

STAFF REPORT REGULAR MEETING

AGENDA DATE: October 21, 2025

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2025-13 – Second Reading – amending Chapter 23, Article 4, Section 23.4-13(c)(5) “Single destination retail uses including stand-alone retail and single destination commercial uses”

SUMMARY:

The applicant, R. Max Lohman on behalf of Precious Metals Reclaiming Service South, Inc. (PMRS), is proposing text amendments to the Land Development Regulations. The proposed amendments will modify Chapter 23, Article 4, Section 23.4-13(c)(5) “Single destination retail uses including stand-alone retail and single destination commercial uses.” The proposed amendments will alter the design and performance standards for single destination retail and commercial uses in the following areas:

- Minimum site area - Reducing the minimum site area requirement for single-destination uses from 10,000 square feet to 6,500 square feet
- Minimum lot width – Reducing the minimum lot width for single-destination uses from 100 feet to 50 feet
- Perimeter landscape requirements – Allowing the Development Review Official (DRO) to adjust or waive the five-foot perimeter landscape buffer requirement for sites with existing buildings that prevent the property from being able to provide a five-foot buffer
- Major thoroughfare frontage – Allowing for the establishment of low-intensity (use area less than 2,500 square feet) single designation retail or commercial uses without the requirement for the property to have frontage on a major thoroughfare.

BACKGROUND AND JUSTIFICATION:

PMRS applied for a Zoning Use Confirmation Letter on December 30, 2024; per the letter provided by City Staff on January 13, 2025, the business is classified as a medium-intensity Single Destination Commercial use. This use is permissible in the City’s TOD-E zoning district, subject to Conditional Use Permit (CUP) approval and compliance with the development standards for single destination commercial uses provided in LDR Section 23.4-13(c)(5).

One of the supplemental standards provided in LDR Section 23.4-13(c)(5) requires single destination commercial uses to have a minimum site area of 10,000 square feet, and specifies that variances shall not be granted for the minimum site area requirement. The applicants’ site at 23-25 South H Street has a total area of approximately 6,750 square feet, which would therefore exclude the site from single destination commercial use.

City staff, including the Director of the Department of Community Sustainability, met with the applicant on March 7, 2025, to further discuss the use classification and supplemental regulations. Following that meeting, the applicant provided a detailed description of the proposed business activities for PMRS, which include purchasing and resale of carat gold, dental gold, gold plate, carat silver, estate jewelry purchases; jewelry store sweeps; retail jewelry sales; gemstone purchase and sales; and e-scrap sampling, purchasing, and selling. Staff reviewed the updated business description with the Director, and confirmed that the use was most appropriately classified as single destination commercial. Staff and the Director advised the applicant that they may apply for a privately-initiated LDR amendment to lower the required minimum site area to better reflect the size of platted lots in the City.

The applicant submitted a complete LDR amendment application on July 17, 2025; following an initial round of staff review in late July the amendment was scheduled for the September PZB hearing. The applicants’ initial proposal for amendments, submitted in July 2025, exceeded the site area amendment discussed with staff in Spring 2025. Some of the initially-proposed amendments were not able to be supported by staff, as they conflicted with other City standards and/or arbitrarily exempted certain zoning districts from certain requirements. In further discussions with staff, as well as at the PZB and HRPB hearings in September 2025, the applicants removed two of their

proposed amendments, agreed to staff's recommendations for revisions to three of the proposed amendments, and came to a compromise regarding the proposed perimeter landscaping amendment. The draft ordinance being brought to the City Commission reflects these changes.

At their meeting on September 3, 2025, the **Planning and Zoning Board (PZB)** unanimously voted to recommend approval of the staff-revised LDR text amendments included in Ordinance 2025-13, along with a condition to allow the DRO to adjust or waive the perimeter landscape requirements.

At their meeting on September 10, 2025, the **Historic Resources Preservation Board (HRPB)** unanimously voted to recommend approval of the staff-revised LDR text amendments included in Ordinance 2025-13, with the same perimeter landscaping condition as the PZB. The City Commission approved the Ordinance unanimously on first reading at its October 21, 2025 meeting.

MOTION:

Move to approve/disapprove Ordinance 2025-13 amending Chapter 23, Article 4, Section 23.4-13(c)(5) "Single destination retail uses including stand-alone retail and single destination commercial uses".

ATTACHMENT(S):

Ordinance 2025-13
PZB/HRPB Staff Report