded the motion.

xxiv. Motion passed unanimously by 5-0 voice vote.

7. Reports (if available)
   a. Commissioner Reports
      i. None
   b. Town Manager
      i. None
   c. Town Planner
      i. The June 20th Meeting and the July 4th Meeting will be canceled.
      ii. Staff will present a plaque to Gloria Weiderspon in honor of Dick Weiderspon at the June 6th Meeting.
8. **Adjournment**  
   a. Chairperson Goldstein seeks a motion to adjourn.  
   b. Commissioner Risden moved to adjourn the meeting.  
   c. Vice Chairperson Seidel seconded the motion.  
   d. Motion passed unanimously by 5-0 voice vote.

Chairperson Goldstein adjourned the May 16, 2017, Planning Commission meeting at 6:51 p.m.

**TOWN OF TIMNATH**  
**PLANNING COMMISSION**

___________________________________  
Philip Goldstein, Chair  

**ATTEST:**

___________________________________  
Kevin Koelbel, Town Planner
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.

6. Change Wireless telecommunications facilities from Prohibited (*) to Permitted with Conditions (PC) in the Regional Commercial (RC) and Community Commercial (CC) zoning districts.

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 or if the vendor is selling novelty items such as ice cream, or if there is a site with an active building permit.
4.4.12.4 – May not vend within 200 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 4.4.28 will add the sentence: Upon submittal of an application for a Wireless Telecommunication Facility it will be determined by the Town Planner if it will be an administrative approval based on the level of impact or if it will require Planning Commission and Town Council approval.

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.

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

<table>
<thead>
<tr>
<th>Zones</th>
<th>A</th>
<th>RE</th>
<th>R1</th>
<th>R2</th>
<th>R3</th>
<th>R4</th>
<th>RMU</th>
<th>CMU</th>
<th>B</th>
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<td>R4</td>
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Table 4.1 Business/Commercial/Retail Uses

<table>
<thead>
<tr>
<th>Business/Commercial/Retail Uses</th>
<th>A</th>
<th>RE</th>
<th>R1</th>
<th>R2</th>
<th>R3</th>
<th>R4</th>
<th>RMU</th>
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<tbody>
<tr>
<td>Car Wash</td>
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<td>C</td>
<td>PC</td>
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<tr>
<td>Food Truck</td>
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<tr>
<td>Motor vehicle repair, major</td>
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<td>Motor vehicle repair, minor</td>
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<tr>
<td>Pharmacy with drive-thru</td>
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</table>

Industrial Uses

<table>
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<tr>
<th>Industrial Uses</th>
<th>A</th>
<th>RE</th>
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<th>R2</th>
<th>R3</th>
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<th>CMU</th>
<th>B</th>
<th>NC</th>
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</thead>
<tbody>
<tr>
<td>Wireless Telecommunications Facility</td>
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<td>CMU</td>
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</tbody>
</table>

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 part of a Special Events permit or if the vendor is selling novelty items such as ice cream, or if there is an active building permit.
4.4.12.4 – May not vend within 200 feet of 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.

4.4.28 Wireless Telecommunications Facility. The following requirements shall govern the location of telecommunications towers and associated accessories which, when installed, will exceed 21 feet in height above existing grade. The height limitations applicable to buildings and non-tower structures shall not apply to towers, antennas and associated accessories. Upon submittal of an application for a
Wireless Telecommunications Facility it will be determined by the Town Planner if it will be an administrative approval based on the level of impact or if it will require Planning Commission and Town Council approval.

