



# MEMORANDUM

TO: Planning Commission

FROM: Alexis DiLeo, City Planner  
 Hank Kelley, Deputy Planning Manager  
 Brett Lenart, Planning Manager

DATE: December 13, 2022

SUBJECT: **TC1 District Amendments – Directed by City Council**

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On December 5, 2022, the City Council passed Resolution [R-22-390](#) Resolution to Direct Planning Commission Following Stadium/Maple Rezoning to TC1 which directs the Planning Commission to consider modifications to the TC1 Zoning District. The resolution directs the Planning Commission to evaluate and recommend amendments that:

- Incorporate limited automobile-related uses into the TC1 District, excluding drive throughs and gas stations
- Address constraints of existing narrow rights-of-way

## Automobile-Related Uses

There are eight automobile-related uses for evaluation based on City Council’s R-22-390.

The table below identifies each, indicates how it was previously regulated, how it is regulated in the TC1 district, and a recommendation to consider for possible amendment.

	Use	Previous District	TC1 District	Recommendation	
Primary	Automobiles, Motorcycles, Recreation Vehicles, Equipment (Sales and Rental)	Permitted C3	Prohibited	Permit as Special Exception Use	
	Fueling Station		Special exception C2B.	Prohibited	Permit as Special Exception Use

Use		Previous District	TC1 District	Recommendation	
			Permitted C3		
	Mobile Food Vending		Permitted C1, C1B, C2B, C3	Permitted	
	Automobiles, Trucks and Construction Equipment Repair		Permitted C2B, C3	Prohibited	Permit as Special Exception Use
	Parking Lot/Structure		Permitted P	Prohibited	Permit as Special Exception Use
	Vehicle Wash		Special exception C2B, permitted C3	Prohibited	Permit as Special Exception Use
<b>Accessory</b>	Drive-Through Facility	Special exception O, C2B, C3	Prohibited		
	Parking Structure		Intended for permitted in all districts	Permitted	

**Additional information on uses:**

Automobiles, Motorcycles, Recreation Vehicles, Equipment (Sales and Rental) –

Definition: The sale, display, lease, rental, or storage of light motor vehicles, including Automobiles, vans, light trucks, light trailers, boats, construction Equipment, and Recreational vehicles. This shall not include salvage operations, scrap operations, vehicle impound yards, or commercial Parking Lots available for short-term use.

- Previously permitted in the C3 district, not permitted in any other previous district to TC1.
- Both sales and rental, and a wide variety of “light motor vehicles,” are included in this land use category.
- Personal vehicle rental in close proximity to housing is “supportive of the goals of the TC1” district but not currently permitted, and should be with special exception use approval.

- Preliminary evaluation: Allow use as Special Exception Use in TC1. Alternatively, establish distinct use definitions that separate sales and rental if warranted, and determine appropriate zoning allocations.

Fueling Station, Vehicle Wash – City Council determined that “some automobile-related commercial uses (I.e. car rental and repair) located in close proximity to housing are supportive of the goals of TC1 Zoning District but currently aren’t permitted by special exception use.” While the same resolution explicitly removes fueling [gas] stations from consideration, it is appropriate to consider this and vehicle wash facilities to define how the same benefits would not accrue for the provision of these uses. While there will be a long horizon for the elimination of internal combustion engines from nearby residents, how do fueling stations (and vehicle wash facilities) fit in these proposed amendments.

Automobiles, Trucks and Construction Equipment Repair – Definition: Any Building, Structure, or Lot used for the Business of repairing Automobiles, trucks, or construction Equipment or the sale and installation of tires, batteries, and other minor accessories and services for Automobiles, trucks, or construction Equipment. This shall not include retail sale of vehicle supplies, tires, or parts unrelated to repairs being performed on the Premises, the retreading and/or vulcanizing of tires, Fueling Stations, or convenience stores that sell gasoline or lubricating oil, except other vehicle accessories or services are included in this use.

- Permitted in the C2B and C3 districts, not permitted in the O, C1, C1B, M1, P, R5 or TC1 districts.
- Personal vehicle repair in close proximity to housing is “supportive of the goals of the TC1” district but not currently permitted, and should be with special exception use approval.
- Preliminary evaluation: Allow repair uses as a Special Exception Use or split uses into two distinct categories: 1) motorcycles and passenger vehicles, and 2) Heavy duty trucks and construction equipment.

Parking Lots/Structures – Previously permitted as accessory uses in districts along the corridors, except for the P district which allows as a primary use. Parking Lots/Structures remain an accessory use in the TC1 district. Planning Commission could consider a Parking Lot/Structure as a primary use by Special Exception to provide the opportunity for a parcel have such for shared, common or public use for a whole corridor. This would enable a similar land use flexibility as present in the downtown zoning districts.

### **Address Constraints of Narrow Rights-of-Way**

The second component of R-22-360 furthers and formalizes some of the discussion and debates among members of both the City Planning Commission and City Council while

considering the Stadium/Maple Corridor Rezoning to TC1, inquiring how the district standards function in circumstances where the available public right-of-way is narrower than typical. The resolution asks how to provide safe and comfortable pedestrian environments, as well as provide public amenities to increase walking and transit use in the TC1 district when past infrastructure investments within the rights-of-way have dedicated and programmed the width primarily for vehicle use. The concerns raised, and the goals of the resolution, is to suggest amendments that will enable more flexibility during development review and accommodating the necessary features of a successful transit corridor in the future, including:

- Providing adequate space for pedestrian and other non-motorized travel (e.g. adequately sized barrier-free sidewalks along the length of corridors)
- Providing adequate space for desired amenities such as bus shelters, street trees, comfortable and safe buffers between vehicular traffic and other modes

In order to develop some recommendations, the groundwork must be established to define what are the most significant challenges, what and where the amendments should apply, and what process should be followed. The questions below will help guide this work and develop an approach to preparing recommendations as requested.

- Existing Conditions
  - Corridor profiles? Both current TC1 and anticipated future TC1 zones?
  - Curb to lot line examples?
  - Examples from other City developments?
- Resources
  - The Downtown Street Design Manual
  - Other Community Ordinance Examples
- Site Visits
  - Is the commission interested in arranging site visits and/or walks to experience and discuss potential solutions?
- Process
  - As the Commission has discussed this in full, is it desired to keep the evaluation and analysis at the commission table, or work more closely with the Ordinance Revisions Committee to help staff create proposed language?
- Other
  - What else would be helpful when considering an amendment?

If there is any additional information I can provide, please contact Alexis DiLeo, City Planner at [adileo@a2gov.org](mailto:adileo@a2gov.org).