City of Gainesville

Inter-Office Communication

Planning Division
X5022, FAX x2282, Station 11

Item No. 5 (Revised)

TO: **City Plan Board** **DATE: October 18, 2001**

FROM: **Planning Division Staff**

SUBJECT: **Petition 106TCH-01 PB. Amend the City of Gainesville Land Development Code deleting certain uses from the I-1 (limited industrial) and I-2 (general industrial district) industrial districts, excluding specific uses from locating in the city and re-classifying certain uses to only be allowed by special use permit. Additionally, amending the General Performance Standards of the Land Development Code to address external impacts of industry on surrounding uses.**

Recommendation

Staff recommends approval of the petition.

Explanation

In May 2001, the City of Gainesville placed a moratorium on 48 manufacturing uses (see Exhibit A). The moratorium was put in effect to allow the City to determine whether the 48 manufacturing uses or other uses allowed in the City's industrial zones should, based on their environmental or nuisance impacts, be prohibited, restricted as a special use, or allowed subject to performance standards. In order to make these determinations, the City hired a consultant to perform a study to evaluate its industrial areas and to make recommendations on changes to its regulations. The study consisted of four primary tasks:

1. Review each of the City's I-1 and I-2 areas and surrounding land use with emphasis placed on the environmental and existing built character of these areas and the uses surrounding these areas;

2. Analyze the uses subject to the moratorium and the other manufacturing uses allowed in the industrial zones to determine whether those uses are appropriate for the City's industrial areas, given the location of residential and other uses near those areas and determine what impact the uses will have on present air quality, groundwater (wellfield protection) and other environmental impacts and nuisance impacts;

3. Assess federal, state and local environmental regulations that apply to the impacts of industrial uses, and enforcement mechanisms as it relates to the recommendations for review of the City industrial regulations. Discuss what other review mechanisms will regulate industrial uses in addition to the City zoning rules; and

4. Prepare a report that details changes (and the basis for those changes) that need to be made to the city's industrial zoning regulations, including whether any of the currently allowed uses should be prohibited, allowed only by special use, allowed only subject to performance standards, or allowed only in certain locations, due to particular air quality problems or other nuisance or environmental factors.

The attached industrial land use study provides a detailed analysis of each of the four areas listed above. Based on the analysis in the study, staff recommends that the Plan Board amend the land development codes as suggested by the consultant:

The study found that the majority of the uses allowed in the I-1 district are appropriate given that the purpose of this district is to provide locations for retail-commercial sales and services, research operations, distributions concerns and light manufacturing. **However, staff and the consultant are recommending that the uses shown in Table 4.1 be removed from I-1 and placed in the I-2 district.**

In the I-2 district, **the uses listed in Table 4.2 should be removed from the list of allowable uses**. These uses are determined to be inappropriate within the City of Gainesville, given the pollution potential of these uses, the size and location of most of the I-2 areas, and the proximity of residential and other incompatible uses to I-2 districts. It should be noted that it is highly improbable that a number of these uses could economically locate in the City.

In table 4.3, the consultant recommended that asphalt paving mixtures and blocks (IN-2951) should be allowed as a use by right, if clean burning, low sulfur fuel is used. Staff recommends that this use be allowed in the I-2 district by special use permit, regardless of what fuel is used by the industry. Special use permits are intended for developments that, due to the nature, extent and external effects, require special care in the control of location, design, and methods of operations. Requiring a special use permit for this use will allow for additional review to determine whether the use is compatible with surrounding areas. The consultant's report states that some of the uses may be appropriate in certain 1-2 areas and inappropriate in others. It is staff's opinion that the only way to make this determination for the uses in Table 4.3, is through the special use permit process. The criteria for issuing a special use permit are listed in Section 30-233 of the Land Development Code (see Exhibit B). These criteria along with the update to Section 30-345, General Performance Standards, should address the compatibility of these uses in the community.

The proposed changes described above are as shown in Exhibit D.

