

### Planning and Zoning Board Meeting

Wednesday, September 14, 2022 at 6:00 pm

- 1. CALL TO ORDER, PRAYER AND PLEDGE
- 2. ROLL CALL
- 3. APPROVAL OF AGENDA

#### 4. CONSENT AGENDA

APPROVAL OF MINUTES

a. Approval of Minutes of 03/23/2022 Exhibit: Agenda Report Number 4a

#### **Attachments:**

- Agenda Report Number 4a (Agenda\_Report\_Number\_4a.pdf)
- 5. PUBLIC COMMENTS
- 6. PUBLIC HEARING: 0
- 7. ACTION ITEMS : 0
- 8. DISSCUSSION: 1
  - a. Discuss and Review verbiage to allow "Light" Manufacturing in the R/LC, CL, and CG Commercial Land Use and Commercial Zoning Districts.
    Presented by Mayor Patrick T. Reilly
    Exhibit: Agenda Report Number 8a

#### **Attachments:**

- Agenda Report Number 8a (Agenda\_Report\_Number\_8a.pdf)
- 9. ADDITIONAL ITEMS FOR FUTURE MEETING

#### **10. PUBLIC COMMENTS**

- **11. OLD BUSINESS/NEW BUSINESS** 
  - a. Old Business
  - b. New Business

**Board Member Comments** 

Next regular Meeting - September 28th, 2022

#### **12. ADJOURNMENT**

### TOWN OF MALABAR

### PLANNING AND ZONING

#### AGENDA ITEM REPORT

AGENDA ITEM NO: 4.a.

Meeting Date September 14, 2022

Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary

#### SUBJECT: Approval of Minutes

#### BACKGROUND/HISTORY:

The minutes must reflect the actions taken by the Board:

- Who made the motion
- What is the motion
- Who seconded the motion
- What was the vote

Malabar has historically included discussion to provide the reader the understanding of how the Board came to their vote. These minutes not verbatim, and some editing is done to convey the thought. People do not speak the way they write.

ATTACHMENTS: Draft minutes of P&Z Board Meeting of 03/23/2022

#### ACTION OPTIONS:

Secretary requests approval of the minutes.

"The following draft minutes are subject to changes and/or revisions by the Planning and Zoning Board and shall not be considered the official minutes until approved by the P&Z Board."

#### MALABAR PLANNING AND ZONING BOARD REGULAR MEETING MARCH 23, 2022, 6:00 PM

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

#### CALL TO ORDER, PRAYER AND PLEDGE: 1.

Meeting called to order at 6:00 P.M. Prayer and Pledge led by Chair Wayne Abare.

Chair Abare swore in Doug Dial & Susan Shortman Board Members.

**ROLL CALL:** 2. CHAIR: VICE-CHAIR: BOARD MEMBERS:

ALTERNATE: ALTERNATE: BOARD SECRETARY: WAYNE ABARE LIZ RITTER DOUG DIAL. EXCUSED GEORGE FOSTER, EXCUSED SUSAN SHORTMAN BARBARA CAMERON JEFF RINEHART, UNEXCUSED DENINE SHEREAR

ADDITIONAL ATTENDEES:

INTERIM TOWN MANAGER:

#### ADDITIONS/DELETIONS/CHANGE: 3. 3.a. NOMINATIONS FOR CHAIR AND VICE CHAIR

Exhibit:	Agenda Report 3.a
Recommendation:	Welcome New Members/Vote

Chair Abare presents Oath's to Susan Shortman, and Doug Dial, PZ Board Members read Oath's.

Chair Abare welcomes new Alternate Member Barbara Cameron who was voted unanimously by Town Council.

Chair Abare asked for Nominations for Chair Position and Ritter nominated Wayne Abare, seconded by Dial.

Chair Abare accepts position.

#### Motion: Ritter/ Dial To Nominate Wayne Abare for Chair Position to PZ Board. Roll Call Vote: Foster ;Aye, Dial;Aye,Shortman;Aye,Ritter;Aye,Abare.

#### Motion Carried 4 to 0.

Chair Abare asked for Nominations for Vice Chair Position and Ritter nominated Doug Dial, seconded by Foster.

Doug Dial accepted the position and explained that his wife is retiring, and he may be traveling at times and will not be in attendance. Dial accepted the position as Vice Chair.

#### Motion: Ritter/ Foster To Nominate Doug Dial for Vice Chair Position to PZ Board. Roll Call Vote: Foster ;Aye, Abare;Aye,Shortman;Aye,Ritter;Aye,Abare.

Motion Carried 4 to 0.

#### 4. CONSENT AGENDA:1

4.a. Approval of Minutes

Planning and Zoning Meeting – 11/10/2021

Exhibit:	Agenda Report No. 4.a
Recommendation:	Request Approval

Motion: Shortman/Cameron to Approve Minutes for November 11, 2021, as presented. All Vote ; ALL Aye

PZ Board went over the November 11, 2021, minutes and approved as presented.

