



PLANNING COMMISSION STAFF REPORT

January 3, 2019

AGENDA ITEM: A work session discussion of potential revisions to the allowed uses in the Light Industrial (LI) Zoning District

APPLICANT: Town of Frisco
1 East Main Street
PO Box 4100
Frisco, CO 80443

STAFF PLANNERS: Joyce Allgaier, Community Development Director
joycea@townoffrisco.com (970) 668-3031

Bill Gibson, Assistant Community Development Director
billg@townoffrisco.com (970) 668-9121

PROJECT DESCRIPTION

The purpose of this work session is to discuss the allowed uses in the Light Industrial (LI) Zoning District generally and to specifically discuss potential revisions to the Unified Development Code (UDC) that would allow laundromat uses in the LI District.

Aqua Marine Coin and Commercial Laundry, LLC (members Amy Franklin, Diane Wieland, and Michael Martin), is proposing a laundromat business at 745 Ten Mile Drive, Units 125-126 which is the former location of the Sherwin Williams Paint Store. The proposed business would involve a combination of both self-service, coin operated laundry facilities and commercial laundry services.

The subject property is located in the Light Industrial (LI) Zoning District. Laundromats are currently defined by the UDC as a “personal services” land use and are not allowed in the LI District. Aqua Marine Coin and Commercial Laundry has proposed that the Town of Frisco amend the UDC to allow personal services in the LI District.

Amendments to the UDC may only be initiated by the Community Development Director, Planning Commission, or the Town Council when the public necessity, safety, general welfare, or good zoning practice justifies such action.

The Community Development Director declined to initiate a code amendment application to allow personal services in the LI District. The Community Development Director based this decision upon the following:

- Personal services are not consistent with the purpose of Light Industrial (LI) District which is focused on provision of trades services, light industrial, general services, and associated services. Auto repair and services is allowed in this district.
- The LI District is very limited in area and serves as an important area for uses that are essential to the functioning of a well-rounded community. In general in industrially zoned areas, tenant rental and property values tend to be lower than in prime arterial streets with commercial zoning such as Summit Blvd., and Main Street. From a land planning perspective, these lands are very important to have in a community.
- There are opportunities for laundromats in other locations in Frisco since personal services are already allowed as a permitted use in four other zoning districts including: Gateway District, Commercial District, Central Core District, and Mixed Use District. These four zoning districts compose the majority of the commercial areas located along Main Street, West Main Street, Summit Boulevard, Lusher Court, and the Dam Road. Personal services are also allowed as a conditional use in the Residential High Density District. Please refer to the attached Exhibit A.
- Personal services are not limited to laundromats but instead include a variety of uses including dry cleaning, beauty and barber shops, tanning and spas, tailoring shops, etc. These uses have the potential to take up important lands for light industrial services and in the case of Frisco, does not represent good zoning practice.

This code amendment request was referred to the Town Council. The Town Council has initiated a code amendment application to allow laundromat uses in the LI District and asked that the Planning Commission take up this matter and provide their opinion. The Town Council discussed that laundromats could be an appropriate land use in the LI District. The Town Council also discussed that allowing other land uses defined as personal services would not be consistent with the purpose of that zoning district. The Town Council desires an amendment to the UDC that narrowly allows laundromats in the LI District. However, such a code amendment should not be so narrowly tailored as to only accommodate the proposed Aqua Marine Coin and Commercial Laundry business. The Town Council also expressed interest in a simple code amendment that doesn't over complicate this matter.

DISCUSSION ITEMS

- **Are laundromats an appropriate land use in the LI District?**

The UDC describes the purpose of the LI District as follows:

To promote the development of professional trade, industrial, general services, storage, and contractor services in Frisco, and to allow for other associated uses complementary to contractor trades and light manufacturing.

Are laundromats generally consistent with the purpose of this zoning district? If laundromats were separated into two categories - self-service, coin operated laundromats and commercial laundromats, would either or both categories be appropriate in the LI District?

- **What code amendment approach should be used? Options include:**

- Status quo (no amendment). If the Planning Commission finds that laundromats are not an appropriate land use in the LI District and a code amendment allowing such a use in this zoning district does not meet the criteria for approval outlined in §180-2.4.3.D of the UDC, then the Commission should forward a recommendation of denial to the Town Council. **Staff does not recommend this approach.**
- Allow personal services in the LI District. The UDC does not currently make a distinction between self-service, coin laundromats and commercial laundromats. All laundromats are currently defined as a personal services land use. If laundromats are desired in the LI District, then the code could be amended to allow personal services as a permitted or conditional use in that district. While this option would meet the goal of allowing laundromats in the LI District, it does not achieve the Town Council's goal of narrowing the scope of the amendments to not allow other personal service uses (cosmetics, beauty and barbershops, domestic services, etc.) that would be inconsistent with the purpose of the LI District. **Staff does not recommend this approach.**
- Create separate "self-service laundromat" and "commercial laundromat" land use categories. Similar to other communities, a distinction could be made in the UDC between self-service, coin operated laundromats and commercial laundromats. Self-service laundromats provide washing and drying machines on premise for rental use by the general public. These types of laundromats are generally compatible with retail and office businesses. Commercial laundromats generally clean garments, linens, fabrics, draperies, etc. for commercial customers with limited visitation by the general public. Commercial laundromats often provide drop-off, pickup, and delivery services. Commercial laundromats are generally compatible with light industrial uses.

