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3 **ORDINANCE 2020-12 - AN ORDINANCE OF THE CITY OF LAKE**
4 **WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND**
5 **DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 1**
6 **“GENERAL PROVISIONS,” DIVISION 2, “DEFINITIONS,” SECTION**
7 **23.1-12 - DEFINITIONS; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1,**
8 **“GENERALLY,” SECTION 23.3-6 – USE TABLES; AND ARTICLE 4**
9 **“DEVELOPMENT STANDARDS,” SECTION 23.4-12 –**
10 **ADMINISTRATIVE USES AND CONDITIONAL USES OF THE CITY’S**
11 **CODE OF ORDINANCES; AND PROVIDING FOR SEVERABILITY, THE**
12 **REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE**
13 **DATE.**
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15
16 **WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State
17 of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the
18 “City”), a municipal corporation, enjoys all governmental, corporate, and proprietary
19 powers necessary to conduct municipal government, perform municipal functions, and
20 render municipal services, and may exercise any power for municipal purposes, except
21 as expressly prohibited by law; and
22

23 **WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing
24 body of each municipality in the state has the power to enact legislation concerning any
25 subject matter upon which the state legislature may act, except when expressly prohibited
26 by law; and
27

28 **WHEREAS**, the City wishes to amend the Definitions section of its Land
29 Development Regulations to address inconsistencies and conflicts; and
30

31 **WHEREAS**, the City wishes to amend the Site Design Qualitative Standards for
32 vehicle repair and maintenance service facilities, create a minimum use area for industrial
33 manufacturing and production, and create new standards for repair and maintenance
34 services – major, storage –specialty, and brewery / distillery including specialty and micro;
35 and
36

37 **WHEREAS**, the City wishes to amend the Use Table section to provide clarity and
38 consistency and add new uses to the table; and
39

40 **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning
41 agency, considered the proposed amendments at a duly advertised public hearing; and
42

43 **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local
44 planning agency, considered the proposed amendments at a duly advertised public
45 hearing; and
46

47 **WHEREAS**, the City Commission has reviewed the proposed amendments and
48 has determined that it is in the best interest of the public health, safety, and general
49 welfare of the City to adopt this ordinance.

50 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
51 **CITY OF LAKE WORTH BEACH, FLORIDA, that:**

52
53 **Section 1.** The foregoing “WHEREAS” clauses are ratified and confirmed as
54 being true and correct and are made a specific part of this Ordinance as if set forth herein.

55
56 **Section 2.** Chapter 23 “Land Development Regulations,” Article 1, “General
57 Provisions,” Division 2, “Definitions”, Sec. 23.1-12. – Definitions of the City’s Code of
58 Ordinances, is hereby amended by adding the words shown in underlined type and
59 deleting the words struck through as indicated in **Exhibit A.**

60
61 **Section 3.** Chapter 23 “Land Development Regulations,” Article 3, “Zoning
62 Districts,” Division 1 “Generally,” Sec. 23-3.6 – Use Tables is hereby amended by adding
63 the words shown in underlined type and deleting the words struck through as indicated in
64 **Exhibit B.**

65
66 **Section 4.** Chapter 23 “Land Development Regulations,” Article 4,
67 “Development Standards,” Sec. 23.4-13. – Administrative Uses and Conditional Uses is
68 hereby amended by adding the words shown in underlined type and deleting the words
69 struck through as indicated in **Exhibit C.**

70
71 **Section 5.** Severability. If any section, subsection, sentence, clause, phrase or
72 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of
73 competent jurisdiction, such portion shall be deemed a separate, distinct, and
74 independent provision, and such holding shall not affect the validity of the remaining
75 portions thereof.

76
77 **Section 6.** Repeal of Laws in Conflict. All ordinances or parts of ordinances in
78 conflict herewith are hereby repealed to the extent of such conflict.

79
80 **Section 7.** Codification. The sections of the ordinance may be made a part of
81 the City Code of Laws and ordinances and may be re-numbered or re-lettered to
82 accomplish such, and the word “ordinance” may be changed to “section”, “division”, or
83 any other appropriate word.

84
85 **Section 8.** Effective Date. This ordinance shall become effective 10 days after
86 passage.