General Performance Standards

The Consultant has also recommended changes to the City's general performance standards based on a review of similar standards from municipalities throughout the United States. The general performance standards apply to all uses and activities permitted in any zoning district while certain amendments apply particularly to the industrial zones (I-1 and I-2). Impacts of

concern are fire and explosion hazards, radiation, electromagnetic interference, vibration, sound, glare and lighting, odor, and waste disposal. In addition to these impacts, impacts of concern that are associated primarily with industrial activities are impacts due to air pollution, toxics and hazardous materials storage. Staff, based on the consultant's study and further review, recommends that Section 30-345 General Performance Standards be amended as shown in Exhibit C.

Respectfully submitted,

Ralph Hilliard

Ralph Hilliard
Planning Manager

Exhibit A

1. Primary production of aluminum (IN. 3334)
2. Primary smelting and refining of copper (IN. 3331)
3. Petroleum refining (IN. 2911)
4. Pulp mills (IN. 2611)
5. Steel works, blast furnaces, and rolling mills (IN. 3312)
6. Cellulosic manmade fibers (2823)
7. Phosphatic fertilizers (IN. 2874)
8. Paper mills (IN. 2621)
9. Alkalies and chlorine (IN. 2812)
10. Inorganic pigments (IN. 2816)
11. Paperboard mills (IN. 2631)
12. Plastic materials and synthetic resins, and nonvulcanizable elastomers (IN. 2821)
13. Nitrogenous fertilizers (IN. 2873)
14. Cement, hydraulic (IN. 3241)
15. Manmade organic fibers, except cellulosic (IN. 2824)
16. Electrometallurgical products, except steel (IN. 3313)
17. Products of petroleum and coal not elsewhere classified (IN. 2999)
18. Gum and wood chemicals (IN. 2861)
19. Lime (IN. 3274)
20. Industrial inorganic chemicals, not elsewhere classified (IN. 2819)
21. Aluminum sheet, plate and foil (IN. 3353)
22. Glass containers (IN. 3221)
23. Flat glass (IN. 3211)
24. Cyclic organic crudes and intermediates, and organic dyes and pigments (IN. 2865)
25. Primary smelting and refining of nonferrous metals, except copper and aluminum (IN. 3339)
26. Brick and structural clay tile (IN. 3251)
27. Medicinal chemicals and botanical products (IN. 2833)
28. Synthetic rubber (IN. 2822)
29. Secondary smelting and refining of nonferrous metals (IN. 3341)
30. Explosives (IN. 2892)
31. Aluminum rolling and drawing, not elsewhere classified (IN. 3355)
32. Carbon black (IN. 2895)
33. Asphalt paving mixtures and blocks (IN. 2951)
34. Industrial organic chemicals, not elsewhere classified (IN. 2869)
35. Gray and ductile iron foundries (IN. 3321)
36. Minerals and earths, ground or otherwise treated (IN. 3295)
37. Gypsum products (IN. 3275)
38. Pesticides and agricultural chemicals, not elsewhere classified (IN. 2879)
39. Rolling, drawing, and extruding of copper (IN. 3351)
40. Pharmaceutical preparations (IN. 2834)
41. Steel wiredrawing and steel nails and spikes (IN. 3315)
42. Asphalt felts and coatings (IN. 2952)

NOTE: IN. and MG refer to the Standard Industrial Classification Manual (1987 Edition), as provided in Sec. 30-22 of the Land Development Code.

43. Pressed and blown glass and glassware, not elsewhere classified (IN. 3229)
44. Cold-rolled steel sheet, strip, and bars (IN. 3316)
45. Chemicals and chemical preparations, not elsewhere classified (IN. 2899)
46. Mineral wool (IN. 3296)
47. Tires and inner tubes (IN. 3011)
48. Mining and quarrying of nonmetallic minerals except fuels (MG 14)

NOTE: IN. and MG refer to the Standard Industrial Classification Manual (1987 Edition), as provided in Sec. 30-22 of the Land Development Code.

TABLE 4.1
Recommended Changes to Article IV, Division 5, Section 30-69 Limited Industrial District ((I-1), © permitted. (1) Uses by right.