Some laundromat businesses only provide self-service, coin-operated laundry facilities while others provide only commercial services, but some laundromat businesses may include both. The UDC allows accessory uses that are "customarily incidental and subordinate to the principal use of the land or building" and "occupy no more than 30 percent of the gross floor area of the principle building". So, a commercial laundromat could include a limited component of coin operated laundry service and a self-service laundromat could include a limited component of commercial laundry services. Staff feels it is important to limit the amount of coin operated laundry services associated with a commercial laundry in the LI District and considered recommending the inclusion of specific floor area percentages in the definition of this use; however, staff believes the general accessory use provision that applies to all land uses will achieve this desired outcome.

As separate land use categories, self-service laundromats and commercial laundromats could be allowed as either a permitted or conditional use depending upon what is determined to be most appropriate for each individual zoning district. **Staff recommends this approach.**

- Retain self-service laundromats as a personal services use and incorporate commercial laundromats into the definition of another land use already allowed in

the LI District. The definition of personal services could be limited to only include self-service laundromats rather than laundromats generally. Then the definition of another land use already allowed in the LI District, such as professional trades, could be broadened to include commercial laundromats. This approach could achieve the same regulatory outcomes as creating separate self-service laundromat and commercial laundromat land use categories as described above. However, this approach would be less transparent and more complicated to understand for the end users of the UDC (staff, elected and appointed officials, business owners, citizens, etc.). **Staff does not recommend this approach.**

- **Should laundromats be allowed as a permitted or conditional use?**

If the UDC is amended to make a distinction between self-service laundromats and commercial laundromats, staff recommends self-service laundromats be a permitted use in the Gateway (GW) District, Commercial (CO) District, Central Core (CC) District, and Mixed Use (MU) District and a conditional use in the Residential High Density (RH) District in the same manner as personal services are currently allowed in these districts.

Staff recommends commercial laundromats be allowed as a permitted use in the Gateway (GW) District, Commercial (CO) District, and Light Industrial (LI) District. Staff does not recommend commercial laundromats be allowed in the Central Core (CC) District, and Mixed Use (MU), or Residential High Density (RH) District. If the Planning Commission chooses to allow commercial laundromats in these districts, then staff would recommend they be allowed as a conditional use rather than a permitted use.

The locations of these various zoning districts are delineated by the Town of Frisco Zoning Map. The zoning map is available for review on the Community Development Department section of the Town's website: www.frisco.gov

- **If the UDC is amended to allow laundromats in the LI District, are there any other related matters that should be addressed as part of such an amendment?**

An amendment of this nature would involve establishing definitions for any new terms such as self-service laundromats and commercial laundromats. An amendment of this nature would also involve modifications the Table of Allowed Uses in §180-5.1.5 of the UDC to identify in which zoning districts any new land uses such as self-service laundromats and commercial laundromats would be allowed as a permitted or conditional use.

As a related matter, the current UDC includes two definitions of the term "personal services". Staff recommends those definitions be consolidated for better clarity in the code.

Also, the UDC does not currently include a specific parking standard for personal services. Historically, personal services appear to have been treated similarly to retail

uses and office uses for parking purposes. Staff recommends establishing a parking standard for personal services and laundromats as part of this code amendment.

BACKGROUND

The following excerpts from the UDC are relevant to this discussion.

Pursuant to §180-2.4.3, an amendment to the UDC may only be initiated by the Community Development Director, Planning Commission, or the Town Council whenever the public necessity, safety, general welfare, or good zoning practices justifies such an amendment. On December 11, 2018, the Town Council initiated an amendment to the UDC to allow laundromats in the Light Industrial (LI) Zoning District based upon the finding that these criteria are met.

Pursuant to §180-9.2.3.E, a laundromat is currently defined as a “personal services” land use:

180-9.2., Definitions of General Use Categories

9.2.3.E. Personal Services

Establishments that provide individual services related to personal needs directly to customers at the site of the business, or that receive goods from or return goods to the customer, which have been treated or processed at that location or another location. Examples include but are not limited to beauty and barbershops, laundromats, shoe repair shops, and tailor shops.

