

MEMO

TO: City Commission
FROM: Don Carroll, City Planner
DATE: July 9, 2009
RE: Amendment to the Zoning Ordinance Section 40-58(e)

There are no controversial issues associated with the recommended revision. No opposition was raised after Public Hearing Notices were properly provided. The recommendation to amend our Zoning Ordinance Section 40-58(e) has been workshopped and vetted by Staff, Planning Board and Zoning Commission. The workshop Zoning Commission minutes, the Zoning Public Hearing minutes, Planning Board minutes and working file papers are attached with this memorandum. The rationale and nexus for this amendment change is cited in the memorandum dated June 11, 2009. I will reference this memorandum for the City Commission deliberation. Read from June 11th memo, "At the request of Mayor Doyle, this is Staff's recommendation to amend our Zoning Ordinance in order to dis-allow containerized boxes typically used for storage in our commercial zoning districts. More specifically, to prohibit the utilization of these boxes from properties located within our Gateway Corridor, and only allow these boxes in zoning districts designated for industrial land uses". The problems and opportunities associated with this intent to change are also documented in the Planning Board minutes of April 20, 2009, May 18, 2009 and the Zoning Commission minutes of May 5, 2009, May 19, 2009 and July 7, 2009.

After receiving the information presented during the July 7, 2009 Zoning Commission Public Hearing the members present unanimously voted to recommend approval to amend Section 40-58(e) with the specific intent to disallow container boxes in our Gateway Corridors, residential and commercial retail zoned properties.

Staff discovered after the recommendation to approve that the text wording is in need of refinement to avoid confusion as to the amendments intent. We respectfully ask that there be three readings in order for editorial revisions are concise and clear as to the intent for the recommended change.

Metal shipping container boxes will only be allowed in Zoning Districts zoned 'F' Light Industry; 'F-1' Outdoor Industrial; 'G' Water Front; 'H' Heavy Industry and within construction site areas not to exceed 24 months. Container boxes allowed within the approved Zoning Districts shall be located within the rear one half of the lot and/or must adhere to the established performance standards already prescribed for the above referenced Zoning Districts (F,F1, G and H).

DC:jm