

**ARTICLE 3. ZONING DISTRICTS ESTABLISHED; MAP**

**3.1 Purpose.**

All land and water areas within the jurisdiction of the Timnath are divided into zoning districts the purpose of which is to:

- Encourage the most appropriate use of land through the Town and ensure a logical growth of the various physical elements of the Town. Regulate and restrict the location and use of buildings, structures and land for residence, business, trade, industry or other purposes.
- Regulate and determine the size of building lots, yards and other open spaces.
- Promote good design and arrangement of buildings or clusters of buildings and land uses in residential, business and industrial development.
- Encourage innovative, quality site planning, architecture and landscaping.
- Prevent the overcrowding of land, poor quality development, waste and inefficiency in land use, danger and congestion in travel and transportation and any other use or development that might be detrimental to the stability and livability of the Town.
- Ensure that new land development is designed to be integrated into the community.
- Promote the health, safety, morals and general welfare of Town residents

**3.2 Types of Zoning Districts.**

There are two types of zoning districts in Timnath, base districts and overlay districts.

3.2.1 Districts. Each base district category serves a different purpose and imposes its own set of requirements and restrictions on the use of land in addition to the general requirements and restrictions imposed on all land or uses within the zoning jurisdiction. A base district may be layered with an overlay district.

3.1.2 Overlay Districts. Overlay districts are established to provide for certain additional requirements, to permit uses not otherwise permitted in the underlying base district, to prohibit uses allowed in the underlying base district where they may be inappropriate, or to establish special development requirements for uses permitted in the base district. Thus, where overlay districts exist and there is a conflict between the requirements or uses specified between the overlay and the underlying district, the standards of the overlay district shall prevail. Otherwise, the standards of the underlying district shall also be in effect for any area additionally zoned for an overlay district.

**3.3 Establishment of Districts.**

Timnath is divided into the following zoning and overlay districts:

1. Authority, Purpose and Applicability

2. Administration

3. Zoning Districts Established

4. Use Regulations

5. Development Standards

6. Land Subdivision

7. Signs

8. Environmental Standards

9. Historic Preservation

10. Annexation Procedures

11. Definitions

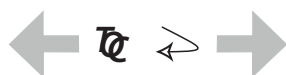


Table 3.1 List of Standard Zoning Districts

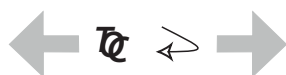
District Abbreviation - Name	District Category	Comprehensive Plan Designation
A - Agriculture	Agricultural	CDR-AB
RE - Estate Residential	Residential	VLR/CDR-AB
R1 - Old Town Residential	Residential	LDR
R2 - Single-Family Residential	Residential	LDR
R3 - Mixed Residential	Residential	MDR
R4 - Multi-Family Residential	Residential	HDR
RMU - Residential Mixed-Use	Mixed-Use	LDMU/RMU/MU
CMU - Commercial Mixed-Use	Mixed-Use	CMU
B - Business	Mixed-Use	DC
NC - Neighborhood Commercial	Commercial	C
CC - Community Commercial	Commercial/Office	C/E
RC - Regional Commercial	Commercial	RC
I - Industrial	Industrial	E

Table 3.2 List of Overlay Districts

District Abbreviation, Name	District Category	Comprehensive Plan Designation
PD - Planned Development District	N/A	
FP - Floodplain District	N/A	N/A
HD - Historic District	N/A	N/A

### 3.3 Official Zoning Map.

- 3.3.1 Zoning Map Is A Part Of This Code. The boundaries of zones established by this Land Use Code shall be shown on a map or series of maps entitled Timnath Official Zoning Map, as may from time to time be revised, updated or redrafted. Such map or maps together with all matters shown on such maps are adopted and approved and collectively constitute the official zoning map. The Official Zoning Map is incorporated by reference and made a part of this Code.
- 3.3.2 Map Filed. The Official Zoning Map is a digital map on file in the Timnath Administrative Office.
- 3.3.3 Map Amendments. Upon enactment of any ordinance annexing and establishing zoning or modifying existing zoning for any property, and upon final passage thereof, the Official Zoning Map shall be considered amended to include the subject property with the proper zoning classification. A record of such amendments shall be maintained by the Planning Director/Town Planner.
- 3.3.4 Boundaries Shown. In the event uncertainty exists on the zoning map, district boundaries shall be on section lines, lot lines, the center lines of highways, streets, [alleys](#), railroad right-of-ways or such lines extended; municipal corporation lines; or other lines to be determined by the use of scales shown on the map.



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3.3.5 Zoning Conversion. Existing property that is zoned C-2 will be processed under the Neighborhood Commercial (NC) criteria, except where the district is abutting Harmony Road, then it will be processed at Community Commercial (CC). Existing property that is zoned C-1 will be processed under the Neighborhood Commercial (NC) criteria. New applications on existing property that is zoned Mixed Use (MU) will need to be rezoned to Residential Mixed-Use (RMU) or Commercial Mixed-Use (CMU) prior to any development approvals.