180-9.3., General Definitions

Personal Services

Establishments primarily engaged in providing services involving the care of a person or his/her personal goods, including but not limited to, dry cleaning, cosmetics, beauty and barbershops, funeral services, and domestic services.

Pursuant to §180-9.2.3.E, a professional trade is currently defined as follows:

Professional Trade

Industrial, contractor, or technology-related trade services. Such uses also include supply businesses in the fields of construction materials, interior design, landscaping, automotive, janitorial, medical, and office.

Pursuant to §180-9.2.3.E, a professional trade is currently defined as follows:

Use, Accessory

A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot or in the same building with the principal use. A dwelling unit shall not be allowed as an accessory use. Accessory uses may occupy no more than 30 percent of the gross floor area of the principal building.

Pursuant to §180-5.1.5, personal services are not allowed as a permitted or conditional use in the LI District. Personal services are currently permitted in four (4) others - the Gateway District, Commercial District, Central Core District, and the Mixed Use District. Personal

services are also allowed as a conditional use in the Residential High Density District. In the following excerpt from the UDC, the LI District and personal services are both highlighted in red.

180-5.1.5 TABLE OF ALLOWED USES

TABLE 5-1 TABLE OF ALLOWED USES															
● = Permitted ○ = Conditional Use Blank cell = Not allowed		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards
Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF	
RESIDENTIAL USES															
Group Living	Group care facility					○	○				○				
	Senior housing					○	○				○				
Household Living	Cabin housing		●	●	●	●					○	○			180-5.2.1 *on Granite & Galena Streets only
	Duplex and two-unit townhomes		●	●	●	●					●	○			Error! Reference source not found.
	Fractional ownership unit					○	●				○	○			
	Multi-unit dwellings				●	●	○				●	○			Error! Reference source not found.
	Single-household detached dwelling	●	●	●	●	●					●	○			Error! Reference source not found.
	Townhomes, attached or standalone			●	●	●					●	○			Error! Reference source not found.
PUBLIC, INSTITUTIONAL, AND CIVIC USES															
Community and Cultural Facilities	Activities for conservation of natural resources and the environment												●		
	Arts and entertainment center						●	●		●	●				
	Community center							●		●	●				
	Church or place of worship and assembly			○	○	○					○	○		○	
	Homeowner association recreation facility	○		○	○	○									
Child Care Facilities	Child day care center		○	○	○	○		○			○				
	Family day care	●	●	●	●	●									
Educational Facilities	School, Type 1			○	○	○					○			○	
	School, Type 2			○	○	○		○			○			○	
	School, Type 3							○			○			○	
Institutional Uses	Institutional use	○	○	○	○	○	●	●	●	●	○		○		
Parks and Open Space	Active recreation												●	●	
	Common area	●	●	●	●	●									
	Common building		●												
	Marina										●		●		

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Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF	
	Open space	●	●	●	●	●	●	●	●	●	●	●	●	●	
	Park	●	●	●	●	●				●			●	●	
	Park, public or private												●		
	Passive recreation and open space use (no site disturbance; compatible with natural state)												●	●	
	Passive recreation and open space use some site disturbance; compatible with natural state)												○	●	
	Public or private active and/or passive recreation area													●	
Public Utilities and Facilities	Public improvement													●	
	Public utility facility													●	
	Telecommunication facility (standard)						●	●		●	●			●	Error! Reference source not found.
	Telecommunication facility (low power)	●	●	●	●	●	●	●	●	●	●	●	●	●	Error! Reference source not found.
	Transit oriented facility and use						●	●		○	○				
COMMERCIAL USES															
Agriculture Uses	Community garden	○	○	○	○	○	●				○	○	○	●	●
	Farmers' market						○	○		○	○		○	○	Error! Reference source not found.
	Plant nursery or greenhouse						○	●	●		○		○		
	Produce stands						●	●		●	●				Error! Reference source not found.
Food and Beverage	Fast food restaurant						●	●		●	○				
	Microbrewery, distillery and/or tasting room						●	●		●	●				
	Restaurant, bar, tavern						●	●		●	●		○		
Lodging Facilities	Boarding, rooming, and lodging facility				○	●	●	○			○				
	Condominium hotel						●			○	○				
	Hostel						●	○		○	○				
	Hotel and motel						●	○		●	○				
Offices	Financial service						●	●		●	●				
	Medical office						○	●	○	●	●				
	Office				○	○	○	○	○	○	○				
Parking Facilities	Parking facility					○	○		○	○		○			