#### 5. PUBLIC HEARING:0

- 6. ACTION:0
- 7. DISCUSSION:0

#### 7.a. Intentionally left Blank

ELLs property discussed; Cameron attended the Council Meeting 3/21/2022 sanctuary

Remove 14,000 trees from ELL's - 5 years till growth, Abare asked about fees for trees

Shortman/ Ritter/ Cameron discussed the scrub sanctuary

- 8. Intentionally left Blank
- 9. ADDITIONAL ITEMS FOR FUTURE MEETING
- 10. PUBLIC
- 11. OLD BUSINESS/NEW BUSINESS:

Abare explained about the Sunshine Laws. Secretary Sherear gave the Board Sunshine Amendment of 2021.

PZ Board purpose Sec 2- 250 Establishment and purpose of the planning & zoning board.

Old Business:

New Business:

Recommend to council to remove jeff Rinehart from PZ Board give someone else to be an alternate.

Reminder: Next Meeting - November 24, 2021 December 8th 2021 maybe

#### K. ADJOURN

There being no further business to discuss, <u>MOTION: Shortman / Ritter to adjourn this meeting</u>. <u>Vote: All Ayes</u>. The meeting adjourned 6:47 P.M.

BY:

Wayne Abare, Chair

Denine Sherear, Board Secretary

Date Approved: as presented

#### **TOWN OF MALABAR**

#### PLANNING AND ZONING

#### AGENDA ITEM REPORT

#### AGENDA ITEM NO: <u>7.a.</u> <u>Meeting Date September 14,2022</u>

Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary

SUBJECT: Discussion Items

#### BACKGROUND/HISTORY:

The Mayor Patrick T. Reilly submitted a packet to discuss allowing "Light" Manufacturing in the following areas: R/LC (Residential/Limited Commercial), CL (Commercial Limited), and CG (Commercial General) for Commercial Land Use and Commercial Zoning Districts.

Discussion Items to include the following:

- Power Point in packet
- Review Verbiage in Town of Malabar Code
- Review Map locations and changes

ACTION OPTIONS: Discussion

## Town of Malabar

## Allowing "Light" Manufacturing in the R/LC, CL and CG Commercial Land Use and Commercial Zoning Districts

Patrick T. Reilly Town of Malabar Mayor 14 Sep 2022

### Agenda

- Land Development Code
  - Article II Land Use and Zoning (See Appendix A) Section 1-2.6
    - D. Industrial Activities
      - 2. Manufacturing Activities
  - Article III District Provisions

Section 1-3.1

- K. CL "Commercial Limited"
- L. CG "Commercial General"
- M. IND "Industrial"
- O. R/LC "Residential and Limited Commercial"
- Table 1-3.2 Land Use by Districts (See Appendix B)
- Table 1-3.3(A) Size and Dimensions (See Appendix C)
- Table 1-6.1B Conditional Land Use RQTs (See Appendix D)
- Future Land Use Maps for CG Land Uses
- Pictures of an example for a manufacturing business's
- Conclusion

K. *CL "Commercial Limited."* The CL district is established to implement comprehensive plan policies for managing limited commercial development accessible to major thoroughfares near residential neighborhoods. Such development is intended to provide essential household services in locations highly accessible to residential areas. For instance, sites within this district are intended to accommodate neighborhood shops with limited inventory or goods. Such shops generally cater to the following markets:

• Neighborhood residential markets within the immediate vicinity as opposed to city-wide or regional market; or

• A specialized market with customized market demands.

• A Malabar Vernacular Style is required for all development along arterial roadways.

Areas designated for limited commercial development are not intended to accommodate large-scale retail sales, services, and trade activities, generally serving a city-wide or regional market. Such stores would usually differ from limited commercial shops since the former would usually require a larger floor area, carry a relatively larger inventory and require substantially greater parking area. Uses, which are not intended to be accommodated within the limited commercial area, include the following: large scale discount stores; health spas; supermarket; department stores; large scale wholesaling and warehousing activities; general sales, services or repair of motor vehicles, heavy equipment, machinery or accessory parts, including tire and battery shops and automotive service centers; commercial amusements; and fast food establishments primarily serving in disposable containers and/or providing drive-in facilities. No residential uses shall be located in the limited commercial district.

Town of Malabar Code for Commercial Limited Land Use

L. CG "Commercial General." The CG district is established to implement comprehensive plan policies for managing general commercial development. The general commercial district is designed to accommodate general retail sales and services. Sites designated for CG zoning shall be located in highly accessible areas adjacent to major thoroughfares which possess necessary location, site, and market requirements required by general commercial land use activities.

The general commercial district shall also accommodate commercial trades in strategically designated areas as defined in the conditional use criteria. Development standards within the land development code shall require that site plans incorporate amenities necessary to prevent potential adverse effects on the traffic circulation system, public services, and residential development within the vicinity.

The general commercial district is not intended to accommodate **manufacturing**, **processing**, **or assembly of goods**, sales and services of heavy commercial vehicles and equipment, or related services or maintenance activities; warehousing; uses requiring extensive outside storage; or other activities or trades which may generate nuisance impacts, including glare, smoke, or other air pollutants, noise, vibration or major fire hazards. Finally, no permanent residential housing shall be located within the general commercial district.

