

1
2
3
4 **ORDINANCE 2020-12 - AN ORDINANCE OF THE CITY OF LAKE**
5 **WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND**
6 **DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 1**
7 **“GENERAL PROVISIONS,” DIVISION 2, “DEFINITIONS,” SECTION**
8 **23.1-12 - DEFINITIONS; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1,**
9 **“GENERALLY,” SECTION 23.3-6 – USE TABLES; AND ARTICLE 4**
10 **“DEVELOPMENT STANDARDS,” SECTION 23.4-12 –**
11 **ADMINISTRATIVE USES AND CONDITIONAL USES OF THE CITY’S**
12 **CODE OF ORDINANCES; AND PROVIDING FOR SEVERABILITY, THE**
13 **REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE**
14 **DATE.**
15

16
17 **WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State
18 of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the
19 “City”), a municipal corporation, enjoys all governmental, corporate, and proprietary
20 powers necessary to conduct municipal government, perform municipal functions, and
21 render municipal services, and may exercise any power for municipal purposes, except
22 as expressly prohibited by law; and
23

24 **WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing
25 body of each municipality in the state has the power to enact legislation concerning any
26 subject matter upon which the state legislature may act, except when expressly prohibited
27 by law; and
28

29 **WHEREAS**, the City wishes to amend the Definitions section of its Land
30 Development Regulations to address inconsistencies and conflicts; and
31

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

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

51 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
52 **CITY OF LAKE WORTH BEACH, FLORIDA, that:**
53

54 **Section 1.** The foregoing “WHEREAS” clauses are ratified and confirmed as
55 being true and correct and are made a specific part of this Ordinance as if set forth herein.
56

57 **Section 2.** Chapter 23 “Land Development Regulations,” Article 1, “General
58 Provisions,” Division 2, “Definitions”, Sec. 23.1-12. – Definitions of the City’s Code of
59 Ordinances, is hereby amended by adding the words shown in underlined type and
60 deleting the words struck through as indicated in **Exhibit A**.
61

62 **Section 3.** Chapter 23 “Land Development Regulations,” Article 3, “Zoning
63 Districts,” Division 1 “Generally,” Sec. 23-3.6 – Use Tables is hereby amended by adding
64 the words shown in underlined type and deleting the words struck through as indicated in
65 **Exhibit B**.
66

67 **Section 4.** Chapter 23 “Land Development Regulations,” Article 4,
68 “Development Standards,” Sec. 23.4-13. – Administrative Uses and Conditional Uses is
69 hereby amended by adding the words shown in underlined type and deleting the words
70 struck through as indicated in **Exhibit C**.
71

72 **Section 5. Severability.** If any section, subsection, sentence, clause, phrase or
73 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of
74 competent jurisdiction, such portion shall be deemed a separate, distinct, and
75 independent provision, and such holding shall not affect the validity of the remaining
76 portions thereof.
77

78 **Section 6. Repeal of Laws in Conflict.** All ordinances or parts of ordinances in
79 conflict herewith are hereby repealed to the extent of such conflict.
80

81 **Section 7. Codification.** The sections of the ordinance may be made a part of
82 the City Code of Laws and ordinances and may be re-numbered or re-lettered to
83 accomplish such, and the word “ordinance” may be changed to “section”, “division”, or
84 any other appropriate word.
85

86 **Section 8. Effective Date.** This ordinance shall become effective 10 days after
87 passage.
88

89 The passage of this ordinance on first reading was moved by Commissioner
90 Maxwell, seconded by Vice Mayor Amoroso, and upon being put to a vote, the vote was
91 as follows:
92

93	Mayor Pam Triolo	AYE
94	Vice Mayor Andy Amoroso	AYE

95	Commissioner Scott Maxwell	AYE
96	Commissioner Omari Hardy	NAY
97	Commissioner Herman Robinson	AYE

98

99 The Mayor thereupon declared this ordinance duly passed on first reading on the
100 28th day of July, 2020.

101

102

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

106

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

112

113

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

116

117

LAKE WORTH BEACH CITY COMMISSION

118

119

120

By: _____
Pam Triolo, Mayor

121

122

123 ATTEST:

124

125

126

127 _____
Deborah Andrea, CMC, City Clerk

128

129 **EXHIBIT A**

130
131
132 Chapter 23

133 LAND DEVELOPMENT REGULATIONS ARTICLE 1 "GENERAL PROVISIONS"

134
135
136 Article 1, "General Provisions," Division 2, "Definitions"

137
138 **Sec. 23.1-12. - Definitions.**

139
140 The following defined terms are arranged in alphabetical order and should be
141 referenced by this subsection and specific term.