Delete the following:

2046	Wet corn milling
2061	Raw cane sugar
2063	Beet sugar
2261	Cotton finishing plants
2671	Coated and laminated paper packaging
2754	Gravure commercial printing
2833	Medicinals and botanicals

TABLE 4.2

Recommended Changes to Article IV, Division 5, Section 30-70 General Industrial District (I-2), Permitted Uses. (1) Uses by right.

Delete the following:

2046	Wet corn milling
2061	Raw cane sugar*
2063	Beet sugar*
2075	Soybean oil mills†
2085	Distilled liquor*
2611	Pulp mills
2621	Paper mills
2631	Paperboard mills
2812	Alkalis and chlorine
2816	Inorganic pigments
2819	Industrial inorganic chemicals (not elsewhere classified)
2821	Plastics materials and resins
2823	Cellulosic manmade fibers
2824	Noncellulosic organic fibers
2861	Gum and wood chemicals
2869	Industrial organic chemicals (not elsewhere classified)
2873	Nitrogenous fertilizers
2874	Phosphatic fertilizers
2911	Petroleum refining
2999	Petroleum and coal products (not elsewhere classified)
3241	Hydraulic cement
3274	Lime°
3312	Steel works, blast furnaces, and rolling mills
3313	Electrometallurgical products
3331	Primary copper
3334	Primary aluminum
3339	Primary nonferrous metals (not elsewhere classified)
3341	Secondary smelting and refining of nonferrous metals

* Allowed in compatible areas by Special Use Permit (SUP) if connected to and accepted by the sewage treatment system serving the area.

† Allowed in compatible areas by SUP if adequate control technology is incorporated in the design.

° Allowed in compatible areas by SUP if there is a clear commitment to using a clean burning, low-sulfur fuel and adequate control technology.

TABLE 4.3

Recommended Changes to Article IV, Division 5, Section 30-70 General Industrial District (I-2), (c) Permitted Uses. (2) Uses by Special Use Permit.

Add the following:

2111	Cigarettes
2261	Cotton finishing plants
2671	Packaging - coated and laminated paper
2754	Gravure commercial printing
2822	Synthetic rubber
2833	Medicinals and botanicals
2865	Cyclic crudes and intermediates
2892	Explosives
2895	Carbon black
2951	Asphalt paving mixtures and blocks
3211	Flat glass
3221	Glass containers
3229	Pressed and blown glass (not elsewhere classified)
3251	Brick and structural clay tile
3253	Ceramic wall and floor tile
3255	Clay refractories
3259	Structural clay products (not elsewhere classified)
3261	Vitreous plumbing fixtures
3262	Vitreous china food utensils
3275	Gypsum products
3295	Ground or treated minerals
3321	Gray iron foundries
3351	Copper rolling and drawing
3354	Aluminum extruded products
3355	Aluminum rolling and drawing
3363	Aluminum die-castings
3366	Copper foundries
3463	Nonferrous forgings
3479	Metal coatings and allied services

SIC Code 2951 (Asphalt paving mixtures and blocks) should not be included in this list if there is a commitment to using a clean burning, low-sulfur fuel.

Exhibit B

Special Use Permit Criteria

Sec. 30-233. Criteria for issuance.

No special use permit shall be approved by the city plan board unless the following findings are made concerning the proposed special use:

(1) That the use or development complies with all required regulations and standards of this chapter and all other applicable regulations.

(2) That the proposed use or development will have general compatibility and harmony with the uses and structures on adjacent and nearby properties.

(3) That necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use and development.

(4) That the use or development is serviced by streets of adequate capacity to accommodate the traffic impacts of the proposed use.

(5) That screening and buffers are proposed of such type, dimension and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.

(6) That the use or development conforms with the general plans of the city as embodied in the city comprehensive plan.

(7) That the proposed use or development meets the level of service standards adopted in the comprehensive plan and conforms with the concurrency management requirements of this chapter as specified in article III, division 2.

(Ord. No. 3777, § 1, 6-10-92)

Exhibit C

Sec. 30-345. General performance standards.