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Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF	
Personal Services	Personal services					●	●	●		●	●				
Recreation and Entertainment	Health, recreation, and exercise establishment						●	●	●		●		●		
	Indoor arts and entertainment center					●									
Retail	Artisan studio or gallery						●	●		●	●				
	Light retail						●	●	●	●	●		●		
	Medical marijuana dispensary						●	●	●		●			Error! Reference source not found.6	
	Professional trade								●						
	Professional trade retail								●						
	Regional retail						●	●							
	Retail marijuana						●	●	●		●			Error! Reference source not found.	
	Sexually-oriented business						●	●	●	●	●			Error! Reference source not found.	
	Showroom							●							
Vehicles and Equipment	Auto, boat, and recreational vehicle sales or leasing						●	●							
	Auto fuel sales						●	●			●				
	Auto service or wash						●	●	●						
	Light goods repair								●	●					
Veterinary Services	Animal boarding or training						●	●	●		●				
	Veterinary clinic						●	●	●		●				
INDUSTRIAL USES															
Industrial Service and Research	Commercial firewood cutting and storage								●						
	Research and development							●	●						
Manufacturing and Production	Light manufacturing							●	●	●	●				
	Repair and light fabrication workshop							●	●						
Warehouse and Freight Movement	Storage facility								●						
	Warehouse								●						
	Wholesale business							●	●						
ACCESSORY USES															
Accessory Uses	Accessory building and use	●	●	●	●	●	●	●	●					●	
	Accessory dwelling unit	●	●	●	●	●	●	●	●	●	●		●	●	
	Home occupation	●	●	●	●	●				●					
	Home office	●	●	●	●	●	●	●		●	●				

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Use Category	Use Type	RS	RN	RL	RM	RH	GW	CO	LI	CC	MU	OS	PR	PF		
	Solar energy facility	●	●	●	●	●	●	●	●	●	●	●	●	●	●	Error! Reference source not found.
DISTRICT LEGEND																
RS = Residential Single-Household District																
RN = Residential Traditional Neighborhood District																
RL = Residential Low Density District																
RM = Residential Medium Density District																
RH = Residential High Density District																
GW = Gateway District																
CO = Commercial Oriented District																
LI = Light Industrial District																
CC = Central Core District																
MU = Mixed-Use District																
OS = Open Space District																
PR = Parks and Recreation District																
PF = Public Facilities District																

Pursuant to §180-3.10.1, the purpose of the Light Industrial (LI) District is as follows:

180-3.10.1, PURPOSE

To promote the development of professional trade, industrial, general services, storage, and contractor services in Frisco, and to allow for other associated uses complementary to contractor trades and light manufacturing.

ANALYSIS – CODE TEXT AMENDMENTS [§180-2.4.3]

Pursuant to §180-2.4.3, an amendment to the UDC may only be initiated by the Community Development Director, Planning Commission, or the Town Council whenever the public necessity, safety, general welfare, or good zoning practices justifies such an amendment.

180-2.4.3, Code Text Amendments

A. Purpose

The text of this Chapter may be amended pursuant to this section to respond to changed conditions, changes to public policy, or to advance the general welfare of the Town.

B. Applicability

An amendment to the text of this Chapter may be initiated by the Director, the Planning Commission, or the Council whenever the public necessity, safety, general welfare, or good zoning practice justifies such action. The Council may approve an amendment after consideration and recommendation by the Planning Commission.

C. Review Procedures

Figure 2-C identifies the applicable steps from the common review procedures in Section 180-2.3 that apply to the review of applications for amendments to the text of this Chapter. Additions or modifications to the common review procedures are noted below.

Figure 2-C: Code Text Amendment Review Procedures



1. Hearing and Recommendation

The Planning Commission shall recommend approval or disapproval, either in whole or in part, of a change to the text of this Chapter. Recommendations for such changes shall be presented to the Council and an ordinance embodying such changes in whole or in part may be adopted by the Council after public hearing, public notice of which is given. In the event of adoption by the Council of such changes in part, if such partial adoption has not been recommended as such by the Planning Commission, a favorable vote of at least three-fourths of the members of the entire membership of the Council shall be necessary.

D. Code Amendment Approval Criteria

An amendment to the text of this Chapter is a legislative decision by the Town Council. Prior to recommending approval or approving a proposed amendment, the Planning Commission and Council shall consider whether and to what extent the proposed amendment:

1. Is consistent with the Master Plan and other Town policies;

2. *Conflicts with other provisions of this Chapter or other provisions in the Frisco Town Code;*
3. *Is necessary to address a demonstrated community need;*
4. *Is necessary to respond to substantial changes in conditions and/or policy; and*
5. *Is consistent with the general purpose and intent of this Chapter.*

STAFF RECOMMENDATION

As this is a work session, Staff recommends the Planning Commission discuss this matter and provide staff with feedback. Staff would then proceed forward with scheduling a public hearing before the Planning Commission and the Commission forwarding a recommendation to the Town Council.