Town of Malabar Code for Commercial General Land Use Consider <u>Allowing</u> the manufacturing, processing, or assembly of goods

M. IND "Industrial." The industrial district is established to implement comprehensive plan policies for managing industrial development. In locating industrial districts, consideration shall be directed to selecting sites accessible to rail facilities, terminal facilities, major arterials, labor markets, and necessary urban services. Industrial districts shall not include residential activities. However, residence for night watchman or custodians whose presence on industrial sites is necessary for security purposes may be approved as an accessory use. Industrial districts shall be accessible to major thoroughfares and shall be buffered from residential neighborhoods.

Any additional industrial zoning shall be consistent with the comprehensive plan, including criteria for siting industrial activities, including but not limited to, policy 1-1.3.1, policy 1-1.3.2, and policy 1-1.3.3.

Town of Malabar Code for Industrial Land Use No mention of "Manufacturing" in the Description

O. R/LC "Residential and Limited Commercial." The R/LC district is established to implement comprehensive plan policies for managing development on land specifically designated for mixed use Residential and Limited Commercial development on the Comprehensive Plan Future Land Use Map (FLUM). Such development is intended to accommodate limited commercial goods and services together with residential activities on specific sites designated "R/LC" which are situated along the west side of the US 1 corridor, situated on the north and south side of Malabar Road and those sites on the east side of Babcock Street as delineated on the FLUM. For instance, sites within this district are intended to accommodate neighborhood shops with limited inventory or goods as well as single family and multiple family structures with a density up to six (6) units per acre. Commercial activities shall generally cater to the following markets:

Local residential markets within the town as opposed to regional markets; or

Specialized markets with customized market demands.

A Malabar Vernacular Style is required for all development along arterial roadways.

Town of Malabar Code for Residential and Limited Commercial Land Use

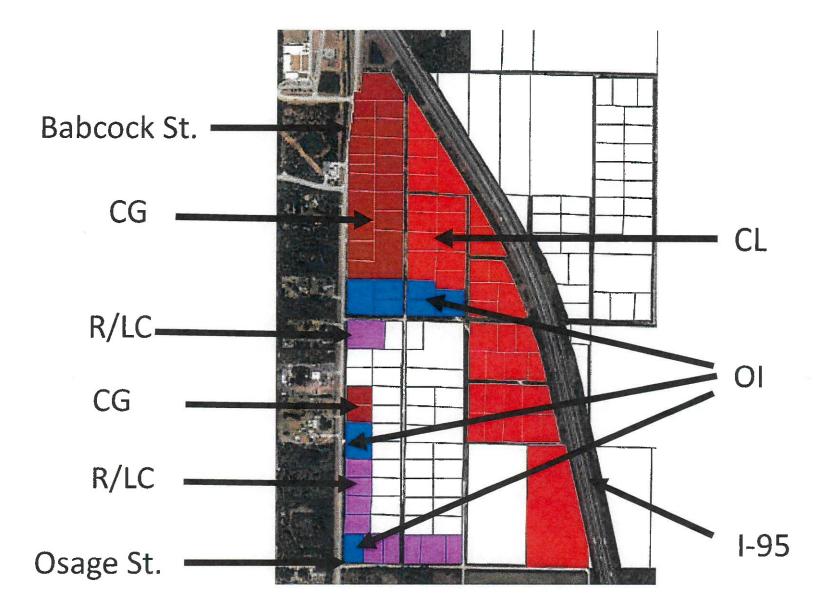
Residential and Limited Commercial (cont)

Areas designated for mixed use Residential and Limited Commercial development are not intended to accommodate commercial activities, such as large-scale retail sales and/or service facilities or trade activities. These types of commercial activities generally serve regional markets, and the intensity of such commercial activities is not generally compatible with residential activities located within the same structure or located at an adjacent or nearby site. Such stores would usually differ from limited commercial shops; would generally carry a relatively larger inventory; and require substantially greater parking area. Uses, which are not intended to be accommodated within the limited commercial area, include the following: large-scale discount stores; health spas; supermarket; department stores; large scale wholesaling and warehousing activities; general sales, services or repair of motor vehicles, heavy equipment, machinery or accessory parts, including tire and battery shops and automotive service centers; commercial amusements; and fast food establishments primarily serving in disposal containers and/or providing drive-in facilities.

