

CITY OF KIRTLAND
SUMMARY OF PROPOSED AMENDMENTS TO THE ZONING ORDINANCE

I. INTRODUCTION

The proposed amendments to the Kirtland Zoning Ordinance are the first major changes since the original code was adopted in 1975.

Of the 10,784 acres in the City, less than 450 acres are proposed to be in a new zoning district similar to the existing zoning district. Approximately 90 acres, or less than one percent, are proposed to be changed from one classification to another, i.e. from residential to business or business to residential.

The existing residential districts – R-1, R-2 and R-3, are generally unchanged. These districts represent more than 95 percent of the City's land area.

II. ZONING ORDINANCE – TEXT AND MAP

The proposed zoning ordinance consists of two parts:

1. The text, which describes each zoning use district and the regulations within each district; and
2. The zoning map, which identifies the location of the several use districts.

Any changes in the uses and regulations and in the zoning map require voter approval.

III. ZONING TEXT – ESTABLISHMENT OF USE DISTRICTS

The zoning text lists all the uses permitted or conditionally permitted in each use district as well as accessory uses. For example, in the R-3 Residential District, permitted uses include one-family dwellings, public recreation areas, public parks, etc. Conditional uses include library, museum, religious facility and other uses that may be required to meet other standards as to location of buildings, parking area, drives, lighting, etc., in order to protect adjoining residences.

Accessory uses include off-street parking, signs, home occupations, etc.

IV. USE DISTRICT REGULATIONS

The proposed regulations for the various use districts, i.e. residential, business and industrial, differ from the existing regulations in four ways:

1. Regulations for Each District in One Chapter

The regulations for each zoning district are generally in one chapter, including:

- Permitted uses,
- Lot area,
- Lot width,
- Yards.

Currently these provisions are in three chapters.

2. Positive Type Ordinance
The proposed regulations are positive instead of negative. All uses – permitted, conditionally permitted or accessory – are listed, and those not listed are automatically prohibited. This eliminates the need for listing prohibited uses as provided in the current Ordinance.
3. Exclusive Districts
With few exceptions, use districts are exclusive. The current ordinance permits the most restrictive uses – single-family dwellings – in less restrictive districts – business, commercial and industrial. This practice has long ago been discontinued in zoning ordinances to protect both residential and non-residential uses.
4. Use Districts Reflect Comprehensive Plan
The proposed amendments are based upon recommendations in the City's Comprehensive Plan adopted in 2003.
 - a. Residential Districts
Permitted uses, area and yard regulations are not changed from the current ordinance. Some proposed changes apply to accessory uses.
 - b. Business and Industrial Districts
The existing six districts have been reduced to four. The districts are arranged in order of most restrictive to least restrictive, beginning with the Institutional and Office District to the Limited Industrial District.

V. SUMMARY OF PROPOSED ZONING MAP AMENDMENTS

The zoning classification for 95 percent of the City is not proposed to be changed. Approximately 450 acres are proposed to be included in a zoning district that is similar to the existing district. Less than one percent (90 acres) are proposed to be classified in a different zoning district.

Zoning map amendments are proposed that:

1. More nearly follow lot lines;
2. Represent the existing uses of land; and
3. Change the title of some zoning districts.