

## Proposed Revisions to Historical and Cultural Zone Huntington Education and Visitor Center Project

### ~~Article 05~~

~~HISTORICAL AND CULTURAL ZONE~~ 23.05.01: USES PERMITTED: AND CONDITIONALLY PERMITTED:

A. No uses other than the following uses and those conditional uses set forth in subsection 23.05.01 B, are permitted in the Historical and Cultural (H&C) zone:

~~A. The following uses, and no other uses, are permitted in the historical and cultural (H&C) zone:~~

1) Arboretums and botanical gardens.

2) Art galleries.

~~Existing residential~~

3) Residential privileges for employees.

4) Greenhouses.

5) Libraries.

~~Museums.~~

~~The construction, installation and operation of all accessory buildings and~~

6) Museums.

7) General Public Visitation, which shall mean visitation of the grounds, gardens, greenhouses, galleries, libraries and museums, generally without restriction, by the general public.

8) Ancillary uses that are customarily incidental to ~~such~~the permitted uses authorized, including ~~employees and visitor facilities and parking areas,~~ but not limited to, the following:

a) retail sales;

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- b) food service for the facility visitors and staff, and for permitted uses during the hours set forth in subsection C.3 of this Section;
- c) employees and visitor facilities and parking areas;
- d) events for both members of the institution and the general public, including educational, fundraising and other programs and performances, other than those for which a conditional use permit is required pursuant to subsection C.4 of this Section; and,
- e) facility rentals, including for filming and weddings, other than those for which a conditional use permit is required pursuant to subsection C.4 of this Section.

B. ~~B.~~ No use, building, parking area, ~~roadway,~~ access or other structure shall be established, constructed, enlarged or modified in the H&C ~~zone~~Zone without the prior application for and grant of a conditional use permit pursuant to the provisions of ~~article 07 of this chapter~~Article 07 of this Chapter; except, that the following are permitted without the necessity of obtaining a conditional use permit:

- 1) ~~4.~~ Repair and maintenance of structures and other improvements and facilities in existence on the date the property ~~is~~was first included in the H&C ~~zone~~Zone or that were thereafter ~~added~~constructed in conformity with the requirements of this ~~section~~Section.

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- 2) ~~2-~~Renovation or internal modification of buildings and other structures in existence on the date the property ~~is~~was first included in the H&C ~~zone~~Zone or that were thereafter ~~added~~constructed in conformity with the requirements of this ~~section~~Section so long as such renovation or internal modification will not ~~result in the increased use of the property by the public or~~ enlarge the public areas of the facilities.
- 3) ~~3-~~Replacement of any buildings or other structures in existence on the date the property ~~is~~was first included in the ~~historical~~Historical and ~~cultural-zone~~Cultural Zone or that were thereafter ~~added~~constructed in conformity with the requirements of this ~~section~~Section that is destroyed or damaged by fire, flood, wind, earthquake or other ~~natural calamity~~casualty. (Ord. 096-1093, 7-10-1996)

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- 4) ~~4. Improvements to, or additions of,~~ Construction or expansion of, and improvements to, uninhabitable garden facilities ~~that do not contain livable area,~~ such as, but not limited to, fountains, sculptures, bridges, ponds, streams, walks, trellises, patios, curbs, gutters, roads, signs and fences for aesthetic or security purposes; provided, that except for ~~existing~~ facilities existing on [DATE] (the effective date of the Ordinance enacting this provision), the same comply with the R-1 ~~zone, area-district~~ Zone, Area District IE setbacks and height limits. (Ord. 0-03-1175, 12-10-2003)
- 5) ~~5. Additions~~ Construction or improvement of service structures, such as, but not limited to, garden sheds, guard shelters, vehicle shelters, garden shelters and greenhouses; provided, that except for ~~existing~~ facilities existing on [DATE] (the effective date of the Ordinance enacting this provision), the same comply with the R-1 ~~zone, area-district~~ Zone, Area District IE setbacks and height limits.
- 6) Expansions of or improvements to existing underground facilities not generally open or accessible to the public, such as underground collections storage.

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7) Notwithstanding the foregoing, expansions of an existing building that cumulatively shall not exceed twenty-five percent (25%) of the gross floor area of that building as exists on [DATE] (the effective date of the Ordinance enacting this provision).

C. ~~C.~~ The following controls are established for the ~~historical~~Historical and ~~cultural zone~~Cultural Zone in order to protect the City's nearby residential ~~amenities~~neighborhoods and encourage use of public transportation:

~~1. Attendance (excluding staff) shall at no time exceed:~~

~~a. The following ratios relating to off street parking spaces provided by the facility located in the historical and cultural zone:-~~

~~First 600 spaces: 4 persons per day per space~~

~~Next 600 spaces: 3 persons per day per space-~~

~~Next 600 spaces: 2 persons per day per space; or~~

~~b. Three thousand six hundred (3,600) persons per day; whichever of subsection C1a or C1b is greater.~~

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- 1) ~~2. Such attendance~~ No more than 2,950 vehicles may access the property in any calendar day. The vehicle access limitation shall be enforced by the operators of the facility by a reservation system or any other method accomplishing the limitation as may be approved by the Planning and Building Director.
  
- 2) No vehicles belonging to members of the visiting public shall be permitted to park on the property overnight.
  
- 3) ~~3. No facility~~ Activities at and operation of facilities in the Historical and Cultural Zone shall be ~~open to public visitation other than between ten thirty o'clock (10:30) A.M. and four thirty o'clock (4:30) P.M.~~ permitted during the following times:
  - a) General Public Visitation shall be permitted only between 10:00 A.M. to 5:00 P.M. daily.
  
  - b) Use and operation of the facilities allowed in subsection A of Section 23.05.01, excluding General Public Visitation, shall be permitted only between 7:00 A.M. and 10:00 P.M. daily.
  
  - c) Staff and volunteer leadership activities, including meetings of Trustees and Overseers, are not subject to the foregoing time limitations.

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d) ~~4. It is recognized that the need for such attendance and hour control may be increased or decreased because of changed circumstances, and therefore, the limitations imposed by~~ The hours of operation established in this subsection C.3. may be modified ~~upward or downward by the City, from time to time, either in an application for~~ by obtaining a conditional use permit ~~under subsection B of this Section or by the Commission or Council upon its own initiative under the procedures set forth for a conditional use permit.~~

4) A conditional use permit shall be required for (i) events, including educational, fundraising, other programs and performances and weddings, if the event is ticketed or by invitation only, held outdoors, involves amplified music and exceeds 500 attendees; and (ii) filming occurring at times other than those permitted under Section 11.08.05 of this Code.

5) ~~5.~~ This subsection C shall ~~in no way be construed to~~ not alter, limit, predetermine or otherwise affect in any manner the requirements of subsection B of this Section.

~~D. Accessory commercial uses incidental to the permitted use authorized.~~

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D. ~~E.~~ The official Zone and District Map referred to in this Zoning Code is hereby amended by deleting the following property from the R-1 Zone and placing such property in the Historical and Cultural Zone, all as shown on the Map on file in the Planning and Building Department: Tract Number 8414, Lots 4, 8, 9 and ~~45.15.~~ 15. (Ord. 096-1093, 7-10-1996)