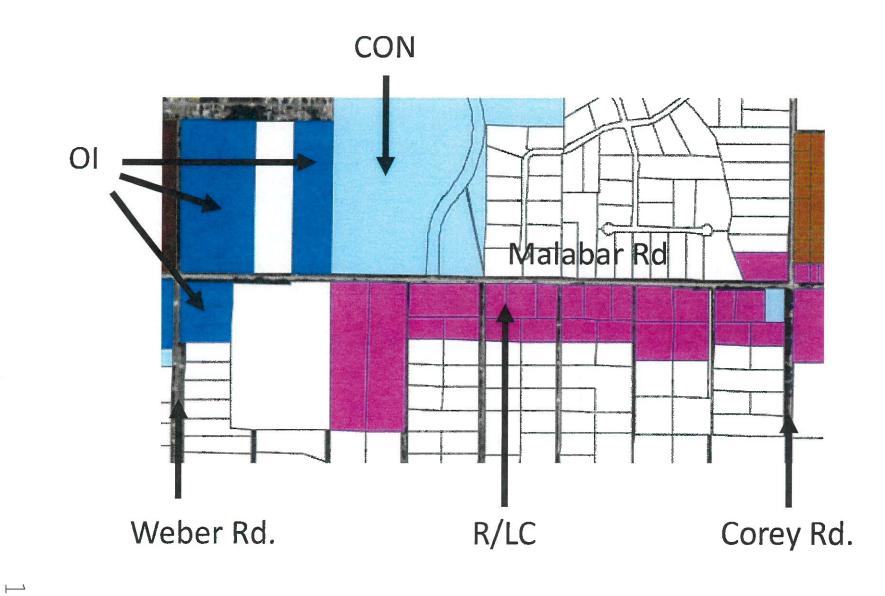
Town of Malabar Code for Residential and Limited Commercial Land Use

# Future Land Use Maps

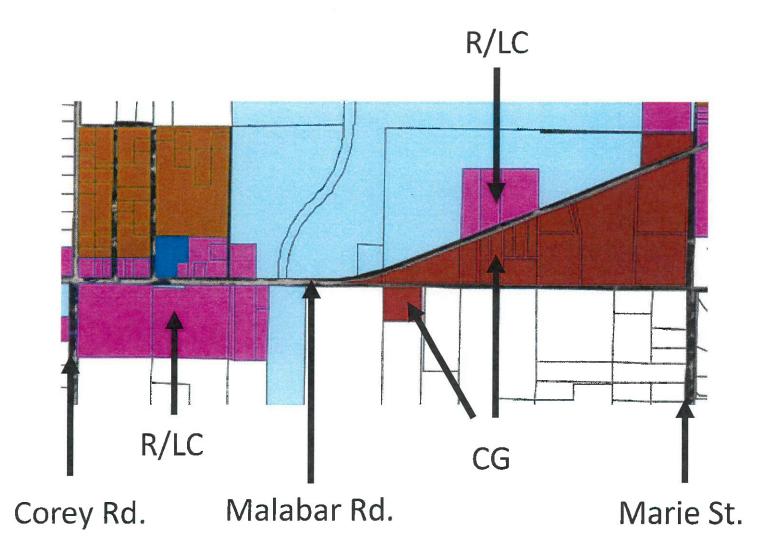
### Land Use Along Babcock Street



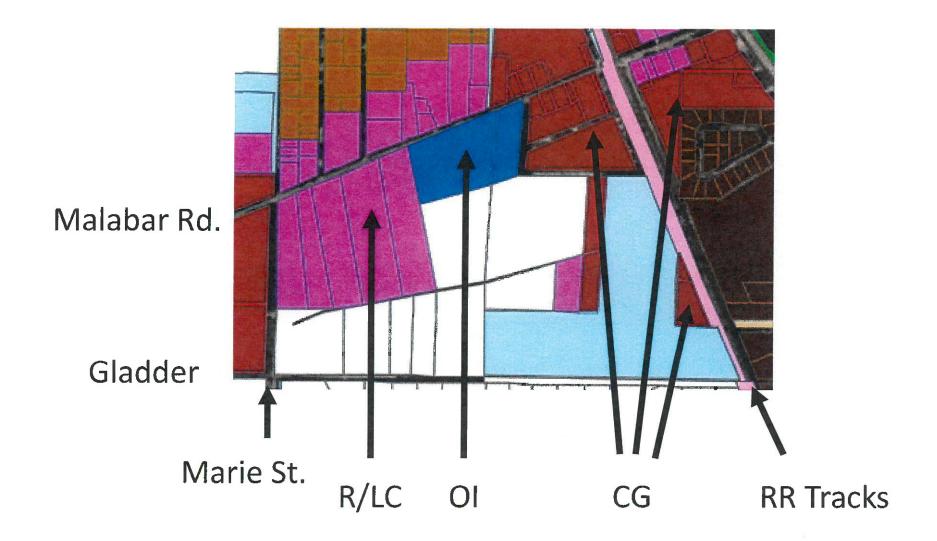
### Land Use Along Malabar Rd. (Weber Rd. to Corey Rd.)