87
88 The passage of this ordinance on first reading was moved by
89 _____, seconded by _____, and upon
90 being put to a vote, the vote was as follows:

91
92 Mayor Pam Triolo
93 Vice Mayor Andy Amoroso
94 Commissioner Scott Maxwell
95 Commissioner Omari Hardy
96 Commissioner Herman Robinson
97

98 The Mayor thereupon declared this ordinance duly passed on first reading on the
99 _____ day of _____, 2020.

100
101
102 The passage of this ordinance on second reading was moved by
103 _____, seconded by _____, and upon being put to a vote,
104 the vote was as follows:

- 105
- 106 Mayor Pam Triolo
- 107 Vice Mayor Andy Amoroso
- 108 Commissioner Scott Maxwell
- 109 Commissioner Omari Hardy
- 110 Commissioner Herman Robinson

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113 The Mayor thereupon declared this ordinance duly passed on the _____ day of
114 _____, 2020.

LAKE WORTH BEACH CITY COMMISSION

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119 By: _____
120 Pam Triolo, Mayor

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122 ATTEST:

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125 _____
126 Deborah Andrea, CMC, City Clerk
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EXHIBIT A

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 1 “GENERAL PROVISIONS”

Article 1, “General Provisions,” Division 2, “Definitions”

Sec. 23.1-12. - Definitions.

The following defined terms are arranged in alphabetical order and should be referenced by this subsection and specific term.

* * *

Artisanal: Refers to small batch manufacturing and productions of food and goods. Artisanal uses are typically less than 7,500 square feet of use area and have less use impacts than typical manufacturing and production processes. **[New Use Definition]**

* * *

Brewery or Distillery – Specialty: An indoor establishment engaged in the production and packaging of alcohol for distribution, wholesale or retail, on or off premise consumption, and limited to a maximum of 7,500 square feet of use area with a tasting or tap room for the purchase or consumption of alcoholic beverage produced on-site. Specialty brewery or distillery shall be accessory to or located in the same building as a full service restaurant, or shall require approval as bar. **[New Use Definition]**

* * *

Brewery or Distillery – Micro: An indoor establishment engaged in the production and packaging of alcohol for distribution, wholesale or retail, on or off premise consumption, and limited to 30,000 square feet of use area with a tasting or tap room for the purchase or consumption of alcoholic beverage produced on-site. Food service may be permitted as accessory to micro-brewery or micro-distillery. **[New Use Definition]**

* * *

Contractor: Each A business or person who engaged contracts or subcontracts to construct, alter, repair, dismantle, or demolish buildings, roads, bridges, viaducts, sewers, water and gas mains or engages in the business of construction, alteration, repairing, dismantling or demolition of buildings, roads, bridges, viaducts, sewers, water and gas mains. For zoning purposes, the business office of a contractor with no retail or accessory outdoor storage may be permitted as a professional services office. Each contractor that

177 maintains a business location within the municipal limits must obtain a license as a
178 contractor through the Department of Community Sustainability., ~~that maintains a~~
179 ~~business location within the municipal limits.~~

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183 Contractor, ~~specialty: described as: acoustical ceiling contractor, aluminum~~
184 ~~specialty, burglar alarm, communication and sound systems, concrete forming and~~
185 ~~placing, decorative metal, demolition, dredging and landfill, drywall, fabric awnings, fence,~~
186 ~~glass and glazing, gunite, high pressure gas pipeline, insulation, irrigation and sprinkler,~~
187 ~~marine, masonry paver brick and paver brick systems, commercial paving, residential~~
188 ~~paving, plastering, prestressed precast concrete erections, reinforcing steel, residential~~
189 ~~window and door installation, roof deck, septic tank, sign contractor electrical, sign~~
190 ~~contractor nonelectrical, structural steel erection, swimming pool construction, swimming~~
191 ~~pool repair contractor, swimming pool plastering contractor, tennis court contractor, tile,~~
192 ~~terrazzo and marble installer, T.V. antenna and satellite dish installer,~~
193 ~~underground/overhead transmission lines and underground utilities.~~

194 * * *

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197 Contractor – Showroom: A showroom where no manufacturing, assembly,
198 processing or any other industrial uses are located. A contractor showroom greater than
199 2,500 square feet is not permitted in the DT districts. Outdoor or Indoor storage uses are
200 not permitted as accessory to a contractor showroom outside of industrial districts. The
201 business office of a contractor and a contractor showroom may occur within the same
202 structure. [New Use Definition]

