

LEGISLATIVE #

110289B



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TO: City Plan Board **Item Number: 2**

FROM: Planning & Development Services Department **DATE: August 25, 2011**
Staff

SUBJECT: Petition PB-11-104 TCH, City Plan Board. Amend the Land Development Code to add a definition of ice manufacturing/vending machines to Section 30-23; and add ice manufacturing/vending machines as a specially regulated use to the list of permitted uses in the Business industrial (BI); Warehouse (W); Limited industrial (I-1); General industrial (I-2) zoning districts. And add as a specially regulated use by Special Use Permit in the General business (BUS); Automotive-oriented business (BA); and Tourist-oriented business (BT) zoning districts.

Recommendation

Planning Division staff recommends approval of Petition PB-11-104 TCH.

Discussion

This petition is related to Petition PB-11-55 TCH, which would amend the Land Development Code to add ice manufacturing/vending machines as a specially regulated use and limit the zoning districts in which the use is allowed either by right or by Special Use Permit. The City Plan Board recommended at their April 28, 2011 meeting that staff initiate a petition to change the BI, W, I-1, I-2, BUS, BA, and BT zoning districts to add the specially regulated use with reference to Article VI. The City Commission concurred with the Plan Board recommendation at their public hearing on July 7, 2011. This petition adds a definition for ice manufacturing/vending machines to Section 30-23, Definitions, of the Land Development Code, and adds the use to certain zoning districts as allowed uses by right or by Special Use Permit.

The proposed change to Section 30-23 is as follows:

Ice manufacturing/vending machine means any free-standing, unmanned, self-contained outdoor structure that manufactures and stores ice within the machine and becomes activated to dispense ice in a bag or bulk when a customer inserts money.

The proposed changes to the zoning categories are as follows:

Sec. 30-67.1. Business industrial district (BI).

(c) *Permitted uses.*

(1) *Uses by right.*

SIC	Uses	Conditions
	Corporate offices	
	Day care centers	In accordance with article VI
	Eating Places	
	Places of religious assembly	In accordance with article VI
	Professional schools	As defined in article II
	Sales offices	
	Rehabilitation Centers	
	Exercise Studio	
	Research and Development in the Physical, Engineering and Life Sciences	Research and Development in the Physical, Engineering and Life Sciences, defined as establishments primarily engaged in conducting research and experimental development in the physical, engineering, or life sciences, such as agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forest, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects (NAICS 2002-541710)
	Outdoor storage	In accordance with article VI
	Research, development and manufacturing of renewable energy including biofuels, solar and wind power products.	
	Facilities on premises for security personnel.	

	<u>Ice manufacturing/vending machines</u>	<u>In accordance with article VI</u>
GN 074	Veterinary services	Within fully enclosed structures and in accordance with article VI
IN 0752	Animal Specialty Services	
GN 076	Farm Labor and Management Services	
GN 078	Landscape and Horticultural Services	
MG 15	Building Construction	
MG 41	Local and Suburban Transit and Interurban Highway Passenger Transportation	
MG 42	Motor Freight Transportation And Warehousing	
MG 43	United States Postal Service	
MG 45	Transportation By Air	
MG 47	Transportation Services	
MG 48	Communications	
IN 7011	Hotels and Motels	
MG 72	Personal Services	
MG 73	Business Services	
MG 75	Automotive Repair, Services and Parking	
MG 76	Miscellaneous Repair services	
MG 78	Motion Pictures	
MG 79	Miscellaneous Amusement and Recreation Services	
MG 80	Health Services	
MG 81	Legal Services	
MG 86	Membership Organizations	
MG 87	Engineering, Accounting, Research, Management and Related Services	
Division G	Retail Trade	
Division H	Finance, insurance and real estate	
SIC-8999	Services, Not Elsewhere Classified	Within enclosed buildings