<table>
<thead>
<tr>
<th>4.4.29</th>
<th>Veterinary Facilities, Small Animal:</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.4.29.1 – There shall be no exterior dog run or kenneling</td>
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<tr>
<td>4.4.29.2 – Animals that stay overnight must be kept inside the building.</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>5.8.18</th>
<th>Electric Vehicle Parking &amp; Charging Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
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</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>B. Any master planned commercial, mixed-use, and industrial development shall provide 1 charging station per every 75 parking spaces.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
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</tbody>
</table>

| 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. |
# PLANNING COMMISSION COMMUNICATION

**Meeting Date:**  6/6/2017  
**Item:** Harmony Corridor Interim Plan  

**Presented by:**  
Matt Blakely,  
Community Development Director

**EXECUTIVE SUMMARY:**  
This proposal is to create a plan for the development of the Harmony Corridor from the Poudre River Bridge to Latham Parkway. Since this section of Harmony Road is undeveloped at this time, this plan will help create a unified and similar type of look and feel throughout the Harmony Corridor. The plan is to create design standards for how development should occur along Harmony Road in terms of site layout, landscaping, parking, building materials, and uses. The Harmony Corridor Interim Plan is designed to have more restrictions on uses and site development than the Land Use Code and is a reference document to the Land Use Code for developments within the Corridor.

**STAFF RECOMMENDATION:** Staff recommends the approval of the Harmony Corridor Interim Plan.

**KEY POINTS/SUPPORTING INFORMATION:**  
The Harmony Corridor Interim Plan is designed to help with the development of individual pad sites or larger inline shops that fall within the boundary of the Corridor. The guidelines include the following:  
- Modified the use table for Permitted, Permitted with Conditions, Conditional, and Prohibited uses within the Corridor.  
- Site Layout Standards  
- Landscaping interior to sites  
- Landscaping along Harmony Road  
- Site Maintenance  
- Trails  
- Site Circulation  
- Parking  
- Bike Parking  
- Public Plaza  
- Materials  
- Massing  
- Roofing  
- Fencing  
- Walls  
- Building Height  
- Signage

These standards are to help set a uniform development along Harmony Road to give the Town a consistent look and feel.
### ADVANTAGES:
- Provides for a more uniform development of Harmony Road

### DISADVANTAGES:
- None

### FINANCIAL IMPACT:
- None

### RECOMMENDED MOTION:
- I move to recommend approval of the Harmony Corridor Interim Plan to the Timnath Town Council.

### ATTACHMENTS:
1. Harmony Corridor Interim Plan
Introduction:

The Harmony Corridor planning area covers roughly 2.2 miles of Harmony Road from the Cache La Poudre River bridge to the eastern boundary of the Town at Latham Parkway (LCR-1/WCR-13), and extends roughly 1000’ north and south of Harmony Road. The properties that are subject to these standards include those located in Community Commercial or Mixed-Use zoning districts. As of 2017 Harmony Road sees between 14,000 and 17,000 cars a day through this area with projections to be up near 35,000 by 2040. Harmony Road is one of the primary routes for commuters between Fort Collins, Timnath, and other communities to the east. As it currently sits this section of Harmony Road is undeveloped and provides the potential for this corridor to develop into a unique commercial destination in Northern Colorado.

Implementation:

This is intended to be a guide to the development within the corridor. The following guidelines in this plan will act as implementation strategies for the development within this corridor. Each development will be evaluated on a case by case basis to determine proper strategies for its location. Staff will utilize these guidelines to make the vision of a uniform corridor a possibility. Any existing vested rights on a property through a PD Overlay shall still govern that property in the way it develops. Any other guidelines in this plan that are not called out in a PD Overlay or other preexisting agreement shall dictate the remaining aspects of development.

The property owner or developer has the opportunity to request a waiver from any of these guidelines with Town Council’s approval.

Ultimately, the plan will be developed into development standards that will be required with any project pursuing approval with the corridor.

An architectural review committee will be formed with this plan and be the reviewing body for all development proposals that will be reviewed under this plan.
Land Uses:

All the permitted, permitted with conditions, conditional use, and prohibited land uses for Community Commercial (CC), Commercial Mixed-Use (CMU), and Residential Mixed-Use (RMU) that are in the Standard District Table of Permitted Uses are hereby modified for those areas within the Harmony Corridor in the Land Use Code.

See Exhibit A

Conditions for Uses Permitted with Conditions.