203 * * *

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206 Financial Institution: An establishment engaged in deposit banking which may include
207 but is not limited commercial banks, savings institutions, and credit unions, but excludes
208 money business services. [New Use Definition]

209 * * *

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212 High-intensity uses: Those uses that have the potential of generating high levels of
213 vehicular or pedestrian traffic, noise or other adverse impacts based on the nature of the
214 activity, hours of operation, extent of use or size. For the purposes of this Code, uses with
215 similar high-intensity impacts and that are typically, projects involving more than seven
216 thousand five hundred (7,500) square feet or more are considered high intensity and are
217 generally approved as conditional land uses. In addition, any use allowed under the high-
218 intensity use level may be assumed to be allowed at the medium intensity use level if it
219 meets the square foot threshold for medium-intensity use and may be generally approved
220 as an administrative land use or conditional land use as determined by the development
221 review official. In addition, the DRO may allow a use permitted under the high-intensity
222 use level to be reviewed as a medium-intensity use requiring either a conditional use or
223 administrative use approval if the use is less than seven thousand five hundred (7,500)

224 square feet, has impacts similar to medium-intensity uses, and is not otherwise regulated
225 as a separate specified use.

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229 *Intensity of use:*

230 ~~Low: Less than two thousand five hundred (2,500) square feet~~

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232 ~~Medium: Between two thousand five hundred (2,500) square feet and seven~~
233 ~~thousand five hundred (7,500) square feet of use area.~~

234

235 ~~High: Seven thousand five hundred (7,500) or more square feet of use area.~~

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238 *Low-intensity uses.* Those uses that have the potential of generating low levels of
239 vehicular or pedestrian traffic, noise or other adverse impacts based on the nature of the
240 activity, hours of operation, extent of use, or size. For the purposes of these LDRs,
241 ~~projects uses with similar low-intensity impacts and involving less than two thousand five~~
242 ~~hundred (2,500) square feet are considered low intensity and are generally approved by~~
243 ~~the development review official DRO or as administrative land uses.~~

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247 *Medium-intensity uses.* Those uses that have the potential of generating moderate
248 levels of vehicular or pedestrian traffic, noise or other adverse impacts based on the
249 nature of the activity, hours of operation, extent of use or size. For the purposes of this
250 Code, ~~uses with similar medium-intensity impacts and projects involving less than seven~~
251 ~~thousand five hundred (7,500) square feet and more than two thousand four hundred~~
252 ~~ninety-nine (2,499) square feet are considered medium intensity and are generally~~
253 ~~approved as administrative land uses or as conditional land uses. In addition, any use~~
254 ~~allowed under the medium-intensity use level may be assumed to be allowed at the low-~~
255 ~~intensity use level if it meets the square foot threshold for low-intensity use and may be~~
256 ~~generally approved by the development review official or as an administrative land use~~
257 ~~as determined by the development review official.~~

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261 ~~Retail-type business services: Establishments providing services or entertainment,~~
262 ~~as opposed to products, to the general public for personal or household use, including~~
263 ~~eating and drinking places, hotels and motels, finance, real estate and insurance,~~
264 ~~personal service, motion pictures, amusement and recreation services, health, education~~
265 ~~and social services and those that are substantially similar or related. For the purposes~~
266 ~~of these LDRs, retail use activities shall be divided into low intensity or less than two~~
267 ~~thousand five hundred (2,500) square feet, medium intensity or between two thousand~~
268 ~~five hundred (2,500) square feet and seven thousand five hundred (7,500) square feet or~~
269 ~~high intensity or seven thousand five hundred (7,500) or more square feet~~

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Personal Grooming Services & Day Spa: An establishment engaged in the provision of recurrent services of a personal nature related to the grooming of people. Personal Services may include but are not limited to beauty salon, barbershops, nail salon, licensed therapeutic massage studios, day spa, diet and weight reducing centers, and tanning salons. [New Use Definition]

* * *

Repair and Maintenance Services – Major: An establishment engaged in the repair, maintenance and customization of recreational vehicles, boats, personal watercraft; the repair and maintenance of commercial appliances, heavy equipment or machinery, commercial vehicles or trailers, marine vessels, or similar; or media blasting, paint stripping, and paint or body work. Major repair and maintenance services are an industrial use that may include vehicle upholstery, machine shops, welding, paint and body, and other equipment and processes associated with major alteration or customization of vehicle or boat structures and interiors. [New Use Definition]