Division F	Wholesale excluding the following: scrap and waste materials (IN-5093); construction and mining machinery and equipment (IN-5082); transportation equipment and supplies, except motor vehicles (IN-5088); and petroleum and petroleum products (GN-517).	
Division C	Construction, excluding heavy construction other than building construction contractors (MG-16).	
MG 20	Food and kindred products (excluding the following: wet corn milling (IN-2046), raw cane sugar (IN-2061), and beet sugar (IN-2063).	
MG 22	Textile mill products, excluding cotton finishing plants (IN-2261).	
MG 23	Apparel and other finished products made from fabrics and similar materials	
GN-243	Millwork, veneer, plywood and structural wood members	
GN 244	Wood containers	
MG 25	Furniture and fixtures	
GN 267	Converted paper and paperboard products, except containers and boxes, excluding coated and laminated paper packaging (IN-2671).	
GN 265	Paperboard containers and boxes	
MG 27	Printing, Publishing and Allied Industries, excluding Gravure (IN 2754)	
GN 283	Drugs excluding medicinals and botanicals (IN 2833).	

GN 284	Soap, detergents and cleaning preparations, perfumes, cosmetics and other toilet preparations	
MG 31	Leather and leather products	
GN 323	Glass products, made of purchased glass	
GN 328	Cut stone and stone products	
IN 3444	Sheet metal work	
MG 352	Farm and garden machinery and equipment	
MG 36	Electronic and other electrical equipment and components, except computer equipment	
MG 38	Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks	
MG 39	Miscellaneous manufacturing industries	
GN 833	Job training and vocational rehabilitation services	
Division J	Public Administration	

Sec. 30-68. Warehousing and wholesaling district (W).*(c) Permitted uses.*

SIC	Uses	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Assembly of microcomputers for wholesaling and retailing purposes (assembly only if premanufactured parts are made off-site)	
	Compound uses	In accordance with the requirements of this section
	Eating places	

	Outdoor cafes	As defined in article II and in accordance with article VI
	Outdoor storage	In accordance with article VI
	Personal fitting and sales of prosthetic or orthopedic appliances	
	Public service vehicles	As defined and in accordance with article VI
	Residential (eight to 30 dwelling units per acre)	In accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts and the additional requirements of this section
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural service	
GN-205	Bakery products	
IN-2067	Chewing gum	
GN-208	Beverages	
IN-2095	Roasted coffee	
IN-2097	Manufactured ice	
IN-2099	Food preparations not elsewhere classified	
IN-2261	Finishers of broadwoven fabrics of cotton	
IN-2262	Finishers of broadwoven fabrics of manmade fiber and silk	
MG-27	Printing, publishing and allied industries	
Div. C	Construction	Excluding heavy construction other than building construction - contractors (MG-16)
MG-40	Railroad transportation	
MG-41	Local and suburban transit and inter-urban highway passenger transportation	
MG-42	Motor freight transportation and warehousing	
MG-43	U.S. Postal Service	

MG-47	Transportation services	
MG-48	Communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
Div. F	Wholesale trade	Excluding motor vehicle parts, used (IN-5015); construction and mining machinery and equipment (IN-5082); transportation equipment and supplies, except motor vehicles (IN-5088); scrap and waste materials (IN-5093); and petroleum and petroleum products (GN-517).
MG-52	Building materials, hardware, garden supply and mobile home dealers	
MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with article VI, and by special use permit in neighborhood convenience and shopping centers
GN-553	Auto and home supply stores	
GN-554	Gasoline service stations	In accordance with article VI
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Excluding fuel dealers (GN-598)
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developers (IN-6533)
MG-72	Personal services	
MG-73	Business services	Including disinfecting and pest control services (IN-7342), in accordance with article VI.
GN-751	Automotive rental and leasing, without drivers	
GN-752	Automobile parking	

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IN-7542	Carwashes	In accordance with article VI
MG-76	Miscellaneous repair services	Including repair services for household needs as defined in this chapter
MG-78	Motion pictures	Excluding drive-in theaters (IN-7833)
MG-79	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations and also excluding commercial sports (GN-794)
MG-80	Health services	Including nursing and intermediate care facilities in accordance with article VI where applicable, and excluding rehabilitation centers and hospitals (GN-806)
MG-81	Legal services	
MG-82	Educational services	Including private schools, in accordance with article VI
MG-83	Social services	Including day care centers as defined in this chapter and in accordance with article VI, excluding residential care (GN-836), rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in this chapter
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research management and related services	
MG-89	Services, not elsewhere classified	
Div. J	Public administration	
	Places of religious assembly	In accordance with article VI
	<u>Ice manufacturing/vending machines</u>	<u>In accordance with article VI</u>

Sec. 30-69. Limited industrial district (I-1).