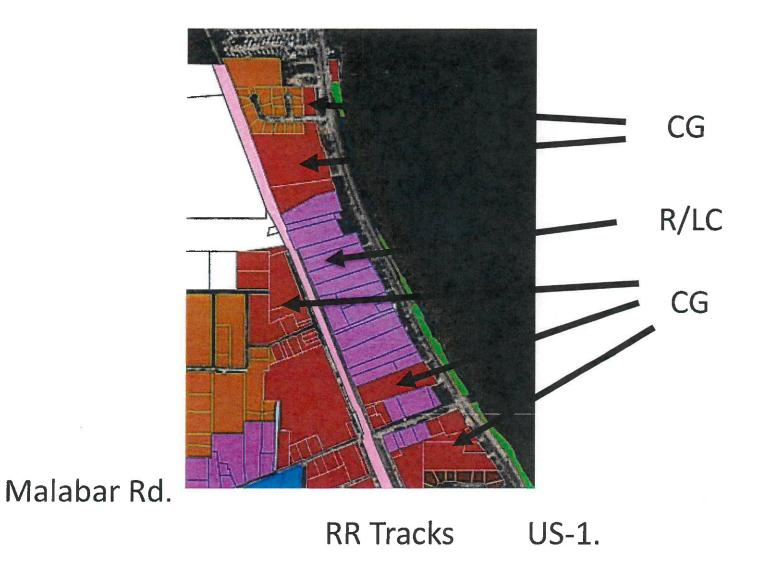
### Land Use Along Malabar Rd. (Corey Rd. to Marie St.)



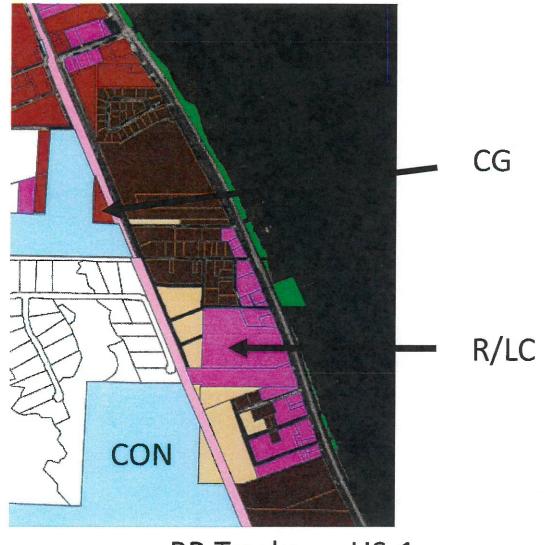
### Land Use Along Malabar Rd. (Marie St. to RR Tracks)



### Land Use Along US-1 (North end of Malabar)

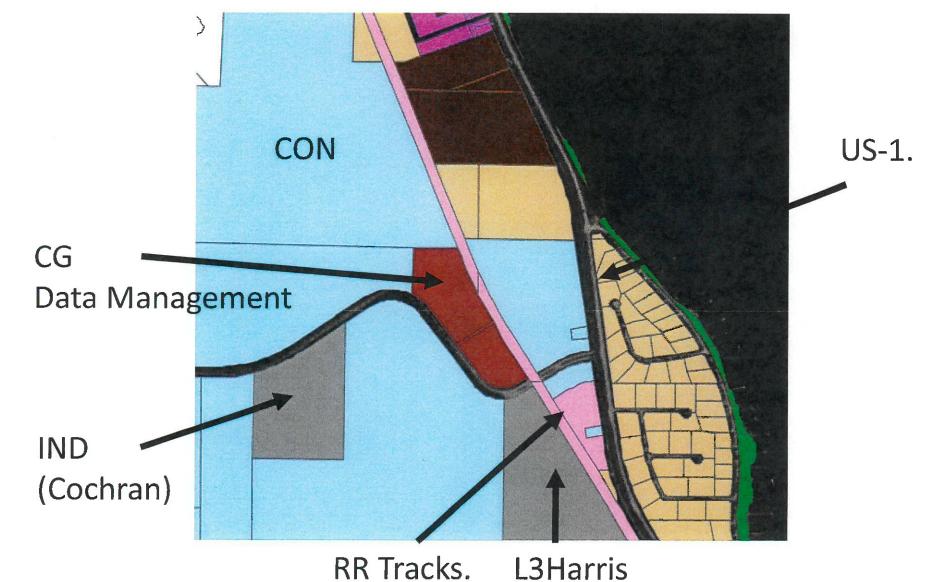


### Land Use Along US-1 (Malabar Rd. to Hawthorn Ave.)



RR Tracks. US-1.

### Land Use Along US-1 (North Rocky Point)





- Downtown Melbourne
- Zoned C-2
- 4-Business Units
  - Insurance Agent
  - Psychiatrist
  - NoLand Engineering
    - Design, manufacture, test and sell electronic hardware

### Example of "Light" Manufacturing in a Commercial General Land Use District

City of Melbourne Code - Zoning Districts

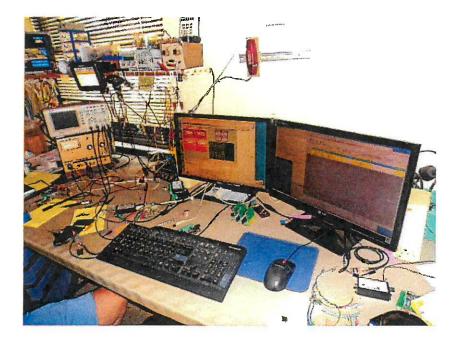
*C-1* — *Neighborhood Commercial District.* The provisions of this district are intended to apply to an area adjacent to arterial and major collector streets and convenient to major residential areas. The types of uses permitted are intended to serve consumer needs. Lot sizes and other restrictions are intended to reduce conflicts with adjacent residential uses and to minimize the interruption of traffic along thoroughfares.