* * *

Repair and Maintenance Services – Minor: An indoor commercial and industrial establishment engaged in the minor repair or maintenance of lawn mowers, major household appliances, or household furniture such as upholstery or restoration, washers and dryers, refrigerators, stoves and dishwashers. Outdoor storage and activities are prohibited. [New Use Definition]

* * *

Repair and Maintenance Services - Specialty: An indoor personal services establishment that provides limited repair services of personal or small household items including but not limited to jewelry repair, clock and watch repair, phone or computer repair, bicycle repair, shoe repair, apparel repair and alterations, and excluding the repair of large household items and appliances. For zoning purposes this use may be allowed as principal or accessory use, including as accessory to specialty retail uses or single-destination commercial uses. [New Use Definition]

* * *

Restaurant: Every building or part thereof and all accessory buildings used in connection there with or any place or location kept, used, or held out to the public to be a place where meals or foodstuffs are prepared and served to the general public. Restaurants may have catering and/or bakery as an accessory use.

~~Restaurant, low intensity/turnover: Low turnover restaurants shall have table service for all tables and bar seats within the establishment. Average turnover time for each customer's meal shall be one (1) hour or greater.~~

318 ~~Restaurant, medium intensity/turnover: Medium turnover restaurants shall have~~
319 ~~table service for seventy (70) percent or more of all table and bar seats. Average turnover~~
320 ~~time for each customer's meal may be less than one (1) hour but greater than thirty (30)~~
321 ~~minutes.~~

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323 ~~Restaurant, high intensity/turnover: High turnover restaurants need not have any~~
324 ~~table service for seats at tables or bar. Average turnover time shall be less than thirty (30)~~
325 ~~minutes.~~

326

327 *Single-destination commercial uses: A commercial establishment offering a wide*
328 *array of commercial activity and services open to the general public that typically also*
329 *contains a combination of uses, including but not limited to retail, service or business*
330 *office. The following commercial uses are categorized as single destination for zoning*
331 *district purposes and those that ~~are~~ have substantially similar or related use impacts:*

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333 *Auction rooms or on-line auction services, accessory only.*

334 *~~Automobile insurance claims services.~~*

335 *Appliance or equipment sales, retail.*

336 *~~Bait shops.~~*

337 *~~Bar and restaurant equipment sales.~~*

338 *~~Bicycle sales and service stores.~~*

339 *Building material or trade supply establishments, retail.*

340 *~~Catering establishments, as accessory to restaurants, but not direct selling~~*
341 *~~establishments as listed in SIC 5963.~~*

342 *Contractor with a retail component and excluding outdoor storage and warehouse.*

343 *~~Electrical supply stores.~~*

344 *~~Food storage lockers.~~*

345 *~~Funeral homes and mortuaries.~~*

346 *~~Furniture and domestic equipment rental establishments.~~*

347 *~~Furniture refinishing.~~*

348 *~~Greenhouses and nurseries.~~*

349 *~~Janitorial equipment and supply establishments.~~*

350 *~~Locksmith establishments.~~*

351 *~~Medical and dental supply sales and rental sales.~~*

352 *~~Monument sales establishments.~~*

353 *Pool supply stores.*

354 *~~Motion picture studios.~~*

355 *~~Newspaper distributing agencies.~~*

356 *~~Nurseries, retail, for the sale of plant materials grown off the premises.~~*

357 *~~Plumbing supply stores.~~*

358 *~~Related office temporary help service.~~*

359 *~~Repair shops for household appliances, furniture, small motors and machines and~~*
360 *~~other small mechanical and electrical equipment.~~*

361 *Single-destination retail or stand alone retail establishment that includes other*
362 *services as part of the same building or business, including but not limited to*

363 money business services, optical services, banking or contracting services, which
364 may include big-box stores.

365 Taxidermists.

366 Trade schools not involving industrial, motor vehicles, or other heavy equipment.

367 ~~Upholstering, cloth and canvas products fabrication, including the fabrication of~~
368 ~~clothing, slipcovers, awnings and similar products.~~

369 ~~Veterinary establishments, but not kennels.~~

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372 Single-destination retail uses: Retail establishment providing a wide array of retail
373 items that are complimentary and similar in nature that are offered in a singular location.