- (c) *Permitted uses.*
- (1) *Uses by right.*
 - a. Wholesale trade (Div. F), excluding the following: scrap and waste materials (IN-5093); construction and mining machinery and equipment (IN-5082); transportation equipment and supplies, except motor vehicles (IN-5088); and petroleum and petroleum products (GN-517).
 - b. Lumber and other building material dealers (GN-521).
 - c. Construction (Div. C), excluding heavy construction other than building construction contractors (MG-16).
 - d. Printing, publishing and allied industries (MG-27), excluding gravure commercial printing (IN-2754).
 - e. Railroad transportation (MG-40).
 - f. Local and suburban transit and interurban highway passenger transportation (MG-41).
 - g. Motor freight transportation and warehousing (MG-42).
 - h. U.S. Postal Service (MG-43).
 - i. Transportation services (MG-47).
 - j. Business services (MG-73) ; including disinfecting and pest control services (IN-7342), in accordance with article VI.
 - k. Miscellaneous manufacturing industries (MG-39).
 - l. Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks (MG-38).
 - m. Communications (MG-48).
 - n. Food and kindred products (MG-20), excluding the following: wet corn milling (IN-2046), raw cane sugar (IN-2061), and beet sugar (IN-2063).
 - o. Textile mill products (MG-22), excluding cotton finishing plants (IN-2261).
 - p. Wood containers (GN-244).
 - q. Apparel and other finished products made from fabrics and similar materials (MG-23).
 - r. Eating places.
 - s. Personal services (MG-72).
 - t. Automotive repair, services and parking (MG-75).
 - u. Miscellaneous repair services (MG-76).
 - v. Outdoor storage in accordance with article VI.
 - w. Nonstore retailers (GN-596).
 - x. Public service vehicles, in accordance with article VI.
 - y. Gasoline service stations (GN-554), in accordance with article VI.
 - z. Landscape and horticultural services (GN-078).
 - aa. Veterinary services (GN-074), in accordance with article VI.
 - bb. Animal specialty services (IN-0752).
 - cc. Farm labor and management services (GN-076).
 - dd. Building materials, hardware, garden and mobile home dealers (MG-52).

- ee. Reserved.
- ff. Reserved.
- gg. Auto and home supply stores (GN-553).
- hh. Boat dealers (GN-555).
- ii. Motorcycle dealers (GN-557).
- jj. Automotive dealers, not elsewhere classified (e.g., aircraft, go-carts) (GN-559).
- kk. Fuel dealers (GN-598).
- ll. Car washes (IN-7542), in accordance with article VI.
- mm. Reserved.
- nn. Amusement and recreation services, not elsewhere classified (IN-7999), excluding go-cart raceway operations and go-cart rental (see special use permit).
- oo. Engineering, architectural and surveying services (GN-871).
- pp. Noncommercial research organizations (IN-8733).
- qq. Home furniture, furnishings and equipment stores (MG-57).
- rr. Any accessory use incidental to any permitted principal use.
- ss. Miscellaneous wood products (GN-249).
- tt. Accounting, auditing and bookkeeping services (GN-872).
- uu. Bowling centers (GN-793).
- vv. Furniture and fixtures (MG-25).
- ww. Converted paper and paperboard products, except containers and boxes (GN-267), excluding coated and laminated paper packaging (IN-2671).
- xx. Paperboard containers and boxes (GN-265).
- yy. Drugs (GN-283), excluding medicinals and botanicals (IN-2833).
- zz. Soap, detergents and cleaning preparations, perfumes, cosmetics and other toilet preparations (GN-284).
- aaa. Leather and leather products (MG-31).
- bbb. Glass products, made of purchased glass (GN-323).
- ccc. Cut stone and stone products (GN-328).
- ddd. Sheetmetal work (IN-3444).
- eee. Farm and garden machinery and equipment (MG-352).
- fff. Electronic and other electrical equipment and components, except computer equipment (MG-36).
- ggg. Meat and fish (seafood) markets, including freezer provisioners (GN-542).
- hhh. Fruit and vegetable markets (GN-543).
- iii. Job training and vocational rehabilitation services (GN-833).
- jjj. Millwork, veneer, plywood and structural wood members (GN-243).
- kkk. Used merchandise stores (GN-593), only within enclosed buildings.
- lll. Ice dealers.
- mmm. Facilities on premises for security personnel.
- nnn. Motor vehicle dealers (new and used) (IN-5511).
- ooo. Research, development and testing services (GN-873).
- ppp. Air courier services (IN-4513).
- qqq. Corporate offices.
- rrr. Ice manufacturing/vending machines in accordance with article VI.