(a) All uses and activities permitted in any zoning district shall conform to the standards of performance described in this section. ~~below, and the failure to conform to any of such standards is hereby declared to be a public nuisance:~~

(b) Showing of probable compliance. Uses and activities required to comply with this section shall make a showing of probable compliance with the performance standards described in this section. This showing shall be in the form of a letter submitted with a zoning compliance permit (or site plan), prepared by a professional engineer licensed by the State of Florida, certifying that the use or activity complies with all performance standards described in this section.

(1) *Fire and explosion hazards.* All activities and all storage of flammable and explosive materials or products at any place shall be provided with adequate safety devices against the hazards of fire and explosion, including adequate firefighting and fire suppression equipment, as prescribed by the fire prevention code adopted in section 10-30.

(2) *Radiation.* ~~Any operation involving radiation, (e.g., the use of neutrons, protons and other atomic or nuclear particles) shall be conducted in accordance with the codes, rules and regulations of the state department of health and rehabilitative services and the state department of pollution control.~~ All sources of ionizing radiation shall be registered or licensed by the Florida Department of Health. The handling of radioactive materials, the discharge of such materials into air or water, and the disposal of radioactive wastes shall be in conformance with applicable state and federal regulations

(3) *Electromagnetic radiation.* ~~Any operation of any source of electromagnetic radiation shall be in compliance with all rules and regulations of the Federal Communications Commission.~~ Electromagnetic radiation generated by activities shall not adversely affect any operation or equipment other than those of the creation of the radiation. Interference with radio and television reception is prohibited. Equipment or activities generating electromagnetic radiation shall conform to the regulations of and, where appropriate, be licensed by the Federal Communications Commission.

(4) *Waste disposal.* ~~No activity shall be conducted which results in the discharge of any liquid or solid waste, including industrial wastes, into any public or private sewage system, the ground, or any lake, stream or other body of water, in violation of any provision of state, federal or local law or any regulation of any state, federal or local agency.~~ All waste disposal including discharge of any liquid or solid waste into any public or private sewage system, the ground, or any lake, creek, or wetland shall be in accordance with state, federal, and local law and applicable regulations of state, federal and local agencies.

(5) *Vibration.* ~~No use of any property shall cause perceptible earth vibrations beyond any property line. All stamping machines, punch presses, press brakes, hot forgings, steam board hammers or similar devices shall be placed on shock absorption mountings and on suitable reinforced concrete footings. No machine shall be loaded beyond the capacity as described by the manufacturers.~~ No use shall at any time create earth-born vibration

which when measured at the boundary property line of the source operation exceed the limits of displacement set forth below:

Frequency (Cycles per Second)	Maximum Displacement (Inches) Steady State	Impact
0 to 10	0.0055	0.0010
10 to 19	0.0044	0.0008
20 to 29	0.0033	0.0006
30 to 39	0.0002	0.0004
40 and over	0.0001	0.0002

(6) *Sound.* All uses and activities shall not exceed the sound pressure levels set forth in Chapter 15 (Noise Ordinance) of the City's Code of Ordinances.

(7) *Heat, cold, dampness or movement of air.* Activities on any property which produce any adverse effect on the temperature, motion or humidity of the atmosphere beyond the lot lines are not permitted.

(8) *Glare.* All lighting shall be so hooded or shielded as to reflect the light in such a manner that no illumination source or glare creates a nuisance to any adjoining property or unreasonably interferes with the lawful use and enjoyment of any adjoining property. Such lighting shall not under any circumstances exceed a maximum intensity of 25 foot-candles at ground level. However, the maximum light intensity may be increased by the city plan board through site plan review, or the board of adjustment by special exception if site plan review is not required, provided that the applicant establishes that such an increase is reasonably required for security purposes for the particular use or activity in question, that the increased intensity will not result in a nuisance to adjoining properties, does not interfere with the lawful use and enjoyment of property, and that necessary screening will be erected or exists to reduce the impact of the increased intensity on adjoining properties.

(9) *Light Pollution.* All building lighting for security or aesthetics will be fully cut-off type, not allowing any upward distribution of light.