374 For zoning purposes, these uses have substantially similar or related use impacts and
375 include but are not limited to the following: convenience stores, beauty supply, sundry
376 shop, grocery/food stores including accessory pharmacy, retail hardware stores,
377 antique shops, sports equipment, retail furniture stores, discount stores and hobby
378 shops.

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382 Specialty retail uses: Small retail establishments less than 7,500 square feet
383 providing specialty retail and gift items that have a similar nature, region or product type
384 offered in a singular location. For zoning purposes, these uses have substantially similar
385 or related use impacts and include but are not limited to the following: specialty food
386 stores, bike or sport specific equipment shops, boutique apparel shops, specialized
387 vintage or antique shops, tobacco shops, and gift stores. Retail establishments greater
388 than 7,500 square feet shall be considered single-destination retail or stand alone retail
389 uses. [New Use Definition]

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394 Storage – Indoor: A warehouse or other building used for the storage of raw materials,
395 equipment, or products. Typical uses include moving companies, cold storage, and dead
396 storage facilities, but excludes specialty storage and mini-warehouse uses. [New Use
397 Definition]

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401 Storage -Mini-warehouse: A building or group of buildings that contain individual stalls
402 or lockers for the storage of customers' items and goods. A mini-warehouse may be a
403 building with small multi-compartments or bays, which do not have electrical receptacles,
404 for the long term storage of goods.

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408 Storage – Outdoor: The storage of construction material, mechanical equipment, and
409 commercial vehicles used by building trades and services or associated with other
410 permitted industrial uses. Outdoor storage is only allowed as accessory to a permitted

411 principal use and shall be appropriately screened from adjacent properties and all rights-
412 of-way. **[New Use Definition]**

413 * * *

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416 Storage – Specialty: A limited access climate controlled indoor facility consisting of
417 individual, self-contained units that are leased for the storage of business, household, or
418 other personal goods. This use shall only be permitted in mixed use districts and shall
419 have a retail, office and/or commercial use that activates the street frontage. **[New Use**
420 **Definition]**

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422 * * *

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425 Use Impacts: Effects of development on adjacent property owners or within a
426 neighborhood which may include but not limited to noise, odor, dust, pollution, effluent,
427 traffic, number of employees, hours of operation and customer turnover. For the purposes
428 of this code, permitted uses are categorized by the intensity of their impacts as well as by
429 the size of the use area into the following categories: low intensity, medium intensity and
430 high intensity. **[New Definition]**

431 * * *

432 Vehicle ~~fueling/charging filling~~-stations: An automobile ~~filling~~ fueling/charging station
433 is an establishment whose principal business is the retail dispensing of fuels and
434 energy ~~automobile fuels~~, but whose business may include the following:

- 435 (1) Provision of air for tires;
- 436 (2) Sales of cold drinks, candies, tobacco products and similar goods for service
437 station customers, but only as accessory and incidental to the principal business
438 operation with a total retail area of less than 250 square feet. A full convenience
439 store use is considered a single destination retail use;
- 440 (3) Provision of road maps and other informational material for customers;
- 441 (4) Provision of restroom facilities.

442 * * *

443
444 Vehicle fueling/charging service station: For zoning purposes, a vehicle
445 fueling/charging service station use shall be reviewed as a combination of vehicle
446 fueling/charging station and a vehicle service and repair, minor; the most restrictive
447 requirements herein shall apply. A vehicle ~~fueling/charging service station is an~~
448 establishment whose principal business is the retail dispensing of fuels and energy for
449 vehicles, but whose business may also include the selling and installation of oil, grease,
450 batteries, tires and other vehicle accessories. The following services may be rendered
451 and sales made, and no other:

- 452 (1) ~~Fuel, energy, oil and grease sales;~~
- 453 (2) ~~Sales and servicing related to spark plugs, batteries, distributors and distributor~~
454 ~~parts;~~
- 455 (3) ~~Tire sales;~~
- 456 (4) ~~Tire servicing and repair, but not recapping or regrooving;~~