Sec. 30-70. General industrial district (I-2).

(c) *Permitted uses.*

(1) *Uses by right.*

- a. Food and kindred products (MG-20), excluding the following: wet corn milling (IN-2046); raw cane sugar (IN-2061); beet sugar (IN-2063); soybean oil mills (IN-2075); and distilled liquor (IN-2085).
- b. Tobacco products (MG-21), excluding cigarettes (IN-2111).
- c. Textile mill products (MG-22), excluding cotton finishing plants (IN-2261).
- d. Apparel and other finished products made from fabrics and similar materials (MG-23).
- e. Lumber and wood products, except furniture (MG-24).
- f. Furniture and fixtures (MG-25).
- g. Paper and allied products (MG-26), excluding the following: pulp mills (IN-2611); paper mills (IN-2621); paperboard mills (IN-2631); and packaging--coated and laminated paper (IN-2671).
- h. Printing, publishing, and allied industries (MG-27), excluding gravure commercial printing (IN-2754).
- i. Chemicals and allied products (MG-28), excluding the following: alkalis and chlorine (IN-2812); inorganic pigments (IN-2816); cellulosic manmade fibers (IN-2823); noncellulosic organic fibers (IN-2824); gum and wood chemicals (IN-2861); nitrogenous fertilizers (IN-2873); phosphatic fertilizers (IN-2874); synthetic rubber (IN-2822); medicinals and botanicals (IN-2833); cyclic crudes and intermediates (IN-2865); explosives (IN-2892); and carbon black (IN-2895).
- j. Petroleum refining and related industries (MG-29), excluding the following: petroleum refining (IN-2911); petroleum and coal products (not elsewhere classified) (IN-2999); and asphalt paving mixtures and blocks (IN-2951).
- k. Rubber and miscellaneous plastics products (MG-30).
- l. Leather and leather products (MG-31).
- m. Stone, clay, glass, and concrete products (MG-32), excluding the following: hydraulic cement (IN-3241); lime (IN-3274); flat glass (IN-3211); glass containers (IN-3221); pressed and blown glass (not elsewhere classified) (IN-3229); brick and structural clay tile (IN-3251); ceramic wall and floor tile (IN-3253); clay refractories (IN-3255); structural clay products (not elsewhere classified) (IN-3259); vitreous plumbing fixtures (IN-3261); vitreous china food utensils (IN-3262); gypsum products (IN-3275); and ground or treated minerals (IN-3295).
- n. Primary metal industries (MG-33), excluding the following: steel works, blast furnaces, and rolling mills (IN-3312); electrometallurgical products (IN-3313); primary copper (IN-3331); primary aluminum (IN-3334); primary nonferrous metals (not elsewhere classified) (IN-3339); secondary smelting and refining of nonferrous metals (IN-3341); gray iron foundries

