

Planning Commission Proposed Actions

6-4.06 Lot Area per Family Change 7,500 to 5,000 in single-family dwelling or residence.

Rationale:

Large portion of our city was originally platted for 50x100 lots. The sq ft requirement adopted in 1999 deemed lots of the standard platted sizes as non-conforming for construction. This action will allow for redevelopment of these vacant lots in our city.

Airport District

14-8.02.02 Any use permitted in the Industrial district overlay of the City of Marion and in full compliance with F.A.A. guidelines for aviation approach areas.

14-9.02 Remove the words "or tree".

14-11.02 The Zoning Administrator's determination may supersede the F.A.A. determination.

14-11.03 If the Zoning Administrator does not respond to the application for variance within Thirty (30) days after receipt of same, the Governing Body may act on its own to grant or deny said application.

Air Space map being added to section 14. Wording modified to comply with F.A.A. and K.D.O.T. aviation.

Rationale:

Joint meeting held with Airport Board to discuss modifications to current zoning to enable future private development at the airport while remaining in compliance the Federal and State regulations while strengthening local control over this future development.

1-8.20

6. Promotional activities of retail merchants involving the display of merchandise and associated signs may be conducted outside of enclosed buildings with approval of the Zoning Administrator subject to the following conditions:
 - a. No portion of the display shall be on publicly owned property unless the applicant shall first have obtained approval for such use from the city.
 - b. These provisions shall in no way be deemed to authorize the continuing outdoor display or the sale of used furniture, used appliances, used plumbing, used house wares, used building material or similar display for sale in the Central Business Overlay District and only in other commercial and industrial districts as may be authorized by the Planning Commission as a conditional use, unless permitted by other sections of these regulations.
 - c. The Zoning Administrator may approve temporary outdoor displays of products and signs in the Central Business Overlay Zone (CBD) for special events such as local, regional, state, and national events, etc. Displays associated with the grand opening for a new business may also be approved.

The guidelines are:

1. The business must make a request to the Zoning Administrator at least 1 week prior to the requested date for the display.
2. The displays must be described as to size, location, content, and dates for the display.
3. The displays may be outside only when the business is open for business.
4. The displays must be confined within the property lines of the business.
5. Businesses located on corner lots may, with the approval of the Zoning Administrator, use the side streets along their property lines.
6. Space may be shared with other businesses with the approval of the Zoning Administrator.
7. At the discretion of the Zoning Administrator, a site visit may be required.
8. Free standing signs cannot exceed 24" wide and 48" high. Other signs must meet the specifications of Section 22.
9. Electrical cords, conduit, rope, etc. cannot be placed within the walking area of a sidewalk.

10. Displays shall not be placed past the curb into parking spaces or street area.
11. The Zoning Administrator or Public Safety Officers may impose other restrictions or requirements as deemed necessary for the safety of the public.
12. Displays in other zones must follow the guidelines included in each zone and Section 1.

If the Zoning Administrator denies a request, the business may appeal to the City Council.

Rationale:

The Central Business district has long endured more restrictive regulations regarding retail promotional activities. The proposed actions will enable limited duration promotional activities resulting in a more vibrant central business district environment. Clearly promotes the message of shop local and is supportive of the home town merchants.

23-3.02 All parking lots shall be constructed, at a minimum, with paved, hard surface, all-weather dust free materials such as masonry, concrete, asphalt, or other acceptable material. The design and materials must meet city specifications and must be included in the application for the building permit.

Possible exceptions for using compacted gravel may be granted by the Zoning Administrator as follows:

- 1 Residences on unpaved streets.
- 2 Large lots with excess areas not needed for parking and not used for vehicle traffic for egress and maneuvering.
- 3 Industrial lots used primarily for parking of truck/trailers and equipment and not used by customers, employees, or visitors.
- 4 Lots used for storage of vehicles waiting for service.
- 5 Lots used for automobile and other vehicle and equipment sales not used by employees.
- 6 If the property entrance is located on a paved street, the driveway must be paved per above specifications.
- 7 Other requests for using gravel must be approved by the Planning and Zoning Commission.

Rationale:

This revision serves to better define the expectations of our aesthetics standards for businesses choosing to operate in the City of Marion. This additionally provides a safer environment for all citizens of our community as parking surfaces will be in support of A.D.A. requirements.

19-2.01 The following conditional uses may be approved by the Planning Commission as provided in this section. ***Uses not listed or approved or prohibited elsewhere in these regulations or state statues may be considered and approved by the City Planning Commission using guidelines in Section 19-1.04***

Rationale:

This revision serves to expand the possibilities for conditional use permitting and reduce the necessity to work through the BZA appeals process. This will be seen as a truly proactive "Growth" commitment by the city for perspective business and home owners.