- 457 ~~(5) Replacement of water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats,~~
 458 ~~wiper blades, grease retainers, wheel bearings, mufflers, shock absorbers, mirrors~~
 459 ~~and the like;~~
 460 ~~(6) Provision of water and supplements for radiator fluids, and the like;~~
 461 ~~(7) Washing and polishing, limited to facilities for washing one (1) vehicle car at a~~
 462 ~~time, and sale of vehicle washing and polishing materials, but not the operation of~~
 463 ~~vehicle washing establishments;~~
 464 ~~(8) Providing and preparing fuel pumps and lines;~~
 465 ~~(9) Minor servicing and repair of carburetors;~~
 466 ~~(10) Minor servicing of air conditioners;~~
 467 ~~(11) Vehicular wiring repairs;~~
 468 ~~(12) Brake repair;~~
 469 ~~(13) Motor repairs not involved in removal of the motor from the vehicle;~~
 470 ~~(14) Greasing and lubrication;~~
 471 ~~(15) Provision of air for tires;~~
 472 ~~(16) Sales of cold drinks, candies, tobacco products and similar goods for service~~
 473 ~~station customers, but only as accessory and incidental to the principal business~~
 474 ~~operation;~~
 475 ~~(17) Provision of road maps and other informational material for customers;~~
 476 ~~(18) Provision of restroom facilities. [Codification Note: the definition was~~
 477 ~~previously amended and in Ord 2020-007 and is now being deleted]~~
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480 *Vehicle service and repair, major:* A business providing any repair or service beyond
 481 basic standard maintenance to motor vehicles, including repairs that require the removal
 482 of the engine or other major vehicle components, that are not included in general
 483 maintenance such as painting and body work, frame repair, upholstery, engine,
 484 transmissions, air conditioning systems, electrical systems, operational systems, drive
 485 trains, and other major general repairs.
 486

487 *Vehicle service and repair, minor:* A business providing brake repairs, tire repair and
 488 installation, ~~air conditioning service,~~ muffler replacement, and oil changes ~~and~~
 489 ~~transmission repair~~ not including repairs to the drive train or requiring the removal of the
 490 engine block, drive train or other major engine components. This includes establishments
 491 engaged in the installation, maintenance and repair of motor vehicle parts or systems that
 492 require basic standard maintenance and shall include but not be limited to: air
 493 conditioning systems, audio systems, brakes, ~~cooling systems, electrical systems,~~
 494 ~~exhaust systems, fuel systems,~~ oil and fluid changes, shock absorbers, tune-ups, window
 495 tinting, washing and detailing, ~~upholstery,~~ and wheel alignment and balancing for
 496 automobiles, trucks, and motorcycles. Any minor vehicle service and repair use that
 497 requires outdoor storage or activities and overnight parking of vehicles being serviced will
 498 be considered a major vehicle service and repair use.
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EXHIBIT B

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 “ZONING DISTRICTS”

Division 1 “Generally”

Sec. 23-3.6 – Use Tables.

[See Use Tables under separate cover]

EXHIBIT C

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 “DEVELOPMENT STANDARDS”

Sec. 23.4-13. – Administrative Uses and Conditional Uses

c) Standards.

(3) Vehicle rental facilities. ~~Reserved.~~ Refer to vehicle sales standards for administrative and conditional uses as applicable.

(4) Vehicle service and repair facilities – major or minor, or repair and maintenance services – major.

(b) Design and performance standards.

i. Minimum lot frontage. Seventy-five (75) feet.

ii. Minimum site.

Major - Site: Twenty thousand (20,000) square feet; Minimum area per business / tenant on a multiple tenant / business site: two thousand five hundred (2,500) square feet.

Minor – Site: Ten thousand (10,000) square feet; Minimum area per business / tenant on a multiple tenant / business site: one thousand (1,000) square feet.

vi. Minimum parking requirements. Three (3) parking spaces for each service bay (if applicable) plus one parking space for each three hundred (300) square feet of non-service enclosed area. Applicable parking requirements in Sec. 23.4-10 apply to all other use areas. All vehicles shall be parked in designated storage areas, except for vehicles dropped off by customers or placed for temporary customer pick-up in parking spaces designated on an approved site plan not visible from the public right-of-way. These vehicles may be temporarily parked in these designated parking spaces, not to exceed a maximum of one 24-hour period.