(10) *Odor.* No use shall be operated in any zoning district in such a manner that the emission of odorous matter occurs in such quantity or volume as to produce a nuisance, source of discomfort, or hazard beyond the bounding property lines of such a use. For the purpose of this performance standard, the presence of such a described odor shall be determined by observation by a person or persons designated by the City Commission. In any case, where the operator of an odor-emitting use may disagree with the enforcing officer where specific measurement of odor concentration is required, the method and procedures specified by the American Society for Testing and Materials (ASTM) E679 and E1432, entitled "Standard Practice for Determination of Odor and Taste Thresholds By a Forced-Choice Ascending Concentration Series Method of Limits" and "Standard Practice for Defining and Calculating Individual and Group Sensory Thresholds for Forced-Choice Data Sets of Intermediate Size," respectively. The operator and the City shall equally share the cost of conducting the more elaborate ASTM E679 Procedure.

(11) *Air Pollution Emissions.* No industrial operation or use shall cause, create, or allow the emission of air contaminants which at the emission point or within the bounds of the property are in violation of the standards specified by the Florida Department of Environmental Protection, or subsequent agency.

(12) *Other Air Pollution.* Open storage and open processing operations, including on-site transportation movements, which are the source of wind-blown or airborne dust or other particulate matter; or which involve dust or other particulate air contaminant generating equipment including but not limited to paint spraying, grain or seed handling, sand or gravel processing or storage or sand blasting shall be conducted such that dust and other particulate matter so generated are not transported across the boundary property line or the tract on which the use is located in concentrations exceeding standards set by Florida Department of Environmental Protection, or subsequent agency.

(13) *Toxics.* No industrial operation or use shall emit toxic or noxious matter at a concentration exceeding ambient air quality standards for the State of Florida across the bounding property line of the tract on which operation or use is located. Where toxic materials are not listed in the ambient air quality standards of the state, concentrations shall not exceed one percent (1%) of the threshold limit values (TLVs) adopted by the American Conference of Governmental Industrial Hygienists (ACGIH). If a toxic substance is not listed by the ACGIH, verification of safe levels of the proposed toxic material for public health, plant and animal life will be required.

~~(4) *Smoke and other particulate matter.* Any activity emitting or discharging any smoke or other particulate matter shall comply with all state, federal and local laws and all regulations of any federal, state or local agency concerning pollution control.~~

~~(5) *Toxic or noxious matter.* Any activity involving the use of toxic or noxious matter shall comply with all state, federal and local laws and all regulations of any federal, state or local agency concerning pollution control or toxic substances.~~

~~(10) *Noise, odor, etc.* No use of any lands shall be conducted in any fashion which produces noise, odor or other irritant at a level which unreasonably disturbs the peaceful and healthful enjoyment of any adjoining lands.~~

(~~b~~c) *Utility service.* All utility services, including but not limited to those of franchised utilities, electric power and light, telephone, cable services, water, sewer and gas, shall be installed beneath the surface of the ground, unless the city manager or designee determines that the soil, topography and other compelling condition makes it unreasonable or impractical. The subsurface mounting of incidental appurtenances, including but not limited to transformer boxes or pedestal-mounted boxes for the provision of utilities, electric meters, back flow preventers and fire hydrants, is not required.

Exhibit D

Petition 106TCH-01 PB
Changes to current Land Development Code for I-1 and I-2 Uses.
Underlined information is new.

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).

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 the conditions and requirements of Article VI.

y. Gasoline service stations (GN-554), in accordance with the conditions and requirements of Article VI.

z. Landscape and horticultural services (GN-078).

aa. Veterinary services (GN-074), in accordance with the conditions and requirements of 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. Membership sports and recreation clubs (IN-7997).

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.

(2) *Uses by special use permit.* Uses by special use permit, provided the requirements and conditions of Article VI are met, if applicable, and that the findings in Sec. 30-233 are made:

a. Transmitter towers.

b. Sale of used rental vehicles as an accessory use to automotive rental and leasing, without drivers (GN-751), with the following conditions and limitations:

1. *Permits.* It shall be unlawful to conduct such sale without first obtaining a permit from the building official indicating compliance with the provisions of this section.