142 * * *

143
144 Artisanal: Refers to small batch manufacturing and productions of food and
145 goods. Artisanal uses are typically less than 7,500 square feet of use area and have
146 less use impacts than typical manufacturing and production processes. [New Use
147 Definition]

148 * * *

149
150 Brewery or Distillery – Specialty: An indoor establishment engaged in the
151 production and packaging of alcohol for distribution, wholesale or retail, on or off
152 premise consumption, and limited to a maximum of 7,500 square feet of use area with
153 a tasting or tap room for the purchase or consumption of alcoholic beverage produced
154 on-site. Specialty brewery or distillery shall be accessory to or located in the same
155 building as a full service restaurant, or shall require approval as bar. [New Use
156 Definition]

157 * * *

158
159
160 Brewery or Distillery – Micro: An indoor establishment engaged in the production
161 and packaging of alcohol for distribution, wholesale or retail, on or off premise
162 consumption, and limited to 30,000 square feet of use area with a tasting or tap room
163 for the purchase or consumption of alcoholic beverage produced on-site. Food service
164 may be permitted as accessory to micro-brewery or micro-distillery. [New Use
165 Definition]

166 * * *

167
168
169 Contractor: Each A business or person who engaged contracts or subcontracts to
170 construct, alter, repair, dismantle, or demolish buildings, roads, bridges, viaducts, sewers,
171 water and gas mains or engages in the business of construction, alteration, repairing,
172 dismantling or demolition of buildings, roads, bridges, viaducts, sewers, water and gas
173 mains. For zoning purposes, the business office of a contractor with no retail or accessory
174 outdoor storage may be permitted as a professional services office. Each contractor that
175 maintains a business location within the municipal limits must obtain a license as a
176 contractor through the Department of Community Sustainability., that maintains a
177 business location within the municipal limits.

178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222

* * *

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

* * *

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

* * *

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

* * *

High-intensity uses: Those uses that have the potential of generating high levels of vehicular or pedestrian traffic, noise or other adverse impacts based on the nature of the activity, hours of operation, extent of use or size. For the purposes of this Code, uses with similar high-intensity impacts and that are typically, projects involving more than seven thousand five hundred (7,500) square feet or more are considered high intensity and are generally approved as conditional land uses. In addition, any use allowed under the high-intensity use level may be assumed to be allowed at the medium-intensity use level if it meets the square foot threshold for medium-intensity use and may be generally approved as an administrative land use or conditional land use as determined by the development review official. In addition, the DRO may allow a use permitted under the high-intensity use level to be reviewed as a medium-intensity use requiring either a conditional use or administrative use approval if the use is less than seven thousand five hundred (7,500) square feet, has impacts similar to medium-intensity uses, and is not otherwise regulated as a separate specified use.

223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267

* * *

Intensity of use:

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

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

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

* * *

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

* * *

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

* * *

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

* * *

268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315

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.~~

~~Restaurant, medium intensity/turnover: Medium turnover restaurants shall have table service for seventy (70) percent or more of all table and bar seats. Average turnover~~

316 time for each customer's meal may be less than one (1) hour but greater than thirty (30)
317 minutes.

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

321
322 Single-destination commercial uses: A commercial establishment offering a wide
323 array of commercial activity and services open to the general public that typically also
324 contains a combination of uses, including but not limited to retail, service or business
325 office. The following commercial uses are categorized as single destination for zoning
326 district purposes and those that are have substantially similar or related use impacts:

327
328 Auction rooms or on-line auction services, accessory only.