560
561 viii. Outdoor storage may be permitted as accessory to vehicle service and repair-major
562 and repair and maintenance services-major in I-POC only, provided the outdoor
563 storage area is fully screened from any public rights-of-way and adjacent properties
564 as consistent with Sec. 23.4-19 Outdoor Storage, and all equipment, parts and
565 vehicles are stored on an impermeable paved surface.
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571 7. Industrial/~~M~~manufacturing/processing/fabrication facilities.

572
573 B. Design and performance standards.
574 (7) Minimum area per business / tenant on a multiple tenant / business site shall not be
575 less than eight hundred (800) square feet for manufacturing or processing and five
576 hundred (500) square feet for fabrication services.
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582 17. Storage - Specialty.
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584 A. Purpose. It is the purpose of this section to provide regulations and standards for the
585 establishment of Storage - specialty within designated zoning districts. Specialty storage
586 facilities are intended to accommodate the dead storage needs of families and small
587 businesses in interior air-conditioned environment. They are not intended to
588 accommodate any office, retail, service, manufacturing or other similar activity within the
589 storage area. They are also not intended to be used for the storage of hazardous
590 compounds or chemicals, explosives, or other dangerous content that could pose a threat
591 to the immediate neighborhood. Specialty storage shall be approved through the
592 appropriate regulatory board by conditional use procedures.
593

594 B. Use and development regulations.
595

596 (1) All use activity shall be conducted entirely within the building.
597

598 (2) Along major thoroughfares the use shall not front directly onto the ROW and shall
599 be developed with an office, retail, or commercial component that activate the
600 street frontage.
601

602 (3) Loading areas shall not be visible from any of the City's major thoroughfare rights-
603 of-way.
604

605 (4) There shall be no plumbing or electrical service or equipment, other than that
606 required for lighting and fire suppression, which could make the facility in any way

607 able to accommodate any office, retail, service, manufacturing or other similar
608 activity within designated storage area.

609
610 (5) No business, hobby or other activity unrelated to the purpose of the use may be
611 operated from within.

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614 D. Lighting. Supplementary lighting shall be shielded in accordance with the provisions of
615 section 23.4-3.

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617 E. Parking lot regulations.

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619 (1) Rental of required parking spaces prohibited. Required parking spaces shall not
620 be rented to customers for the purpose of parking or storing vehicles or for any
621 other purpose.

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623 F. Circulation and loading.

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625 (1) Configuration of circulation and loading areas. Circulation and loading areas shall
626 be arranged and sized to permit customer and emergency vehicles to circulate
627 unobstructed by the loading or unloading of vehicles at individual storage stalls
628 and shall not be visible from any of the City's major thoroughfares. Areas where
629 vehicles may be placed for loading and unloading shall be distinguished from
630 circulation routes by clear pavement markings. The width of circulation routes and
631 the dimensions of loading areas shall be subject to the approval of the
632 development review official or designee based on the criteria of this section.

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634 G. Outdoor storage regulated. Outdoor storage is prohibited.

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639 18. Breweries, Distilleries, Micro-breweries, Micro-Distilleries, Specialty Breweries and
640 Specialty Distilleries.

641 A. Purpose. It is the purpose of this section to provide regulations and standards
642 for all types of brewery and distillery establishments within designated zoning
643 districts. These uses shall be approved through the appropriate decision-making
644 authority.

645 B. Design and performance standards.

646 (1) Minimum site area: Seventy-five hundred (7,500) square feet.

647 (2) Minimum lot width: Seventy-five (75) feet.

648 (3) Minimum distances. All such uses shall be located a minimum of five
649 hundred (500) feet from each other. Distance shall be measured from
650 property line to property line, without regard to intervening structures or
651 objects.