2. *Sales.* Only two (2) sales are permitted in any three-hundred-sixty-five-day period, and each such sale may not extend beyond seven (7) consecutive days.

3. *Motor vehicles.* Only motor vehicles owned by the person or entity actually operating the principal use, and leased from the subject location, may be offered for sale.

4. *Signs.* No signs or street graphics are permitted which indicate that motor vehicles are offered for sale with the exception of signs affixed to the motor vehicles which shall not exceed one (1) sign per vehicle and one (1) square foot in area.

c. Alcoholic beverage establishments.

d. Wholesale trade: petroleum and petroleum products (GN-517).

e. Recycling centers.

f. Hazardous materials recycling.

g. Go-cart raceway operations and go-cart rentals.

h. Rehabilitation centers.

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); industrial inorganic chemicals (not elsewhere classified) (IN-2819); plastics materials and resins (IN-2821); cellulosic manmade fibers (IN-2823); noncellulosic organic fibers (IN-2824); gum and wood chemicals (IN-2861); industrial organic chemicals (not elsewhere classified) (IN-2869); 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); electromet allurgical 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).

~~a. Manufacturing (Div. D).~~

~~b~~u. Construction (Div. C).

~~c~~v. Transportation, communications, electric, gas and sanitary services (Div. E).

~~d~~w. Wholesale trade (Div. F), excluding junkyards and salvage yards.

~~e~~x. Building materials, hardware, garden supply and mobile home dealers (MG-52).

~~f~~y. Fuel dealers (GN-598).

~~g~~z. Business services (MG-73).

~~h~~aa. Automotive repair, services and parking (MG-75).

~~i~~bb. Miscellaneous repair services (MG-76).

~~j~~cc. Reserved.

~~k~~dd. Landscape and horticultural services (GN-078).

~~l~~ee. Eating places.

mff. Personal services (MG-72).

~~n~~gg. Outdoor storage.

~~o~~hh. Veterinary services (GN-074), in accordance with the conditions and requirements of Article VI.

~~p~~ii. Animal services, except veterinary (GN-075).

~~q~~jj. Nonstore retailers (GN-596).

~~r~~kk. Public service vehicles in accordance with the conditions and requirements of Article VI.

~~s~~ll. Farm labor and management services (GN-076).

~~t~~mm. Car washes (IN-7542).

~~u~~nn. Membership sports and recreation clubs (IN-7997).

~~v~~oo. Amusement and recreation services, not elsewhere classified (IN-7999), excluding go-cart raceway operations and go-cart rentals.

~~w~~pp. Noncommercial research organizations (IN-8733).

~~x~~qq. Engineering, architectural and surveying services (IN-871).

~~y~~rr. Any accessory use incidental to a permitted principal use.

~~z~~ss. Legal services (MG-81).

~~aa~~tt. Motion picture production and allied services (GN-781); motion picture distribution and allied services (GN-782).

~~bb~~uu. Bowling centers and billiard and pool establishments (GN-793).

~~cc~~vv. Recycling centers, in accordance with Article VI.

~~dd~~ww. Research, development and testing service (GN-873).

(2) *Uses by special use permit.* Uses by special use permit, provided the requirements and conditions of Article VI are met, if applicable, and that the findings in Sec. 30-233 are made:

a. Transmitter towers.

b. Junkyards and salvage yards.

c. Gasoline service stations (GN-554).

d. Go-cart raceway operations and go-cart rentals.

e. Alcoholic beverage establishments.

f. Mining and quarrying of nonmetallic minerals, except fuels (MG-14).

g. Cigarettes (IN-2111).

h. Cotton finishing plants (IN-2261).

i. Packaging—coated and laminated paper (IN-2671).

j. Gravure commercial printing (IN-2754).

k. Synthetic rubber (IN-2822).

l. Medicinals and botanicals (IN-2833).

m. Cyclic crudes and intermediates (IN-2865).

n. Explosives (IN-2892).

o. Carbon black (IN-2895).

p. Asphalt paving mixtures and blocks (IN-2951).

q. Flat glass (IN-3211).

r. Glass containers (IN-3221).

