

LAND MANAGEMENT CODE TEXT AMENDMENT PROPOSAL

Number: 2024-19	Is this a new issue or one previously discussed?	New
Version: 1	Is this new text proposed since last discussion in need of initial review?	New
	Is this revised text in need of confirmation that it conforms to prior editorial direction?	No
Summary: Allow for more permitted uses in the POM zoning district.		
Justification : A property owner is having difficulty finding prospects for POM zoned raw land. The code restrictions in this market are too restrictive. The proposal seeks to remove any language regarding performance standards for permitted uses in the POM zoning district. The property owner is exploring the idea of pickleball courts at a POM-zoned property. There is currently no distinction between outdoor and indoor fitness and recreational sports centers, which may not be appropriate in all locations.		

Existing text to be removed is in ~~strikeout~~. New text to be added is in red. Staff direction is in blue.

Removing the performance standards on certain commercial uses in the POM

Article 4, Section F.2.b(5)

~~(5). Uses identified in the POM District in the Use Chart cited in Section Z as a permitted use, but marked with reference to this Subsection shall:~~

- ~~(a). Not exceed 25% of the gross floor area of the building (except restaurants), or~~
- ~~(b). Not exceed in the aggregate 20% of the gross floor area of a group of adjacent buildings under common ownership or a group of buildings designed and approved as a unified development or business park, as designated on the approved Site Plan(s) or subdivision development plan.~~
- ~~(c). Gasoline service stations (4471) are not permitted in the POM District, including incidental sales associated with a convenience store.~~
- ~~(d). Retail uses shall not be the sole occupant of a structure.~~
- ~~(e). See Article 5, Subsection I.9 regarding nonconforming commercial subdivisions.~~

Removing special restrictions (denoted with "#") for property occupation, while matching the restaurant size capacity with the CL

Article 4, Section Z

	POM
Restaurants (7221 and 7222), no limit on size	P#
Restaurants (7221 and 7222), not to exceed 3,000 square feet per establishment	P
Dry cleaning and laundry services (8123)	P# P
Hair, nail and skin care stores, ear piercing services, hair replacement services, permanent makeup salons (81211) and dog grooming establishments	P# P
Retail and wholesale trade (44-45) excluding autos and other motor vehicle dealers unless all vehicle storage is indoors and excluding adult entertainment businesses up to 5,000 square feet in net floor area per business. This provision shall also include retail bakers (311811) and retail confectioneries (311320). Regulation of specific trade uses that are found elsewhere in the chart shall prevail. (Ed. Note: See Page 4-163 regarding gasoline sales)	
Same as above (Retail and wholesale trade), up to 15,000 square feet in net floor area per business	P# P
Tanning and depilatory salons (812199)	P# P

Make distinction between fitness and recreational sports centers which have outdoor fields and courts and those which do not.

	N-MU	CC-MU	CL	CG	CR	PO M	INS T	I-MU	IR	IG	C	LC	PUD -V	PUD -R
Fitness and recreational sports centers, without outdoor fields and courts	P	P	SE	P	P	P# P	P	P**	P	P	P	P	P	P
Fitness and recreational sports centers, with outdoor fields and courts				P	P	SE	P	SE	P	P	P		P	P