- 652 (4) Landscape requirements. The site must be provided with a minimum five-
653 foot-wide perimeter planting area when adjacent to residential uses. Site
654 landscaping shall comply with adopted landscape regulations.
- 655 (5) Buffering. A fence or wall shall be erected at a height of not less than six (6)
656 feet when the parking area(s) or other common area(s) is within twenty-five
657 (25) feet of a residential district, in addition to the landscaping requirements
658 outlined in subsection (5), above. All fences and walls shall be constructed
659 of concrete, masonry or metal. Metal fences shall be open weave chain link,
660 vinyl coated type combined with a shrub hedge or ornamental in nature.
661 Walls shall be finished with a graffiti-resistant paint.
- 662 (6) Variances for minimum site area shall not be granted.
- 663 (7) Specialty breweries and specialty distilleries must front one of the city's
664 major thoroughfares.
- 665 (8) Outdoor display of any items is strictly prohibited.
- 666 (9) Establishments must have at least twenty-five (25) percent clear glazing
667 and fenestration along frontages with entrances clearly identifiable.
- 668 (10) Display windows must have engaging and pedestrian friendly vignettes.
669 Covering of display windows with posters, paper, advertisements, written
670 signs and similar shall be strictly prohibited. Vacant buildings shall have
671 approved vignettes covering windows until an active business is
672 established and operating.
- 673 (11) All sales transactions, except during city approved special events, shall
674 take place within the building.
- 675 (12) Walk up sales windows shall not be allowed.
- 676 (13) All storage, production, shipping and receiving associated with use must
677 be confined within an approved building or structure.
- 678 (14) All deliveries and distribution activities shall take place between the hours
679 of 8 am and 6 pm Monday through Saturday, except when located within
680 an industrial zoning district.
- 681 (15) Each facility shall abide by the following restrictions on production capacity.
- 682 (a) Breweries and Distilleries shall have capacity limited only by size of
683 property and square footage of building and/or structure.
- 684 (b) Micro-breweries and Micro-distilleries shall have a production capacity
685 of no more than 750,000 proof gallons on an annual basis, or two
686 million, nineteen thousand (2,019,000), 750 ml bottles production per
687 year.
- 688 (c) Specialty breweries and specialty distilleries shall have a production
689 capacity of no more than 325,000 proof gallons on an annual basis, or
690 one million, ninety-five hundred (1,009,500), 750 ml bottles production
691 per year.

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(16) Each facility shall abide by the following restrictions on deliveries.

(a) Breweries and Distilleries shall have unlimited commercial truck deliveries for shipping, receiving and distribution, except no deliveries on Sunday.

(b) Micro-breweries and micro-distilleries shall have no more than 12 commercial truck deliveries for shipping, receiving and distribution each week and no deliveries on Sunday.

(c) Specialty breweries and specialty distilleries shall have no more than 6 commercial truck deliveries for shipping, receiving and distribution each week and no deliveries or distribution on Sunday. All deliveries must take place on site and off public rights of way.

(17) All micro-breweries, micro-distilleries, specialty breweries and specialty distilleries shall be required to have a retail sales component and a consumption on premises component. For micro-breweries, micro-distilleries, specialty breweries and specialty distilleries in mixed-use districts, no more than seventy (70%) percent of the use area shall be used for brewery or distillery manufacturing or production, including packaging with the balance consisting of office, retail sales and taprooms / tasting areas.

(18) For micro-breweries, micro-distilleries, specialty breweries and specialty distilleries, guest taps may be allowed in conjunction with a tap or tasting room not to exceed 30 percent of the number of taps or on-site production unless as part of a restaurant with bar or bar use approval.

(19) All spoils generated as the result of the fermentation and production shall be disposed in an appropriate manner meeting all requisite health and safety standards.

(20) Other appropriate conditions may be placed on the use approval depending on location, building/structure and orientation to ensure nuisance type of activities including but not limited to noise, dust, pollutants, odors, and waste by products and other use impacts do not occur.

19. Money business services

A. Purpose. It is the purpose of this section to provide regulations and standards for money business services such as payment instrument seller, foreign currency exchanger, check casher, or money transmitter. These uses shall be approved through the appropriate decision-making authority. Principal uses shall be reviewed through the conditional use permit process. These uses may also occur as accessory to single destination commercial only provided the development standards are met for both the principal and accessory use.

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B. Design and performance standards.

1) Separation Distance:

(a) A minimum separation distance of four hundred (400) feet for accessory uses.

(b) A minimum separation distance of one thousand (1,000) feet for principal uses.

2) Operational Standards:

(a) Hours of operation shall be limited to 8 am to 9 pm on Monday through Saturday and 9 am to 6 pm on Sunday.

(b) No temporary or promotional signage shall be permitted on windows or doors except as expressly permitted in Sec. 23.5-1 Signs.

(c) Interior and exterior video surveillance for security purposes is required and surveillance recordings shall be maintained for a minimum of fourteen (14) days.

(d) The site shall meet appropriate Crime Prevention through Environmental Design (CPTED) standards as feasible.