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3 **ORDINANCE 2020-XX - 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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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 **WHEREAS**, the City wishes to amend the Use Table section to provide clarity and
37 consistency and add new uses to the table; and

38
39 **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning
40 agency, considered the proposed amendments at a duly advertised public hearing; and

41
42 **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local
43 planning agency, considered the proposed amendments at a duly advertised public
44 hearing; and

45
46 **WHEREAS**, the City Commission has reviewed the proposed amendments and
47 has determined that it is in the best interest of the public health, safety, and general
48 welfare of the City to adopt this ordinance.
49

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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112

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

115

LAKE WORTH BEACH CITY COMMISSION

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By: _____
Pam Triolo, Mayor

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122 ATTEST:

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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 maintains a business location within the municipal limits must obtain a license as a

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

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

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194 * * *
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196 Contractor –Showroom: A showroom where no manufacturing, assembly,
197 processing or any other industrial uses are located. A contractor showroom greater than
198 2,500 square feet is not permitted in the DT districts. Outdoor or Indoor storage uses are
199 not permitted as accessory to a contractor showroom outside of industrial districts. The
200 business office of contractor and showroom may occur within the same structure. [New
201 Use Definition]

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203 * * *
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205 Financial Institution: An establishment engaged in deposit banking which may include
206 but is not limited commercial banks, savings institutions, and credit unions, but excludes
207 money business services. [New Use Definition]

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

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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.~~

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~~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~~

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

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

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

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297 * * *

298
299 Repair and Maintenance Services - Specialty: An indoor personal services
300 establishment that provides limited repair services of personal or small household items
301 including but not limited to jewelry repair, clock and watch repair, phone or computer
302 repair, bicycle repair, shoe repair, apparel repair and alterations, and excluding the repair
303 of large household items and appliances. [New Use Definition]

304
305 * * *

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

310
311 ~~Restaurant, low intensity/turnover: Low turnover restaurants shall have table~~
312 ~~service for all tables and bar seats within the establishment. Average turnover time for~~
313 ~~each customer's meal shall be one (1) hour or greater.~~

314
315 ~~Restaurant, medium intensity/turnover: Medium turnover restaurants shall have~~
316 ~~table service for seventy (70) percent or more of all table and bar seats. Average turnover~~
317 ~~time for each customer's meal may be less than one (1) hour but greater than thirty (30)~~
318 ~~minutes.~~

319

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

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

- 329
330 Auction rooms or on-line auction services, accessory only.
331 ~~Automobile insurance claims services.~~
332 Appliance or equipment sales, retail.
333 ~~Bait shops.~~
334 ~~Bar and restaurant equipment sales.~~
335 ~~Bicycle sales and service stores.~~
336 Building material or trade supply establishments, retail.
337 ~~Catering establishments. as accessory to restaurants, but not direct selling~~
338 ~~establishments as listed in SIC 5963.~~
339 Contractor with a retail component and excluding outdoor storage and warehouse.
340 ~~Electrical supply stores.~~
341 ~~Food storage lockers.~~
342 ~~Funeral homes and mortuaries.~~
343 ~~Furniture and domestic equipment rental establishments.~~
344 ~~Furniture refinishing.~~
345 ~~Greenhouses and nurseries.~~
346 ~~Janitorial equipment and supply establishments.~~
347 ~~Locksmith establishments.~~
348 ~~Medical and dental supply sales and rental sales.~~
349 ~~Monument sales establishments.~~
350 Pool supply stores.
351 ~~Motion picture studios.~~
352 ~~Newspaper distributing agencies.~~
353 ~~Nurseries, retail, for the sale of plant materials grown off the premises.~~
354 ~~Plumbing supply stores.~~
355 ~~Related office temporary help service.~~
356 ~~Repair shops for household appliances, furniture, small motors and machines and~~
357 ~~other small mechanical and electrical equipment.~~
358 Single-destination retail or stand alone retail establishment that includes other
359 services as part of the same building or business, including but not limited to
360 money business services, optical services, banking or contracting services, which
361 may include big-box stores.
362 ~~Taxidermists.~~
363 ~~Trade schools not involving industrial, motor vehicles, or other heavy equipment.~~

~~Upholstering, cloth and canvas products fabrication, including the fabrication of clothing, slipcovers, awnings and similar products. Veterinary establishments, but not kennels.~~

* * *

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

* * *

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

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

* * *

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

* * *

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

* * *

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

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

427

* * *

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

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

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440 ~~Vehicle fueling/charging service station: A vehicle fueling/charging service station is~~
441 ~~an establishment whose principal business is the retail dispensing of fuels and energy~~
442 ~~for vehicles, but whose business may also include the selling and installation of oil,~~
443 ~~grease, batteries, tires and other vehicle accessories. The following services may be~~
444 ~~rendered and sales made, and no other:~~