- Accessory structures, buildings, and accessory uses:
  - In no event shall the “accessory use” or “accessory structure” or “accessory building” be construed to authorize a use or structure not otherwise permitted in the district in which the principal use is located.
  - All accessory uses and structures shall require the issuance of a zoning permit except for uses and structures accessory to agricultural uses.
  - The gross floor area used by all accessory uses, except a private garage, shall not exceed 10% of the total floor area of the principal use which is active and operational. The maximum square footage of the portion of a lot used for an accessory use shall be determined based on the above criteria; however, in no event shall the square footage of the portion of the lot used for the accessory use exceed 25% if the same square footage of the principal use which is active and operated at the same time as the accessory use.
  - Accessory buildings may not house medical marijuana centers, medical marijuana optional premises cultivation operations, or medical marijuana-infused products or manufacturers.

- Community Facility defined as:
  - Facilities shall be internal to the site and not front along Harmony Road.
  - Hours of operation shall be no earlier than 6:00 a.m. and no later than 10 p.m. when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.

- Museums:
  - Museums shall be internal to the site and not front along Harmony Road.

- Places of Worship and assembly including community centers:
  - Convents, rectories, parsonages or similar uses may be placed on the site as an accessory use.
  - Accessory uses such as offices, bookstores, parking lots, family life centers, gymnasiums, performance centers, stadiums, multi-purpose facilities, outdoor recreational facilities, and care centers on the same site or sites contiguous to the principal use shall be permitted. Similar uses on non-contiguous sites or on a site separated from the principal use
by a public street shall be considered principal uses in their own right and be regulated as such.

- Accessory uses which are not permitted as principal uses in a district shall adhere to the following restrictions:
  - No merchandise or merchandise display shall be visible from outside the building; and
  - No business or identification sign pertaining to the accessory uses shall be visible from outside the building.

- Except as noted above, accessory uses not permitted as principal uses (including television stations, radio stations, printing presses, or sports complexes) are prohibited.

- A structure in which the seating capacity in the main activity area is 600 persons or more shall have a direct access to the site provided by a major or minor thoroughfare.

- **Public Facilities:**
  - Utility distribution lines, which deliver service to the end user from a substation fed by a transmission line providing service to an area larger than the individual parcel or project area, shall be installed underground, unless subsurface conditions make underground installation not possible or practical.
  - All distribution and transmission equipment and structures associated with a utility shall be designed and installed to be as inconspicuous as possible; shall not interfere with the installation or enjoyment of public facilities or facilities that serve the public such as sidewalks, bike paths, and driveways; and shall be installed away from public streets and residences to the maximum extent practicable.
  - Business offices, repair and storage, water and wastewater treatment facilities, and landfills shall be prohibited.

- **Clubs and lodges:**
  - Hours of operation shall be no earlier than 6:00 a.m. and no later than 10 p.m. when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.
  - Clubs or lodges may not house recreational or medical marijuana centers, recreational or medical marijuana optional premises cultivation operations, or recreational or medical marijuana-infused products or manufacturers.
  - Music, loud speakers, and similar noise devices shall not be permitted outdoors when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.
  - Serving alcohol to patrons is allowed with a liquor license.

- **Convenience shopping and retail establishments:**
  - Hours of operation shall be no earlier than 6:00 a.m. and no later than 10 p.m. when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.
• Food Catering:
  o Service areas will be separated by an opaque screen from the view from any street and from abutting properties.

• Grocery stores and supermarkets:
  o Grocery stores and supermarkets shall be set back from Harmony Road and be interior to the site to allow for pad sites along Harmony Road while sharing the parking of the other shops/pad sites in the development.
  o Hours of operation shall be no earlier than 5:00 a.m. and no later than midnight when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.
  o A secondary use of a coffee shop or bank shall be permitted given the operation is confined to within the principal use of the grocery store or supermarket.

• Health Clubs:
  o Health Clubs that are larger than 10,000 square feet shall be set back from Harmony Road and be interior to the site to allow for pad sites along Harmony Road while sharing the parking of the other shops/pad sites in the development.
  o Hours of operation shall be no earlier than 4:00 a.m. and no later than midnight when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.