s. Pressed and blown glass (not elsewhere classified) (IN-3229).

t. Brick and structural clay tile (IN-3251).

u. Ceramic wall and floor tile (IN-3253).

v. Clay refractories (IN-3255).

w. Structural clay products (not elsewhere classified) (IN-3259).

x. Vitreous plumbing fixtures (IN-3261).

y. Vitreous china food utensils (IN-3262).

z. Gypsum products (IN-3275).

aa. Ground or treated minerals (IN-3295).

bb. Gray iron foundries (IN-3321).

cc. Copper rolling and drawing (IN-3351).

dd. Aluminum extruded products (IN-3354).

ee. Aluminum rolling and drawing (IN-3355).

ff. Aluminum die-castings (IN-3363).

gg. Copper foundries (IN-3366).

hh. Nonferrous forgings (IN-3463).

ii. Metal coatings and allied services (IN-3479).

5. **Petition 106TCH-01 PB** City of Gainesville. Amend the City of Gainesville Land Development Code, deleting certain uses from the I-1 (limited industrial district) and I-2 (general industrial district) industrial districts, excluding specific uses from locating in the city and re-classifying certain uses to only be allowed by special use permit. Additionally, amending the General Performance Standards of the Land Development Code to address external impacts of industry on surrounding uses. (This petition is related to the industrial moratorium.)

Mr. Ralph Hilliard was recognized. Mr. Hilliard indicated that Water and Air Research, Inc., performed a study on the issue of uses in the I-1 and I-2 Industrial Zoning Distircts and would be presenting their recommendations to the board. He noted that, after that presentation, staff would clarify its position on the matter. Mr. Hilliard explained that the original staff report to the Plan Board sent out in their packets was based upon an earlier draft of the industrial use study, but another draft had since been presented and staff had revised their report. He indicated that the changes from the original staff report were minor.

Mr. Bill Zagle, representing Water and Air Research, Inc., was recognized. Mr. Zagle discussed the study, which involved a review of the City's I-1 and I-2, Industrial Zoning areas and surrounding areas.

Chair Fried noted that Mr. Zagle used the terms "choice," "best use," and, "as best we could." He asked if the standards were absolute.

Mr. Zagle indicated that it was a value judgment. He explained that the report involved recommendations to the staff.

Mr. Hilliard requested that the board refer to the revised petition letter report. He reviewed the tables in the report and the proposed changes. He asked if there were any questions about the tables.

Mr. Pearce requested clarification on the issue of the manufacture of asphalt paving mixtures and clean-burning, low sulfur fuel, as it related to uses by right and uses by Special Use Permit.

Mr. Hilliard stated that, it was staff's recommendation that, regardless of the type of fuel used, there were other considerations such as traffic and noise to be addressed in that particular use, therefore, staff recommended that the manufacture of asphalt paving mixtures be allowed by Special Use Permit. He explained that the consultant recommended that, if the manufacture of asphalt paving mixtures used clean-burning, low sulfur fuel, it should be allowed by right. He reiterated that staff's recommendation was that, regardless of the type of fuel, the manufacture of asphalt paving mixtures should be allowed only by Special Use Permit. Mr. Hilliard reviewed the differences in the existing General Performance Standards, and those proposed by the consultant. He noted that the consultant proposed noise regulations that were more stringent than the existing noise ordinance.

Mr. Pearce asked if it was staff's intention to follow through with revisions to the noise ordinance.

Mr. Hilliard indicated that it was staff's recommendation to the City Commission that they modify the noise ordinance to meet the consultant's standards. He explained that, regarding glare the issue of glare, staff recommended that the current code be maintained since the City Attorney was still working on the language

of a lighting ordinance. He indicated that staff accepted the consultant's recommendations for all other items.

At the request of Mr. Guy, Mr. Zagle discussed the numbers used to determine certain averages in the report. He also discussed details of how the figures were obtained and creative ways to deal with the cumulative impact of increased industry.

Mr. Pearce asked if there were any existing locations that would be made non-conforming by the proposed deletion of specific uses in the I-1 district.

