



Help Local Small Businesses by Revising Commercial Zoning Districts

Commercial zoning districts (e.g. C-1, C-2, C-3) can create unintentional barriers for local small businesses that municipal leaders and planners really want to encourage. Successful small businesses establish community character and foster a unique identity. For example, a local brewery or restaurant district attract visitors, as do the shops of artisans and other creative types; small businesses attract new residents also. Small business platforms, typically unlike chains, may be flexible enough to re-use existing buildings or create interesting new ones. Planners need to take care to avoid inadvertently discouraging these entrepreneurs through regulatory structures with which only national or global merchants can cope.

WELL-INTENTIONED ROADBLOCKS

How zoning ordinances typically classify and permit uses is often one of the biggest barriers to small business start-up or expansion. Impediments often come as a surprise to many planners. Permitted use lists can negatively impact commercial development throughout a community, especially smaller scale enterprises. Use names and definitions that are too specific or too narrowly drawn can become deadly roadblocks. Inflexibility frustrates potential new small businesses with provisions that result in approval processes that are prohibitively lengthy and expensive in the small guy's eyes. Therefore, a different approach to use classification and a permit process with enough flexibility to lessen the burden for emerging uses and new businesses may better achieve community goals.

PERMITTED CATEGORIES

Modern zoning practice better addresses uses by the categorical use approach, where specific uses are grouped into larger inclusive categories (e.g. local retail and personal service uses.) A categorical use approach grants flexibility for administrative review and gives planners the confidence to permit uses desirable for the community within the broad context of the use category, without worrying about whether or not the use is specifically and precisely listed as a principal permitted use (thus avoiding trips to the ZBA, City or Village Council, or Township Board).

For example, the use category "retail goods establishment" can replace lists of specific uses: food store, bookstore, music store, clothing store, etc. Also, terms such as "neighborhood services business" can accommodate new convenience uses without unduly limiting creativity and new ideas.

If a community wants to specify permitted uses within a category, it should do so in the Definitions section of the ordinance and should consider adding "similar uses" to the definition.



NEW USES AND ATTITUDE

While the categorical use approach goes some way toward lowering barriers, there is often an added need to monitor the zoning ordinance's permitting processes and insist on positive, helpful, municipal staff and consultant attitudes to make sure that innovative uses don't get rejected outright. To encourage them, sometimes small or local commercial uses require additional assistance by a planner to navigate the permit process. Municipal approval processes may need to single them out and permit them with conditions. Examples of singling out uses for additional assistance include businesses under a certain floor area, businesses in specific zoning districts, or re-occupations of existing buildings. Coupled with a welcoming explanation, a helpful environment is more possible.

Inclusion of innovative new uses in the ordinance welcomes new small business, such as the following:

- **Local food production.** Workspace for preparing, processing or packaging specialties in meats, cheese, soup, coffee, candy, with sales of on-site production, but with conditions limiting off-site impacts and on-site consumption.
- **Industrial design.** Sites for the design, marketing, or production of products or training classes and events that integrate art, business, robotics, science, and engineering and may even include a small cafe. Consider permitting low-impact minor industrial uses in certain mixed-use areas and buildings.
- **Artisan industrial.** Space for creative businesses involving crafts, electronics shops, small-scale metalworking, glassblowing, woodworking, ceramics, leathercraft, sewing, screen printing, and similar small industry activities.
- **Local breweries and distilleries.** Principal uses, such as small breweries or distilleries for on-premise sale and consumption of alcohol. Allowing limited food service may also be beneficial.
- **Food trucks.** Food truck experiments may evolve to brick-and-mortar restaurant or specialty food production if allowed for periods in specific areas.
- **Corner stores.** Nonconforming uses which, especially in mature neighborhoods, owners cannot typically reestablish by right, but are attractive for low-intensity small businesses (nail salons, coffee shops) can be encouraged with protective use conditions in a residential area of a neighborhood as special uses or in a special neighborhood district as a permitted nonresidential use.
- **Temporary uses.** New businesses may start as temporary uses and home occupations, and may be encouraged but with controls on duration, hours of operation, parking and storage.

TAILORING COMMERCIAL DISTRICTS

Commercial districts for local and mixed uses should be tailored to suit the need and functions of small businesses:

- Establishing small setbacks, allowing buildings close to the street.
- Requiring windows along street frontages to create a welcoming pedestrian scene.
- Requiring public entrances directly to streets or prominent corners.
- Limiting single-user parking lots and promoting shared parking, where possible.
- Making it convenient for customers to park in a central, community (perhaps public) lot.
- Minimizing curb cuts and driveway widths.
- Smaller buffering of residential uses.
- Sign size at the scale of the district.
- A progressive process for site development approval that better balances the potential for new business to get established or to expand, thus reducing the inevitable costs associated with quality design.

The public and its leaders seem to want to encourage and help small businesses in the community. Planners must help by minimizing unnecessary, potentially fatal, zoning obstacles in local commercial zoning districts and permit processes.

McKenna Associates provides community planning, landscape architecture, urban design, zoning, economic development, community relations, public participation, and municipal wireless services to more than 150 cities, counties, townships, villages and select private firms across the Midwest. For more about McKenna, call 888.226.4326 or [visit mcka.com](http://mcka.com).