• Lodging establishments
  o Overnight parking shall be contained to an onsite lot designated for the lodging establishment only.
  o The lodging establishment shall serve breakfast only to registered guests of the establishment.
  o If containing a restaurant, the restaurant 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 residentially zoned lot.
  o Serving alcohol is allowed with a liquor license.

• Medical and dental offices and clinics
  o Hours of operation shall be no earlier than 5:00 a.m. and no later than 10 p.m. when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.

• Pharmacy with Drive-Thru:
  o Hours of operation shall be no earlier than 5:00 a.m. and no later than midnight when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.
  o Drive-thru headlights shall not face a residential use or residentially zoned lot.

• Recreational Facility Indoor:
- Hours of operation shall be no earlier than 7:00 a.m. and no later than 10 p.m. when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.
- Service areas will be separated by an opaque screen from the view from any street and from abutting properties.

- Restaurants without drive-thru
  - 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 residentially zoned lot.
  - Fast food restaurants without drive-thru shall be internal to the site and not front along Harmony Road.
  - Music, loud speakers, and similar noise devices shall not be permitted outdoors when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.

- Retail Establishments not otherwise listed:
  - Fast food with drive-thru is prohibited

- Temporary Building:
  - Temporary buildings require a permit from the Town.
  - The duration of the temporary building must be defined.
  - The temporary building must be completely removed and the site restored to its original condition at the end of duration.
  - Temporary buildings must meet Town setbacks unless waived by the Town Planner

- Temporary Uses:
  - Temporary Christmas tree sales lots are prohibited
  - No more than one trailer shall be used to store goods for sale. A temporary trailer used to store goods must be removed within one week of store opening. All sales structures shall meet the setback of the districts in which they are located
  - The use may only be located on a vacant lot, on a lot occupied by a nonresidential use.
  - Off-street parking may be provided behind or to the side of the established use, but not forward of the required front setback.
  - On-site parking may be provided on a low dust, pervious surface area and need not comply with additional paving requirements.
  - Such uses shall not include flea markets or any sales or merchandise or products not related to the seasonal sale of agricultural produce.
  - Farm-type enterprises are prohibited.

- Veterinary facilities, small animal clinics:
  - Hours of operation shall be no earlier than 5:00 a.m. and no later than 10 p.m. when this use abuts a lot containing a legal, conforming residential use or residentially zoned lot.
  - No outside kenneling of animals is allowed.
Site Plan/Landscape Standards:

Site layout:
Buildings either individual or within an inline shop shall front Harmony Road with the parking interior to the site and screened by the buildings or landscaping. Big box stores are to be set back from Harmony Road and be interior to the site to allow for pad sites along Harmony Road while sharing the parking of the other shops/pad sites in the development. There shall be designated loading areas and/or designated hours for loading and unloading of material to reduce conflict with normal business hours.

Buildings/Pad Sites set back from Harmony Road

Landscaping interior to the site:
The landscaping interior to the site shall screen utilities, screen parking, and compliment the landscaping along Harmony Road with irrigated turf, ornamental and shade trees, and shrub beds.

Landscaping along Harmony Road:
The landscaping along Harmony Road shall include street trees and are encouraged to be clustered, but must meet a requirement of 1 tree per 40 lineal feet of frontage. Ornamental trees shall be added at a rate of 1 per 100 lineal feet in addition to the shade trees. The area between the buildings and the road must contain irrigated turf. There shall be no shrubs within the road ROW. Berming is to be used in an appropriate manner and wherever possible to create a visual break of the buildings and landscaping. Prohibited trees shall include: Maple, Ash, Russian Olive, Siberian Elm, and Tamarisk. Trees must be set back from the intersection of a collector or arterial street at least 30 feet for sight distance. Any shrubs or plantings shall not be higher than 36 inches within the sight distance setback as outlined in LCUASS. No one species may make up more than 35% of the total non-grass plan materials on the site.
Landscape buffering between Harmony Road and Buildings

Site maintenance:
The property owner and/or tenant of a building is responsible for the maintenance and irrigation of the landscaping up to the edge of Harmony Road pavement and/or an abutting arterial or collector road.