Mr. Hilliard indicated that he knew of no uses in the I-1 Zoning District that would be made non-conforming by the change. Regarding the I-2 Zoning District, he explained that only one facility, Clarient, would be made non-conforming.

Mr. Pearce indicated that he approved the modifications to the General Performance Standards. He asked the rationale of deleting and/or requiring Special Use Permits for certain uses in the districts given the improvements in the Code.

Mr. Zagle explained that the potential for pollution from certain uses was such that the Standards might or might not be sufficient or satisfactory for the I-2 District, depending on a specific parcel and the uses around that parcel. He noted that most of the deleted uses were on the list because they generated some form of toxic pollutant. He discussed the specific problems associated with some of those uses and how they would be measured. He suggested that the Performance Standards might not be adequate to deal with all uses in the district.

Mr. Pearce asked how many existing uses that did not now require a Special Use Permit, would be affected by the reclassification.

Mr. Hilliard indicated that there were at least two asphalt plants, one brick manufacturing plant, and possibly a few others that would be required under the ordinance to obtain a Special Use Permit if they wished to expand.

Mr. Polshek suggested out that a small-scale emitter on the deleted or Special Use Permit list might not need to go through the regulatory steps. He asked how it would be addressed.

Mr. Zagle explained that there could always be a technology improvement for any of the prohibited industries. He suggested that such changes should be considered.

Mr. Hilliard explained that the Code allowed staff to review uses not permitted in the City and make a determination of the impact of that use, as opposed to uses already existing in the area. He noted that there could also be a request for a Planned Use Zoning District and Planned Development Zoning where staff could place mitigating conditions on the use.

Mr. Polshek noted that the S.I.C. category for botanicals and medicinals included quite a few different industries.

Mr. Zagle suggested that the City could consider using the broader international industrial classification system.

Chair Fried noted that some sort of monitoring was implied in the proposed changes to the districts. He asked who would perform that monitoring.

Mr. Hilliard indicated that the City did not monitor businesses daily. He explained that problems were dealt with on a complaint basis. He noted that monitoring was done in the wellfield protection area, since industries were required to provide certain reports to Alachua County. He noted that there were also wells at specific sites to monitor the groundwater.

Mr. Polshek noted that areas of industrial zoning covered the wellfield protection area. He asked if there were concerns that such land should not be zoned industrial and if any consideration had been given to changing the areas of industrial zoning within the City.

Mr. Hilliard explained that the specific industrial zoning areas had been determined many years ago. He pointed out that no consideration had been given to moving the industrial zoning area since there were no suitable sites for relocation.

Chair Fried opened the floor to public comment.

Ms. Marilyn Walker, resident of Gainesville, was recognized. Ms. Walker requested that the board carefully review any type of industrial zoning.

Ms. Florence Clements, resident of Turkey Creek Forest, was recognized. Ms. Clements read a presentation prepared by Bill Edwards, also a resident of Turkey Creek Forest. Mr. Edwards requested that asphalt plants and cement plans be added to the list of deleted uses. He noted that the consultant did not address property values.

Ms. Margaret Archer, representing the Northwest Neighborhood Homeowners Association, was recognized. Ms. Archer cited a concern about pollution from nearby industrial areas.

Mr. Roland Roberts, representing Clarient Life Science Molecules, was recognized. Mr. Roberts indicated that, if the recommendations presented by staff and the consultant went forward they would have serious adverse effects on the company's ability to operate. He requested that his company be permitted to review the documents and submit comments.

Chair Fried closed the floor to public comment.

Mr. Pearce reiterated that he approved of the proposed Performance Standards, but cited a concern that they would be complaint driven. He agreed, however, that there were limits on available enforcement resources.

Mr. Polshek requested that staff study the issues involved in the different classification manuals.

Mr. Hilliard indicated that staff was currently reviewing the matter.

Motion By: Mr. Pearce	Seconded By: Mr. Polshek
Moved to: Approve 106TCH-01 PB, as recommended by staff.	Upon Vote: Motion Carried 5 - 0 Ayes: Carter, Guy, Polshek, Pearce, Fried

These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.