- 445 ~~(1) Fuel, energy, oil and grease sales;~~
446 ~~(2) Sales and servicing related to spark-plugs, batteries, distributors and distributor~~
447 ~~parts;~~
448 ~~(3) Tire sales;~~
449 ~~(4) Tire servicing and repair, but not recapping or regrooving;~~
450 ~~(5) Replacement of water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats,~~
451 ~~wiper blades, grease retainers, wheel bearings, mufflers, shock absorbers, mirrors~~
452 ~~and the like;~~
453 ~~(6) Provision of water and supplements for radiator fluids, and the like;~~
454 ~~(7) Washing and polishing, limited to facilities for washing one (1) vehicle car at a~~
455 ~~time, and sale of vehicle washing and polishing materials, but not the operation of~~
456 ~~vehicle washing establishments;~~
457 ~~(8) Providing and preparing fuel pumps and lines;~~

- 458 ~~(9) Minor servicing and repair of carburetors;~~
 459 ~~(10) Minor servicing of air conditioners;~~
 460 ~~(11) Vehicular wiring repairs;~~
 461 ~~(12) Brake repair;~~
 462 ~~(13) Motor repairs not involved in removal of the motor from the vehicle;~~
 463 ~~(14) Greasing and lubrication;~~
 464 ~~(15) Provision of air for tires;~~
 465 ~~(16) Sales of cold drinks, candies, tobacco products and similar goods for service~~
 466 ~~station customers, but only as accessory and incidental to the principal business~~
 467 ~~operation;~~
 468 ~~(17) Provision of road maps and other informational material for customers;~~
 469 ~~(18) Provision of restroom facilities. [Codification Note: the definition was~~
 470 ~~previously amended and in Ord 2020-007 and is now being deleted]~~
 471
 472

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

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

(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.

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

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7. Industrial/Manufacturing/processing/fabrication facilities.

B. Design and performance standards.

(7) Minimum area per business / tenant on a multiple tenant / business site shall not be less than eight hundred (800) square feet for manufacturing or processing and five hundred (500) square feet for fabrication services.

17. Storage - Specialty.

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

B. Use and development regulations.

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

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

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

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

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

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

604 E. Parking lot regulations.

605

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

609

610 F. Circulation and loading.

611

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

620

621 G. Outdoor storage regulated. Outdoor storage is prohibited.

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625 18. Breweries, Distilleries, Micro-breweries, Micro-Distilleries, Specialty Breweries and
626 Specialty Distilleries.

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

631 B. Design and performance standards.

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

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

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

638 (4) Landscape requirements. The site must be provided with a minimum five-
639 foot-wide perimeter planting area when adjacent to residential uses. Site
640 landscaping shall comply with adopted landscape regulations.

641 (5) Buffering. A fence or wall shall be erected at a height of not less than six (6)
642 feet when the parking area(s) or other common area(s) is within twenty-five
643 (25) feet of a residential district, in addition to the landscaping requirements
644 outlined in subsection (5), above. All fences and walls shall be constructed
645 of concrete, masonry or metal. Metal fences shall be open weave chain link,
646 vinyl coated type combined with a shrub hedge or ornamental in nature.
647 Walls shall be finished with a graffiti-resistant paint.

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- (6) Variances for minimum site area shall not be granted.
- (7) Specialty breweries and specialty distilleries must front one of the city's major thoroughfares.
- (8) Outdoor display of any items is strictly prohibited.
- (9) Establishments must have at least twenty-five (25) percent clear glazing and fenestration along frontages with entrances clearly identifiable.
- (10) Display windows must have engaging and pedestrian friendly vignettes. Covering of display windows with posters, paper, advertisements, written signs and similar shall be strictly prohibited. Vacant buildings shall have approved vignettes covering windows until an active business is established and operating.
- (11) All sales transactions, except during city approved special events, shall take place within the building.
- (12) Walk up sales windows shall not be allowed.
- (13) All storage, production, shipping and receiving associated with use must be confined within an approved building or structure.
- (14) All deliveries and distribution activities shall take place between the hours of 8 am and 6 pm Monday through Saturday, except when located within an industrial zoning district.
- (15) Each facility shall abide by the following restrictions on production capacity.

 - (a) Breweries and Distilleries shall have capacity limited only by size of property and square footage of building and/or structure.
 - (b) Micro-breweries and Micro-distilleries shall have a production capacity of no more than 750,000 proof gallons on an annual basis, or two million, nineteen thousand (2,019,000), 750 ml bottles production per year.
 - (c) Specialty breweries and specialty distilleries shall have a production capacity of no more than 325,000 proof gallons on an annual basis, or one million, ninety-five hundred (1,009,500), 750 ml bottles production per year.
- (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.

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(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.

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.

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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 related to the use, excluding permanent signage permitted in Sec. 23.5-1 Signs.
- (c) Interior and exterior video surveillance for security purposes is required and shall be maintained for a minimum of a fourteen (14) period.
- (d) The site shall meet appropriate crime prevention through environmental design (CPTED) requirements as feasible.