Trails:
A 10-foot meandering trail is to be installed parallel to Harmony Road to provide connectivity and accessibility for bicyclists and pedestrians to get to the developments along with the rest of the Town.

Site Circulation:
Each lot/development shall connect to adjacent lots through the means of trails/sidewalks or drive aisles. Each lot shall contain at least one connection to the trail along Harmony Road for connectivity to the rest of the Town. If a residential neighborhood is adjacent to the
commercial development, pedestrian and vehicular connectivity is required by either trail or drive aisle and walks to that neighborhood.

Parking:
All parking must be screened from Harmony Road to the best of its ability. Screening may be in the form of landscaping or the buildings themselves. All parking is to be set back 10 feet from the front building line adjacent to Harmony Road. Parking is to be designed as a shared area for multiple tenants and buildings. The amount of parking spaces must still meet the requirements within the Land Use Code based off of the use of each building.

Bike Parking:
If a site develops as a whole, then there needs to be a centralized area of bike parking to serve the development. If individual pad sites develop independently then each building will need to provide bike parking for that building.

Public Plaza:
Each development, even ones developing as pad sites, shall create a public gathering space that is centralized and interior to the site that shall include at a minimum, seating areas, plantings, and trees. Depending on the size, this area may also include child play equipment or shelters or similar amenities.

Architectural Standards:

Materials:
Materials used on the buildings shall provide a look that is compatible with the Town’s vision of rural and natural buildings which include the following materials: stucco, natural stone, wood beams, finished wood treatments, steel beams, brick, and vertical board siding. The colors of the materials shall be of earth tones such as tans, greens, browns, and grays that resemble
soils, wood, and forests. Prohibited items include: Smooth face concrete block, tilt-up concrete panels, pre-fabricated metal building systems, aluminum siding, fiberglass, and fiber board. When adjacent to a residential zone, structures shall be of compatible scale and material to adjacent single-family residential structures. Neon or bright vibrant colors shall be prohibited. The following materials shall be limited to no more than the following percentages of the façade:

- Stucco: 45%
- Natural Stone: 35%
- Brick: 20%
- Finished Wood Treatments: 20%
- Steel Beams: 15%
- Wood Beams: 15%

Massing:
Each building shall have larger windows to create a storefront appeal. Buildings that back to Harmony shall provide double frontage where possible to create the feel of accessibility and frontage to Harmony Road. The façade of the building may not consist of a solid, unbroken expanse for more than 50 feet for every 75 feet of length, or portion thereof.

Roofing:
Roof design shall be appropriate to the architectural style of the building. The roof pitch shall not be less than 6:12. Appropriate roofing materials would be: clay tiles, copper metal, textured wood, asphalt shingles, standing seam metal, or corrugated seam metal as an accent. Any rooftop mechanical equipment shall be screened.

Fencing:
Fencing shall not be allowed unless it is for a patio use of a business. Appropriate fencing for a patio would be a split rail or a type of fence with 50% opacity that is a decorative metal or cast iron. A combination of solid wall such as brick, stone, or textured concrete block along with decorative metal or cast iron fencing may be allowed if the solid wall does not exceed 36 inches in height.

Walls:
The use of a retaining wall may be used if it is part of a landscape feature and does not exceed 36 inches in height. The retaining wall shall be constructed of material that is similar to the architecture of the building.

Building Height:
The height of the building shall not exceed 35 feet to the top of the parapet or highest roof beam of a flat roof, or the average distance between the highest ridge and its eave. The minimum height of a building shall be 20 feet.
**Signage:**

All signage will be reviewed and approved on a per development basis as a separate signage development plan. Signage should follow the regulations set forth in Chapter 7 of the land use code in regards to standards, but will need to follow the following regulations:

<table>
<thead>
<tr>
<th>Zoning District/Location</th>
<th>CC, CMU</th>
<th>RMU</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Monument Signs</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of signs permitted</td>
<td>1 entry sign per entrance for the entire development</td>
<td>1 entry sign per entrance for the entire development</td>
</tr>
<tr>
<td>Maximum sign area</td>
<td>48 sq. ft. per face</td>
<td>48 sq. ft. per face</td>
</tr>
<tr>
<td>Maximum sign height</td>
<td>6 feet</td>
<td>6 feet</td>
</tr>
<tr>
<td><strong>Wall Signs</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of signs permitted</td>
<td>1 per tenant building frontage</td>
<td>1 per tenant building frontage. No sign shall face an existing residentially zoned use or lot</td>
</tr>
<tr>
<td>Maximum sign area</td>
<td>.75 sq. ft. per lineal foot of tenant space for multi-tenant buildings. .75 sq. ft. for first 100 lineal feet of building frontage plus .5 sq. ft. for each lineal foot thereafter of building frontage up to 175 sq. ft. maximum.</td>
<td>.75 sq. ft. per lineal foot of tenant space for multi-tenant buildings. .75 sq. ft. for first 100 lineal feet of building frontage plus .5 sq. ft. for each lineal foot thereafter of building frontage up to 175 sq. ft. maximum.</td>
</tr>
<tr>
<td>Maximum sign height</td>
<td>Not more than 25’ above grade level or higher than the eave line.</td>
<td>Not more than 25’ above grade level or higher than the eave line.</td>
</tr>
<tr>
<td><strong>A-Frame Signs</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of signs permitted</td>
<td>1 per tenant</td>
<td>1 per tenant</td>
</tr>
<tr>
<td>Maximum sign area</td>
<td>6 sq. ft.</td>
<td>6 sq. ft.</td>
</tr>
<tr>
<td>Maximum sign height</td>
<td>3’</td>
<td>3’</td>
</tr>
<tr>
<td><strong>Canopy or Awning Signs</strong></td>
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<td></td>
</tr>
<tr>
<td>Number of signs permitted</td>
<td>1 per tenant if there is no wall sign</td>
<td>1 per tenant if there is no wall sign</td>
</tr>
<tr>
<td>Maximum sign area</td>
<td>10 sq. ft.</td>
<td>10 sq. ft.</td>
</tr>
<tr>
<td>Maximum sign height</td>
<td>At least 8 feet above grade</td>
<td>At least 8 feet above grade</td>
</tr>
<tr>
<td><strong>Free Standing Pole Signs</strong></td>
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<tr>
<td></td>
<td>Prohibited</td>
<td>Prohibited</td>
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<tr>
<td><strong>Projecting Signs</strong></td>
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<tr>
<td></td>
<td>Prohibited</td>
<td>Prohibited</td>
</tr>
</tbody>
</table>
Signage should be consistent throughout the corridor in the terms of materials and colors used. The signage must use materials, colors, and designs that are compatible with the building facade. See the materials subsection of the Architectural Standards for permitted materials and colors.
EXHIBIT A

(LAND USE CODE TABLE)
<table>
<thead>
<tr>
<th>Permitted</th>
<th>Permitted with conditions</th>
<th>Conditional Use</th>
<th>Not allowed</th>
</tr>
</thead>
</table>

### Residential Uses and Structures

<table>
<thead>
<tr>
<th>Accessory buildings and accessory uses</th>
<th>Agricultural</th>
<th>Residential</th>
<th>Business/Mixed-Use</th>
<th>Commercial</th>
<th>Industrial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling, accessory</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
<td>PC</td>
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<tr>
<td>Dwelling, attached single-family</td>
<td>*</td>
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<tr>
<td>Dwelling, group home</td>
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<tr>
<td>Dwelling, manufactured home</td>
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<td>PC</td>
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<td>PC</td>
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<tr>
<td>Dwelling, mixed-use</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
</tr>
<tr>
<td>Dwelling, mobile home</td>
<td>*</td>
<td>*</td>
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<td>*</td>
</tr>
</tbody>
</table>
| Dwelling, multi-family | * | * | * | * | PC | PC | PC | C | C | C | * | C | PC | * | C
| Dwelling, senior housing and life care communities | * | * | * | * | P | PC | PC | PC | PC | PC | PC | PC | PC | PC | PC |
| Dwelling, single-family detached | P | P | P | P | P | P | P | * | P | * | * | * | * | * | * |
| Dwelling, two-family | * | * | * | * | P | P | P | P | * | * | * | * | * | * | * |