329 ~~Automobile insurance claims services.~~

330 Appliance or equipment sales, retail.

331 ~~Bait shops.~~

332 ~~Bar and restaurant equipment sales.~~

333 ~~Bicycle sales and service stores.~~

334 Building material or trade supply establishments, retail.

335 ~~Catering establishments, as accessory to restaurants, but not direct selling~~
336 ~~establishments as listed in SIC 5963.~~

337 Contractor with a retail component and excluding outdoor storage and warehouse.

338 ~~Electrical supply stores.~~

339 ~~Food storage lockers.~~

340 ~~Funeral homes and mortuaries.~~

341 ~~Furniture and domestic equipment rental establishments.~~

342 ~~Furniture refinishing.~~

343 ~~Greenhouses and nurseries.~~

344 ~~Janitorial equipment and supply establishments.~~

345 ~~Locksmith establishments.~~

346 ~~Medical and dental supply sales and rental sales.~~

347 ~~Monument sales establishments.~~

348 Pool supply stores.

349 ~~Motion picture studios.~~

350 ~~Newspaper distributing agencies.~~

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

352 ~~Plumbing supply stores.~~

353 ~~Related office temporary help service.~~

354 ~~Repair shops for household appliances, furniture, small motors and machines and~~
355 ~~other small mechanical and electrical equipment.~~

356 Single-destination retail or stand alone retail establishment that includes other
357 services as part of the same building or business, including but not limited to
358 money business services, optical services, banking or contracting services, which
359 may include big-box stores.

360 *Taxidermists.*
361 *Trade schools not involving industrial, motor vehicles, or other heavy equipment.*
362 ~~*Upholstering, cloth and canvas products fabrication, including the fabrication of*~~
363 ~~*clothing, slipcovers, awnings and similar products.*~~
364 ~~*Veterinary establishments, but not kennels.*~~

365 * * *

366
367 Single-destination retail uses: Retail establishment providing a wide array of retail
368 items that are complimentary and similar in nature that are offered in a singular location.
369 For zoning purposes, these uses have substantially similar or related use impacts and
370 include but are not limited to the following: convenience stores, beauty supply, sundry
371 shop, grocery/food stores including accessory pharmacy, retail hardware stores,
372 antique shops, sports equipment, retail furniture stores, discount stores and hobby
373 shops.

374 * * *

375
376
377 Specialty retail uses: Small retail establishments less than 7,500 square feet
378 providing specialty retail and gift items that have a similar nature, region or product type
379 offered in a singular location. For zoning purposes, these uses have substantially similar
380 or related use impacts and include but are not limited to the following: specialty food
381 stores, bike or sport specific equipment shops, boutique apparel shops, specialized
382 vintage or antique shops, tobacco shops, and gift stores. Retail establishments greater
383 than 7,500 square feet shall be considered single-destination retail or stand alone retail
384 uses. [New Use Definition]

385 * * *

386
387
388 Storage – Indoor: A warehouse or other building used for the storage of raw materials,
389 equipment, or products. Typical uses include moving companies, cold storage, and dead
390 storage facilities, but excludes specialty storage and mini-warehouse uses. [New Use
391 Definition]

392 * * *

393
394
395 Storage -Mini-warehouse: A building or group of buildings that contain individual stalls
396 or lockers for the storage of customers' items and goods. A mini-warehouse may be a
397 building with small multi-compartments or bays, which do not have electrical receptacles,
398 for the long term storage of goods.

