

ADMINISTRATIVE MEMORANDUM NO. 18-312

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Daniel T. Keester-O'Mills, AICP, Principal Planner
SUBJECT: Text Amendments to Chapter 155, Zoning Code
Article 4 – Use Standards & Use-Specific Standards
DATE: August 3, 2018

The Development Services Department has prepared a text amendment to Chapter 155 which clarifies several Uses and Use-Specific Standards in Article 4.

- Pursuant to State Statute, the manufacturing of ammunition may not be prohibited. As a result, the Department has included this use under the "Manufacturing, Assembly, or Fabrication, Heavy" use category.
- The Department has also identified a discrepancy in the use-standards for "Boat Dry Storage Facility." The use was prohibited in the use-table however the use-specific standards identified the use as a use permitted by Special Exception.
- In addition, the Land Use Element in the Comprehensive Plan states that Hotels are permitted to double the density when they are located within residentially designated land. The Department has amended Chapter 155 to be consistent with the Comprehensive Plan.

Chapter 155, Article 4, Part 2

§ 155.4201. GENERAL

...

B. STANDARDS APPLICABLE TO ALL USES

...

10. The manufacturing of hazardous substances is strictly prohibited. Hazardous substances include:

a. Acids, ammunition, fertilizer, soap, insecticides, and/or batteries;

§ 155.4215. COMMERCIAL: BOAT AND MARINE SALES AND SERVICE USES

...

B. Boat Dry Storage Facility

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-1
P				P	P								P	P	P	

2. Definition

A boat dry storage facility is a facility used for the on-land storage of boats, other watercraft, and marine equipment. Boat dry storage facilities are distinguished by those where all boat storage occurs within a fully enclosed building and those where it does not.

3. Standards

- In a Marina Business-1 (M-1) zoning district, all boat storage shall occur within a fully enclosed building.
- In an Office Industrial Park (OIP) zoning district, a boat dry storage facility where all boat storage does not occur within a fully enclosed building is permitted only as a Special Exception.

§ 155.4225. COMMERCIAL: VISITOR ACCOMMODATION USES

...

A. Condo Hotel

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
								S	S	S			P	P	P

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-1
						P							P	P	P	P

2. Definition

A condo hotel is a hotel comprised of lodging units that are owned by an individual, corporation, or any other legal entity having an ownership interest under condominium form of ownership, and is part of a condominium property or parcel and the building contains individual lodging units which may be occupied on a limited basis by the lodging unit owner, but whose primary purpose is a visitor accommodation use. Each room which is accessible by a lock-out key is considered a separate lodging unit for purposes of Zoning and Land Use. On any parcel designated Residential on the Future Land Use Map, for density purposes two lodging units shall be equal to one dwelling unit and the maximum number of dwelling units permitted for the parcel of land will be calculated based on the gross area of the property.

3. Standards

A condo hotel shall comply with the following standards:

a. Owner-occupation. Lodging units shall not be occupied by their owner(s) for more than 30 consecutive days and no more than a total of 180 days in any consecutive 12 month period. The restriction on owner-occupation shall be included in the Declaration of Condominium.

b. Lobby required. The design of the condo hotel shall include an inner lobby that is internally oriented and which requires all tenants to pass through in order to gain access to the lodging units.

c. Management operation. A unified management operation plan shall be required as an integral part of the condo hotel facility for rental activities, including a uniform key entry service, customary daily maid services, back of house services, and other hospitality services. The management operation plan shall be included in the Declaration of Condominium.

d. Conversion to residential use. The future conversion of a condo hotel to a residential use is prohibited unless it is determined the conversion is in compliance with the Land Use Plan and all development standards for residential uses, including but not limited to height and off-street parking, are met.

e. Only condo hotels with at least 25 lodging units may have an eating or drinking establishment as an accessory use, and no more than 20 percent of the gross floor area of such a condo hotel may be devoted to eating and drinking establishments as an accessory use. The eating or drinking establishments(s) may have a patron entrance from outside the principal building.

f. Up to 15 percent of the gross floor area of a ~~an~~ condo hotel may be devoted to business-related accessory uses other than eating or drinking establishments—including conference and meeting rooms, business centers, retail services such as newsstands and gift shops, and similar uses. Such uses may have a patron entrance from outside the principal building.