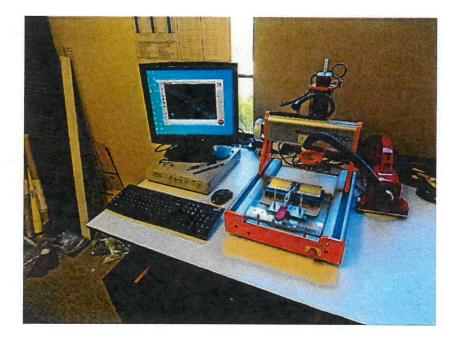
C-2 — General Commercial District. The provisions of this district are intended to apply to an area intended to be developed and preserved as a major commercial center serving the commercial needs of the community and region as well as the motoring public. The types of uses and other restriction are intended to promote adequate protection from conflicts with adjacent residential and other noncommercial uses, and to minimize the interruption of traffic along adjacent thoroughfares.

(Comparable to Malabar CL)

(Comparable to Malabar CG)

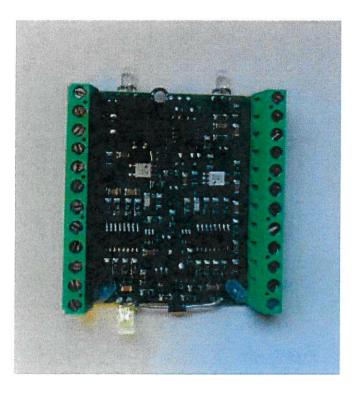
Similar Code Language between City of Melbourne and Malabar

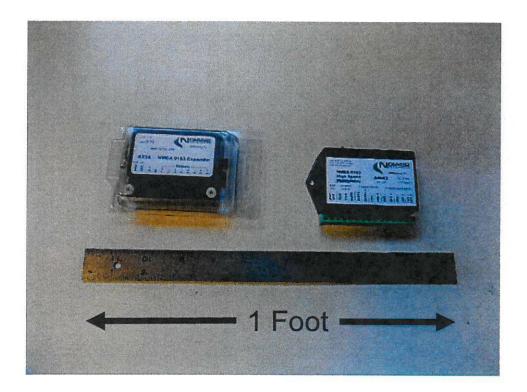




Software and Hardware, Design and Test Station PC Card Layout Station

NoLand Engineering, Melbourne FL. Work Stations





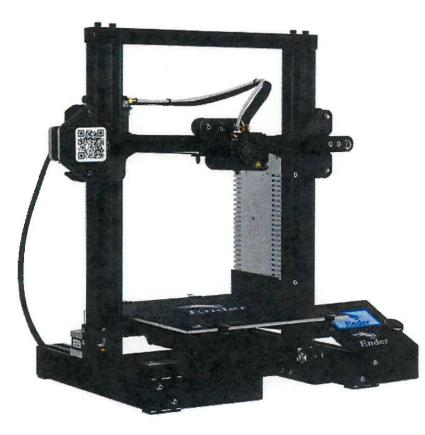
Final PC Card Assembly

**Final Product** 

NoLand Engineering, Melbourne FL. Manufactured Products



Small Machine Shops Should be Allowed in Commercial Land Use Districts



- 3D Printer
- 11.6 x 7.6 x 6.5" Build Volume
- Fabricates Small parts

Rapid Prototyping Services, LLC In Satellite Beach

Should be Allowed in Commercial Land Use Districts

# Conclusion

- I would like Planning and Zoning to consider allowing "Light Industry" manufacturing in the R/LC, CL and CG Commercial Land Use and Zoning Districts
- "Light Industry" manufacturing, assembly, integration and testing to be performed in enclosed buildings
- Minimal outdoor activities
- Establish Allowable verses Conditional Uses (Table 1-3.2)
- Consider having a workshop and have small manufacturing business's input

## Appendix A

## Article II Land Use and Zoning

- C. Commercial Activities.
  - 1. Bars and Lounges. A commercial establishment selling and dispensing for the drinking on the premises of liquor, malt, wine or other alcoholic beverages. This shall not include the sale of alcoholic beverages accessory to and within a restaurant use.
  - 2. Business and Professional Offices. Offices extending the following services which provide advice, information or consultation of a professional nature: insurance, real estate, and financial services; banking services; and executive management and administrative activities. This classification excludes commercial storage of goods and chattels for the purpose of sale or resale as a principal use.
  - 3. Commercial Amusement, Enclosed. Active or passive recreation facilities by profit oriented firms where all activities are conducted within fully enclosed facilities. Facilities as defined herein as amusement arcade centers and/or electronic gaming establishments are permitted as conditional uses as provided for in Table 1-3.2. For purposes herein the following definitions apply:

Arcade Amusement Center as used in this section means a place of business which shall have at least fifty (50) coin-operated amusement games or machines on premises which are operated for the entertainment of the general public and tourists as a bona fide amusement facility. It is specifically intended by this definition that any place of business that does not have at least fifty (50) coin-operated amusement games or machines on premises shall not be granted a conditional use permit to operate such a business. The provisions of F.S. § 849.161 shall apply to an arcade amusement center.