399 * * *

400
401
402 Storage – Outdoor: The storage of construction material, mechanical equipment, and
403 commercial vehicles used by building trades and services or associated with other
404 permitted industrial uses. Outdoor storage is only allowed as accessory to a permitted
405 principal use and shall be appropriately screened from adjacent properties and all rights-
406 of-way. [New Use Definition]

407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450

* * *

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

* * *

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

* * *

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

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

* * *

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

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

- 451 ~~(5) Replacement of water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats,~~
452 ~~wiper blades, grease retainers, wheel bearings, mufflers, shock absorbers, mirrors~~
453 ~~and the like;~~
454 ~~(6) Provision of water and supplements for radiator fluids, and the like;~~
455 ~~(7) Washing and polishing, limited to facilities for washing one (1) vehicle car at a~~
456 ~~time, and sale of vehicle washing and polishing materials, but not the operation of~~
457 ~~vehicle washing establishments;~~
458 ~~(8) Providing and preparing fuel pumps and lines;~~
459 ~~(9) Minor servicing and repair of carburetors;~~
460 ~~(10) Minor servicing of air conditioners;~~
461 ~~(11) Vehicular wiring repairs;~~
462 ~~(12) Brake repair;~~
463 ~~(13) Motor repairs not involved in removal of the motor from the vehicle;~~
464 ~~(14) Greasing and lubrication;~~
465 ~~(15) Provision of air for tires;~~
466 ~~(16) Sales of cold drinks, candies, tobacco products and similar goods for service~~
467 ~~station customers, but only as accessory and incidental to the principal business~~
468 ~~operation;~~
469 ~~(17) Provision of road maps and other informational material for customers;~~
470 ~~(18) Provision of restroom facilities. [Codification Note: the definition was~~
471 ~~previously amended and in Ord 2020-007 and is now being deleted]~~
472
473

474 *Vehicle service and repair, major:* A business providing any repair or service beyond
475 basic standard maintenance to motor vehicles, including repairs that require the removal
476 of the engine or other major vehicle components, that are not included in general
477 maintenance such as painting and body work, frame repair, upholstery, engine,
478 transmissions, air conditioning systems, electrical systems, operational systems, drive
479 trains, and other major general repairs.
480

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

493
494
495
496
497
498
499
500
501
502
503
504
505

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]

506 **EXHIBIT C**

507
508
509 Chapter 23

510
511 LAND DEVELOPMENT REGULATIONS ARTICLE 4 “DEVELOPMENT STANDARDS”

512
513 ***

514
515 **Sec. 23.4-13. – Administrative Uses and Conditional Uses**

516 ***

517 c) Standards.

518 ***

519
520 (3) Vehicle rental facilities. ~~Reserved.~~ Refer to vehicle sales standards for
521 administrative and conditional uses as applicable.

522
523 (4) Vehicle service and repair facilities – major or minor, or repair and maintenance
524 services – major.

525
526 ***

527 (b) Design and performance standards.

528
529 i. Minimum lot frontage. Seventy-five (75) feet.

530
531 ii. Minimum site.

532
533 Major - Site: Twenty thousand (20,000) square feet; Minimum area per business /
534 tenant on a multiple tenant / business site: two thousand five hundred (2,500) square
535 feet.

536
537 Minor – Site: Ten thousand (10,000) square feet; Minimum area per business / tenant
538 on a multiple tenant / business site: one thousand (1,000) square feet.

539
540 ***

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

506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549

550 ***

551
552 viii. Outdoor storage may be permitted as accessory to vehicle service and repair-major
553 and repair and maintenance services-major in I-POC only, provided the outdoor
554 storage area is fully screened from any public rights-of-way and adjacent properties
555 as consistent with Sec. 23.4-19 Outdoor Storage, and all equipment, parts and
556 vehicles are stored on an impermeable paved surface.
557

558 ***

559
560
561 7. Industrial/Manufacturing/processing/fabrication facilities.
562

563 ***

564
565
566
567 B. Design and performance standards.
568 (7) Minimum area per business / tenant on a multiple tenant / business site shall not be
569 less than eight hundred (800) square feet for manufacturing or processing and five
570 hundred (500) square feet for fabrication services.
571

572 ***

573
574
575
576 17. Storage - Specialty.
577

578 A. Purpose. It is the purpose of this section to provide regulations and standards for the
579 establishment of Storage - specialty within designated zoning districts. Specialty storage
580 facilities are intended to accommodate the dead storage needs of families and small
581 businesses in interior air-conditioned environment. They are not intended to
582 accommodate any office, retail, service, manufacturing or other similar activity within the
583 storage area. They are also not intended to be used for the storage of hazardous
584 compounds or chemicals, explosives, or other dangerous content that could pose a threat
585 to the immediate neighborhood. Specialty storage shall be approved through the
586 appropriate regulatory board by conditional use procedures.
587