**3.5 Zoning Districts Described; Purpose.**

Most areas within the zoning jurisdiction of the Town are divided into standard zoning districts, within which the use of land and water areas; the location, height, bulk, appearance and use of structures; the provision of parking and loading areas; and the provision of buffers, landscaping and screening are regulated as provided in this code. Collectively, these districts are intended to advance the purposes of the adopted Comprehensive Plan and the intent of this Code as stated in Section 3.1. Individually, each district is designed and intended to accomplish the following more specific objectives.

Unless otherwise stated below, permitted uses and conditional uses are listed in Article 4, Use Regulations. Dimensional standards are listed in Section 5.2 and design requirements are listed in Section 5.7.

3.5.1 A- Agriculture District

The Agriculture District is primarily used for agriculture and ultra-low density residential uses. It serves as a transitional area for the Town and consists of lands identified by the Comprehensive Plan as potentially suitable for more urban development in the future when utilities and other urban services are available in sufficient capacities.

3.5.2 RE – Residential Estate District.

The Residential Estate District is intended to be a very low density residential district. It is characterized by rural, large lot development of single-family detached homes and frequently serves as a buffer between areas zoned for Agriculture and residential areas intended for higher density residential or commercial use.

3.5.3 R1 – Old Town Residential District.

The Old Town Residential District is characterized by small lot single-family residential uses, although it may contain a mix of lot sizes.

3.5.4 R2 – Single-Family Residential District.

The R2-Single-Family Residential District is intended to provide a moderate amount of flexibility in the creation of lots and the types of residential uses permitted.

3.5.5 R3 – Mixed Residential District.

The R3-Mixed Residential District is intended to allow greater flexibility in housing styles and lot sizes in projects that are integrated into the community to form a vibrant, active and cohesive neighborhood unit. Both detached single-family and attached housing is permitted. Attached housing in this district can include single-family attached, two-family, apartment or condominiums.

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3.5.6 R4 – Multi-Family Residential District.

The R4-Multi-Family Residential District is intended primarily for apartments and condominiums. This higher density district is suitable near neighborhood or regional commercial uses. Multi-family residential developments shall be designed around or adjacent to open space.

3.5.7 RMU – Residential [Mixed-Use](#) District.

The RMU-Residential Mixed-Use District is intended to provide a place where a mix of compatible business, commercial, civic and residential uses is permitted within a common development at intensities that blend well with adjacent low and medium density single-family residential areas. Such developments may mix uses within individual buildings and within a small scale master planned development. It is also intended to be a district with primarily residential uses that are supported by secondary retail, personal service and office uses.

3.5.8 CMU – Commercial Mixed-Use District.

The CMU-Commercial Mixed-Use District is intended for predominately retail-oriented commercial and office development with high density residential either in the same building or on the same property as the non-residential development.

3.5.9 B – Business District.

The B-Business District is intended to protect and enhance the historic town center by: 1) encouraging redevelopment and expansion, 2) allowing a mix of uses including civic, office, retail, services, housing and cultural uses; and 3) promoting walking and cycling as well as shared parking.

3.5.10 NC – Neighborhood Commercial District.

The NC-Neighborhood Commercial District is intended to provide immediate residential neighborhoods access to commercial centers that contain smaller scale service, retail and [community facility](#) uses. This district is heavily dependent on pedestrian and cycling traffic with a secondary emphasis on the automobile; complete and convenient access to nearby residential areas and between uses within this district is essential.

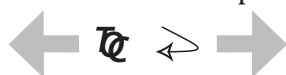
3.5.11 CC – Community Commercial District.

The CC-Community Commercial District is designed to permit a wide range of commercial, service, [community facility](#) and institutional uses for the entire town. Uses in this district may also serve the traveling public, and auto-oriented businesses are permitted, but emphasis on pedestrian and cycling access to other parts of town as well as within the district is a high priority.

3.5.12 RC – Regional Commercial District.

Located solely at, or near the interchanges of Interstate 25 and arterials, the RC-Regional Commercial District is designed to facilitate an appropriate mix of regional commercial uses such as large retail establishments, business and light industrial uses, medical facilities and offices, higher density multi-family residential, a continuum of life-care housing options and open space.

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3.5.13 I – Industrial District.

The I-Industrial District is intended to provide locations for a variety of workplaces including industrial uses with minimal offsite impacts, research and development, offices and institutions. This district also accommodates secondary uses that are clearly incidental and subordinate in number and scale to the primary use of the district for industrial facilities and uses. Secondary uses shall complement and support primary workplace uses. Examples include hotels, restaurants, retail and day care for children and adults.

3.5.16 PD – Planned Development Overlay District.

The PD-Planned Development Overlay District is intended to provide a place where larger scale high quality master-planned developments are permitted. The Town encourages innovative land use and building design that integrates well within the community and promotes a positive community image. In exchange for greater freedom of design and intensity of development, the Town expects a PD development to protect and conserve critical environmental resources, provide a significant amount of open space and recreational amenities, and integrate uses that are compatible both internally to the site as well as to adjacent developed areas.

3.5.17 FP – Floodplain Overlay District.

The purpose of the Floodplain Overlay District is to fully integrate [FEMA floodplain](#) requirements into the zoning ordinance and to enhance those requirements with town land use and environmental priorities.

3.5.18 HD – Historic Overlay District.

The intent of the Historic Overlay District is to provide land development controls that protect the integrity of historic areas within the Town.

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