Electronic Gaming Establishment means a business operation, which shall have at least fifty (50) electronic machines or devices, including but not limited to, computers and gaming terminals, to conduct games of chance and/or a game promotion pursuant to F.S. § 849.094, including sweepstakes, and where cash, prizes, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such redeemed or distributed items are determined by the electronic games played or by predetermined odds. It is specifically intended by this definition that any place of business that does not have at least fifty (50) electronic machines or devices shall not be granted a conditional use permit to operate such a business. This term includes, but is not limited to internet cafes, internet sweepstakes cafes, and cybercafes or sweepstakes cafes. This definition is applicable to any electronic gaming establishment, whether or not the electronic machine or device utilized:

- (a) Is server based;
- (b) Uses a simulated game terminal as a representation of the prizes associated with the results of the sweepstakes entries;

- Uses software such that the simulated game influences or determines the winning or value of the prize;
- (d) Selects prizes from a predetermined finite pool of entries;
- (e) Uses a mechanism that reveals the content of a predetermined sweepstakes entry;
- (f) Predetermines the prize results and stores those results for delivery at the time the sweepstakes entry results are revealed;
- (g) Uses software to create a game result;
- (h) Requires deposit of any money, coin, or token, or the use of any credit card, debit card, prepaid card, or any other method of payment to activate the electronic machine or device;
- (i) Requires direct payment into the electronic machine or device, or remote activation of the electronic machine or device;
- Requires purchase of a related product, regardless if the related product, if any, has legitimate value;
- (k) Reveals the prize incrementally, even though it may not influence if a prize is awarded or the value of any prize awarded;
- (1) Determines and associates the prize with an entry or entries at the time the sweepstakes is entered; or
- (m) A slot machine or other form of electrical, mechanical, or computer game. It is the intent of this definition to classify any mechanism utilized at any electronic gaming establishment that seeks to avoid application of this definition through the use of any subterfuge or pretense whatsoever. Electronic gaming establishments do not include arcade amusement centers, regulated pursuant to F.S. § 849.161, or the official Florida Lottery.

The term *prize* as used herein shall mean any gift, award, gratuity, good, service, credit, or anything else of value, which may be transferred to a person, whether possession of the prize is actually transferred, or placed on an account or other record as evidence of the intent to transfer the prize.

- 4. Drive-thru Facilities. A facility, which by design, physical character, and/or by operation (i.e., service or packaging procedures) encourages or permits customers to receive services, obtain goods or be entertained while remaining in the motor vehicle.
- 5. Funeral Homes. Undertaking and funeral services involving care and preparation of human deceased prior to burial, including crematory facilities.
- 6. General Retail Sales and Services. Retail sale or rental from the premises of goods and/or services to include all uses listed under limited commercial activities as well as the following:

Appliance Stores, without major warehousing.

Art Shops and Supplies.

Bakeries, excluding wholesale production and distribution.

Bicycle Shops.

Copying Services.

Cosmetic Stores.

Department Stores.

Drapery Stores.

Drug Stores.

Dry Cleaning establishments complying with Class IV or Class V Fire Code Prevention requirements and using only Class IV solvents such as perchlorethelene, except for spotting as provided for in Section 9.6(m) of the Fire Prevention Code.

Dry Goods Stores.

Fabric Stores.

Furniture Stores.

Garden Supplies.

Grocery Stores.

Hardware Stores, without outside storage of lumber and other building supplies.

Health and Exercise Studios.

Home Furnishing Stores.

Lawn and Garden Supplies.

Large Specialty Shops.

Luggage and Leather Goods Stores.

Office Equipment and Supplies.

Paint and Wallpaper Retail Sales.

Pet Supply and Pet Shops.

Sporting Goods Stores.

- Other similar retail sales and service activities conducted within a fully enclosed building approved by the Town Council after receipt of a recommendation from the Planning and Zoning Commission. The use shall not include: wholesaling, warehousing, outside storage and distribution functions. The use shall not exhibit any characteristic dissimilar or incompatible with the uses identified herein. In review and approval of a request for a "similar" use, the Planning and Zoning Board and the Town Council shall use the procedures and criteria cited in the following Section 1-2.6 [1-2.7].
- 7. Hotels and Motels. A building or other structure used, maintained or advertised as a place where sleeping accommodations are supplied for rent to transient

guests, in which ten (10) or more rooms are furnished for the accommodation of such guests; and which may have as an accessory use one or more dining room areas.

8. Limited Commercial Activities. Small limited item shops and stores limited to retail sales of personal service items, including small convenience items or services typically needed on a frequent and recurring basis. This land use classification is intended to accommodate shops with limited inventory serving: (1) a household market area in the immediate vicinity as opposed to citywide or region; (2) a specialized market with customized service demand; or (3) a tourist oriented market area in the immediate vicinity. This classification is intended to include the following:

Bait and Tackle Shop.