- (IN-3321); copper rolling and drawing (IN-3351); aluminum extruded products (IN-3354); aluminum rolling and drawing (IN-3355); aluminum die-castings (IN-3363); and copper foundries (IN-3366).
- o. Fabricated metal products, except machinery and transportation equipment (MG-34), excluding the following: nonferrous forgings (IN-3463); and metal coatings and allied services (IN-3479).
 - p. Industrial and commercial machinery and computer equipment (MG-35).
 - q. Electronic and other electrical equipment and components, except computer equipment (MG-36).
 - r. Transportation equipment (MG-37).
 - s. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks (MG-38).
 - t. Miscellaneous manufacturing industries (MG-39).
 - u. Construction (Div. C).
 - v. Transportation, communications, electric, gas and sanitary services (Div. E).
 - w. Wholesale trade (Div. F), excluding junkyards and salvage yards.
 - x. Building materials, hardware, garden supply and mobile home dealers (MG-52).
 - y. Fuel dealers (GN-598).
 - z. Business services (MG-73); including disinfecting and pest control services (IN-7342), in accordance with article VI.
 - aa. Automotive repair, services and parking (MG-75).
 - bb. Miscellaneous repair services (MG-76).
 - cc. Reserved.
 - dd. Landscape and horticultural services (GN-078).
 - ee. Eating places.
 - ff. Personal services (MG-72).
 - gg. Outdoor storage.
 - hh. Veterinary services (GN-074), in accordance with article VI.
 - ii. Animal services, except veterinary (GN-075).
 - jj. Nonstore retailers (GN-596).
 - kk. Public service vehicles in accordance with article VI.
 - ll. Farm labor and management services (GN-076).
 - mm. Car washes (IN-7542).
 - nn. Reserved.
 - oo. Amusement and recreation services, not elsewhere classified (IN-7999), excluding go-cart raceway operations and go-cart rentals.
 - pp. Noncommercial research organizations (IN-8733).
 - qq. Engineering, architectural and surveying services (IN-871).
 - rr. Any accessory use incidental to a permitted principal use.
 - ss. Legal services (MG-81).
 - tt. Motion picture production and allied services (GN-781); motion picture distribution and allied services (GN-782).
 - uu. Bowling centers and billiard and pool establishments (GN-793).
 - vv. Recycling centers, in accordance with article VI.

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- ww. Research, development and testing service (GN-873).
xx. Ice manufacturing/vending machines in accordance with article VI.

Sec. 30-61. General business district (BUS).

	USES BY SPECIAL USE PERMIT	
	Accessory transmission, retransmission and microwave towers over 100 feet in height	In accordance with article VI
	Alcoholic beverage establishments	In accordance with article VI
	Food distribution center for the needy	In accordance with article VI
	Limited automotive services	In accordance with article VI
	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
GN-598	Fuel dealers	In accordance with article IX
GN-701	Hotels and motels	
GN-702	Roominghouses and boardinghouses	In accordance with article VI
	<u>Ice manufacturing/vending machines</u>	<u>In accordance with article VI</u>

Sec. 30-62. Automotive-oriented business district (BA).

	USES BY SPECIAL USE PERMIT	
IN-7542	Carwashes	
	<u>Ice manufacturing/vending machines</u>	<u>In accordance with article VI</u>

Section 30-63. Tourist-oriented business district (BT).

(2) Uses by special use permit.

- a. Carwashes (IN-7542), in accordance with article VI.
- b. Food distribution centers for the needy, in accordance with article VI.
- c. Residences for destitute people, in accordance with article VI.
- d. Ice manufacturing/vending machines, in accordance with article VI.

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Impact on Affordable Housing

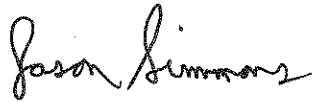
This proposed text amendment has no impact on affordable housing.

Respectfully submitted,



Onelia Lazzari
Principal Planner

Prepared by:



Jason Simmons
Planner

Exhibits:

1. Text amendment application