### Institutional/Civic/Public Uses

<table>
<thead>
<tr>
<th>Cemeteries</th>
<th>Abandoned</th>
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<th>Commercial</th>
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<tr>
<td>Community facilities</td>
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<td>Golf courses</td>
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<td>Museums</td>
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<td>Parks and open space</td>
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<tr>
<td>Places of worship and assembly including community centers</td>
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<tr>
<td>Public and private colleges, vocational training and technical training</td>
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<tr>
<td>Private schools for elementary, intermediate and high school education</td>
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<td>Public facilities</td>
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<tr>
<td>Rehabilitation Centers, Nursing Care, Assisted Living, Congregate Care, Palliative Care, and Hospice Care</td>
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<tr>
<td>Sports and/or entertainment stadium</td>
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<tr>
<td>Transit facilities without repair or storage</td>
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### Business/Commercial/Retail Uses

<table>
<thead>
<tr>
<th>Adult Establishments</th>
<th>Boating</th>
<th>Cloud storage</th>
<th>Data center</th>
<th>Digital</th>
<th>Digital pay phone</th>
<th>Digital pay phone repair</th>
<th>Digital pay phone sales</th>
<th>Digital repair</th>
<th>Digital sales</th>
<th>Digital sales repair</th>
<th>Digital repair sales</th>
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<td>Bars, taverns, and nightclubs</td>
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<td>Clubs and lodges</td>
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<td>Equipment, truck and trailer rental establishments with outdoor storage</td>
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<td>Fairgrounds and stadiums; public or private</td>
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<td>Grocery stores and supermarkets</td>
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<td>Kennels (small animal boarding)</td>
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<td>Liquor sales with drive-thru</td>
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<td>Medical and dental offices and clinics</td>
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<td>Motor vehicle repair, major</td>
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<td>Parking lots and parking garages (as principal use)</td>
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<td>Print shops</td>
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<td>Recreation facility, indoor</td>
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<td>Restaurants with drive-thru service</td>
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<tr>
<td>Restaurants/standard &amp; fast food without drive-thru service</td>
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<tr>
<td>Retail and supply yard establishments with outdoor storage</td>
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<td>Retail fuel stations</td>
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<td>Retail marijuana, commercial cultivation, or manufacturing of marijuana products</td>
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<td>Riding stables; boarding</td>
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<td>Safe house for battered or abused adults or children of up to eight (8) families</td>
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<td>Sales and leasing of farm implements, heavy equipment sales, and heavy excavation equipment</td>
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<td>Temporary building</td>
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<td>Temporary uses</td>
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<td>Tourist facilities</td>
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<td>Veterinary facilities, large animal clinics</td>
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<td>Veterinary facilities, small animal clinics</td>
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<td>Industrial Uses</td>
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<td>Gas, oil and other hydrocarbon well drilling and production (as permitted by state and local regulations)</td>
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<td>Manufacturing and preparation of food products</td>
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<td>Manufacturing of electric or electronic instruments and devices</td>
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<td>Manufacturing, assembly or packing of products from previously prepared materials</td>
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<td>Mini-warehouses and self-storage facilities</td>
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<td>Outside storage</td>
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<td>Plumbing, electrical and carpenter shops</td>
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<td>Recycling facilities</td>
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<td>Research, experimental or testing laboratories</td>
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<td>Resource extraction, process and sales establishments</td>
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<td>Sales and leasing of farm implements, heavy equipment sales, and heavy excavation equipment</td>
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<td>Warehouse, distribution and wholesale uses</td>
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<td>Wireless telecommunications facilities</td>
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<td>Workshops and custom small industry uses</td>
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<td>Agricultural Uses</td>
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<td>Common equestrian stabling and grazing with restrictions</td>
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<td>Farming, including but not limited to, gardening, horticulture, fruit growing, growing of vegetables, trees, shrubs, plants, turf and sod</td>
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<td>Animal operations including livestock</td>
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<td>Structures for storage of agricultural products produced on the premise</td>
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