588 B. Use and development regulations.
589

590 (1) All use activity shall be conducted entirely within the building.
591

592 (2) Along major thoroughfares the use shall not front directly onto the ROW and shall
593 be developed with an office, retail, or commercial component that activate the
594 street frontage.
595

596 (3) Loading areas shall not be visible from any of the City's major thoroughfare rights-
597 of-way.
598

599 (4) There shall be no plumbing or electrical service or equipment, other than that
600 required for lighting and fire suppression, which could make the facility in any way
601 able to accommodate any office, retail, service, manufacturing or other similar
602 activity within designated storage area.

603
604 (5) No business, hobby or other activity unrelated to the purpose of the use may be
605 operated from within.

606
607
608 D. Lighting. Supplementary lighting shall be shielded in accordance with the provisions of
609 section 23.4-3.

610 E. Parking lot regulations.

611
612
613 (1) Rental of required parking spaces prohibited. Required parking spaces shall not
614 be rented to customers for the purpose of parking or storing vehicles or for any
615 other purpose.

616
617 F. Circulation and loading.

618
619 (1) Configuration of circulation and loading areas. Circulation and loading areas shall
620 be arranged and sized to permit customer and emergency vehicles to circulate
621 unobstructed by the loading or unloading of vehicles at individual storage stalls
622 and shall not be visible from any of the City's major thoroughfares. Areas where
623 vehicles may be placed for loading and unloading shall be distinguished from
624 circulation routes by clear pavement markings. The width of circulation routes and
625 the dimensions of loading areas shall be subject to the approval of the
626 development review official or designee based on the criteria of this section.

627
628 G. Outdoor storage regulated. Outdoor storage is prohibited.

629
630
631 18. Breweries, Distilleries, Micro-breweries, Micro-Distilleries, Specialty Breweries and
632 Specialty Distilleries.

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

637 B. Design and performance standards.

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

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

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

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

- 684 (16) Each facility shall abide by the following restrictions on deliveries.
- 685 (a) Breweries and Distilleries shall have unlimited commercial truck
686 deliveries for shipping, receiving and distribution, except no deliveries
687 on Sunday.
- 688 (b) Micro-breweries and micro-distilleries shall have no more than 12
689 commercial truck deliveries for shipping, receiving and distribution
690 each week and no deliveries on Sunday.
- 691 (c) Specialty breweries and specialty distilleries shall have no more than 6
692 commercial truck deliveries for shipping, receiving and distribution
693 each week and no deliveries or distribution on Sunday. All deliveries
694 must take place on site and off public rights of way.
- 695 (17) All micro-breweries, micro-distilleries, specialty breweries and specialty
696 distilleries shall be required to have a retail sales component and a
697 consumption on premises component. For micro-breweries, micro-
698 distilleries, specialty breweries and specialty distilleries in mixed-use
699 districts, no more than seventy (70%) percent of the use area shall be used
700 for brewery or distillery manufacturing or production, including packaging
701 with the balance consisting of office, retail sales and taprooms / tasting
702 areas.
- 703 (18) For micro-breweries, micro-distilleries, specialty breweries and specialty
704 distilleries, guest taps may be allowed in conjunction with a tap or tasting
705 room not to exceed 30 percent of the number of taps or on-site production
706 unless as part of a restaurant with bar or bar use approval.
- 707 (19) All spoils generated as the result of the fermentation and production shall
708 be disposed in an appropriate manner meeting all requisite health and
709 safety standards.
- 710 (20) Other appropriate conditions may be placed on the use approval depending
711 on location, building/structure and orientation to ensure nuisance type of
712 activities including but not limited to noise, dust, pollutants, odors, and
713 waste by products and other use impacts do not occur.

714

715

716 19. Money business services

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

724 B. Design and performance standards.

725 1) Separation Distance:

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

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

730 2) Operational Standards:

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

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

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

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