...

C. Hotel or Motel

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
								S	S	S			S	P	P

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	C-F	P-U	T	BP	RPU-D	PCD	PD-TO	LAC	PD-1
S	P	P		P		P							P	P	P	P

2. Definition

A hotel or motel is a state-licensed building or a group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental for temporary occupancy by persons on an overnight basis. Such uses may include kitchenettes, microwaves, and refrigerators for each lodging unit. Each room which is accessible by a lock-out key is considered a separate lodging unit for purposes of Zoning and Land Use. Accessory uses may include, but are not limited to, restaurants, bars or lounges, nightclubs, conference and meeting rooms, business centers, newsstands, gift shops, sale of tanning products, rental of beach chairs and umbrellas, exercise and fitness facilities, swimming pools, etc., subject to any applicable use-specific standards. This use type does not include condo hotels, bed and breakfast inns, or rooming or boarding houses. Hotels and motels are considered synonymous uses. On any parcel designated Residential on the Future Land Use Map, for density purposes two lodging units shall

be equal to one dwelling unit and the maximum number of dwelling units permitted for the parcel of land will be calculated based on the gross area of the property.

3. Standards

- A hotel or motel shall comply with the following standards:
- a. In the I-1 District, Hotels are permitted only if located directly abutting a principal arterial street.
 - b. Up to 15 percent of the gross floor area of a hotel or motel may be devoted to business-related accessory uses other than eating or drinking establishments—including conference and meeting rooms, business centers, retail services such as newsstands and gift shops, and similar uses. Such uses may have a patron entrance from outside the principal building.
- ...

§ 155.4227. INDUSTRIAL: MANUFACTURING AND PRODUCTION USES

...

F. Manufacturing, Assembly, or Fabrication, Heavy

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-1
			P										P			

2. Definition

A heavy manufacturing, assembly, or fabrication use is an establishment primarily engaged in manufacturing uses that include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, ammunition, precision items and other electrical items; and lumber mills, pulp and paper mills, and the manufacture of other wood products.

...

APPENDIX A: CONSOLIDATED USE TABLE

...

APPENDIX A: CONSOLIDATED USE TABLE																									
P = PERMITTED PRINCIPAL USE S = USE ALLOWED AS A SPECIAL EXCEPTION A = PERMITTED ACCESSORY USE T = TEMPORARY USE ALLOWED WITH A MAJOR TEMPORARY USE PERMIT t = TEMPORARY USE ALLOWED WITH A MINOR TEMPORARY USE PERMIT √ = TEMPORARY USE ALLOWED WITHOUT TEMPORARY USE PERMIT I = INTERIM USE ALLOWED WITH AN INTERIM USE PERMIT BLANK CELL = PROHIBITED USE																									
USE CATEGORY (PRINCIPAL USES) AND/OR USE TYPE	RESIDENTIAL DISTRICTS										COMMERCIAL DISTRICTS					INDUSTRIAL DISTRICTS					SPECIAL DISTRICTS				
	RS-1	RS-2	RS-3	RS-4	RS-5	RS-6	RS-7	RS-8	RS-9	RS-10	RS-11	RS-12	RS-13	RS-14	RS-15	RS-16	RS-17	RS-18	RS-19	RS-20	RS-21	RS-22	RS-23	RS-24	RS-25
Boat and Marine Sales and Service Uses	Boat dry storage facility																								
	Boat or marine parts sales without installation																								
	Boat or marine parts sales with installation																								
	Boat or marine repair and servicing																								
	Boat sales or rental																								
	Boat towing service																								
	Docking facility, barge																								
	Docking facility, commercial fishing boat																								
	Docking facility, recreational boat																								
	Marina																								
Principal Uses	Yacht club																								
COMMERCIAL USES																									
Commercial Uses																									
Use-Specific Standards																									

ADMINISTRATIVE MEMORANDUM NO. 8-329

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Paola A. West, Principal Planner
SUBJECT: Text Amendments for Zoning Code: 155.4211 and Appendix A
August 22, 2018 P&Z Meeting
DATE: August 22, 2018

In an effort to avoid a second presentation to the Board for an amendments to the same section that is being presented tonight, staff is requesting this item be included with item 9 of this tonight's agenda, "TEXT AMENDMENTS TO CHAPTER 155, ZONING CODE ARTICLE 4 – USE STANDARDS & USE-SPECIFIC STANDARDS."

Staff is recommending a text amendment to Zoning Code section §155.4211 and Appendix A: Consolidated Use Table, in order to allow a Lodge or Club use in the I-1 General Industrial zoning district. This change was requested on August 21st, 2018 by the City Manager's office.

155.4211. INSTITUTIONAL: OTHER INSTITUTIONAL USES

...

C. Lodge or Club

I. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
														P	P

M-1	CR	I-I	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I
		P		S		P							P	P	P	

2. Definition

A lodge or club consists of a building or facilities owned and operated by a corporation, association, or group of individuals established for fraternal, social, educational, recreational, or cultural enrichment of its members and primarily not for profit, and whose members meet certain prescribed qualifications for membership. This use shall not include a nightclub, sexually oriented business, or an establishment that exists primarily for the purpose of selling or accommodating the consumption of alcoholic beverages.

APPENDIX A: CONSOLIDATED USE TABLE

Note: Appendix A may be viewed in a printer-friendly, PDF document. Please click [APPENDIX A](#).

...

APPENDIX A: CONSOLIDATED USE TABLE																																				
P = PERMITTED PRINCIPAL USE S = USE ALLOWED AS A SPECIAL EXCEPTION A = PERMITTED ACCESSORY USE																																				
T = TEMPORARY USE ALLOWED WITH A MAJOR TEMPORARY USE PERMIT t = TEMPORARY USE ALLOWED WITH A MINOR TEMPORARY USE PERMIT																																				
^ = TEMPORARY USE ALLOWED WITHOUT TEMPORARY USE PERMIT I = INTERIM USE ALLOWED WITH AN INTERIM USE PERMIT BLANK CELL = PROHIBITED USE																																				
USE CATEGORY (PRINCIPAL USES) AND/OR USE TYPE		RESIDENTIAL DISTRICTS												COMMERCIAL DISTRICTS					INDUSTRIAL DISTRICTS				SPECIAL DISTRICTS						PLANNED DEVELOPMENT DISTRICTS					USE-SPECIFIC STANDARDS		
		RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4	M-1	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC		PD-I	
PRINCIPAL USES																																				
INSTITUTIONAL USES																																				
Medical Marijuana Establishments	Medical marijuana health care establishment															S	S			S		S										P				155.4703.A
	Medical marijuana treatment center (MMTC) related industrial establishment																			S	S	S									P				155.4703.B	
Open Space Uses	Arboretum or botanical garden	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P		P					P	P	P	P	P		P	P	P	P	P	155.4210.A	
	Cemetery or mausoleum																							S	P	P	P	P		P	P	P	P	P	155.4210.B	
	Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P		P	P	P	P	P		P	P	P	P	P	155.4210.C	
	Park or plaza	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	155.4210.D
Other Institutional Uses	Civic center															S	P		P					S							P	P	P		155.4211.A	
	Halfway house or Shelter																									S					P	P	P	P	155.4211.B	
	Lodge or club															P	P			P		S		P						P	P	P		155.4211.C		
	Place of worship	S	S	S	S		S	S	S	S	S	S		S	S	P	P						P		P		P			P	P	P	P	155.4211.D		

Transportation Uses	Aircraft or aviation equipment sales or rental															P	P											P					155.4212.A
	Aviation related uses																										P						155.4212.B