Barber and Beauty Shops.

Book and Stationary Stores.

Candy and Ice Cream Stores.

Clothiers.

Drug Stores and Pharmacies.

Dry Cleaning and Laundry Pick-Up Substations and Self-Service Facilities.

Florists.

Gift Shops.

Hobby and Handicraft Shops.

Interior Decorators.

Jewelry Stores.

Meat Shops.

Novelty and Curio Shops.

**Optical Stores.** 

Photo Supplies and Studios.

Shoe Repair Shops.

Tailors or Seamstress.

Other similar limited commercial activities conducted in a fully enclosed building which are approved by Town Council after receipt of a recommendation from the Planning and Zoning Board. Prior to approving any such "similar" use, the Town Council shall render a finding that the use is similar to the uses identified herein and will produce impacts similar in nature to impacts generated by those activities specifically permitted herein. The burden of proof resides with the applicant. The procedures and criteria for review of such "similar" uses shall be as cited in the following section, § 1-2.6 [1-2.7]. The use shall comply with criteria cited in the above definition of limited commercial activities and shall not include more intense general retail sales and

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۱ \_۱ services. The procedures and criteria for review of other similar limited commercial activities shall be as cited in the following section, § 1-2.6 [1-2.7].

- 9. Waterfront Marine Related Activities. The following marine related land uses are included in this land use classification: commercial wet or dry storage and boat sales and rental; Marine power sales and service; and bait and tackle shop; and excluding marine salvage and boat yards.
- 10. *Medical Services.* The provision of therapeutic, preventive or other corrective personal treatment services by physicians, dentists and other licensed medical practitioners, as well as the provision of medical laboratory testing and analysis services. These services are provided to patients who are admitted for examination and treatment by a physician and with no overnight lodging. This land use classification includes pharmacies when developed as an accessory use within a medical service facility.
- 11. Parking Lots and Facilities. Governmental or private commercial building of [or] structure solely for the off-street parking or storage of operable motor vehicles.
- 12. *Plant Nurseries.* Retail sale of flowers, shrubs, trees, and plants as well as landscaping contractors and provision of related consultative services.
- 13. Restaurants (excluding drive-ins and fast food service). Any establishment (which is not a drive-in service establishment) where the principal business is the sale of food, desserts or beverages to the customer in a ready-to-consume state and where the design or principal method of operation includes two or more of the following:
  - (a) Customers, normally provided with an individual menu, are served generally in non-disposable containers by a restaurant employee at the same table or counter at which items are consumed.
  - (b) Ice cream parlors and other specialty restaurants having floor area exclusively within a shopping or office center and sharing common parking facilities with other businesses within the center and expressly prohibiting freestanding stores having characteristics of a drive-in restaurant.
  - (c) A cafeteria or cafeteria type operation where foods, desserts or beverages generally are served in non-disposable containers and consumed within the restaurant building.
  - (d) Customers purchase food, desserts or beverages for carryout.
- 14. Restaurants (drive-ins and fast food service). Any establishment where the principal business is the sale of foods, desserts or beverages generally contained in a ready-to-consume state and whose design, method of operation or any portion of whose business includes one or both of the following:
  - (a) The restaurants are self-service. Food is generally served in disposable containers and customers generally do the busing and clean-up for themselves or foods, desserts or beverages are served directly to the consumer in a motor vehicle.

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- (b) The consumption of foods, desserts or beverages within a motor vehicle parked upon the premises, or consumption at other facilities on the premises is allowed, encouraged or permitted.
- 15. Service Stations, Including Gasoline Sales. Establishments for the dispensing of motor fuels and related projects at retail and having pumps, underground storage tanks and other facilities for such activity and which may include the retail sale of minor automobile parts and accessories such as tires, batteries, spark plugs, fan belts, shock absorbers, mirrors, floor mats, cleaning and polishing materials and similar items, and which may include the inspection, servicing or minor repair of motor vehicles within enclosed service bays or stalls. For the purpose of this Code, these services shall not include body repair and painting, frame straightening, or tire recapping or vulcanizing.
- 16. Trades and Skilled Services. Shops providing services requiring skilled labor or craftsmanship for repair including household items, office equipment, appliances, printing, blue printing, carpet sales and service, feed stores, lawn and maintenance services, newspaper printing, radio and television broadcasting, restaurant equipment and supply sales and services. All such activities shall not include outside storage.
- 17. Vehicular Service and Maintenance. Vehicular establishments providing sale of minor automobile parts and accessories such as tires, batteries, spark plugs, fan belts, shock absorbers, mirrors, floor mats, cleaning and polishing materials and similar items, and which may include the inspection, servicing or minor repair of motor vehicles. These services shall not include body repair and painting, frame straightening, or tire recapping or vulcanizing.
- 18. Vehicular Sales and Related Services. The retail or wholesale sale or rental of motor vehicles and related equipment, with incidental services and maintenance.
- 19. Veterinary Medical Services. The provision of animal medical care and treatment by a Florida licensed veterinarian.
- 20. Wholesale Trades and Services. The display, limited storage and sale of goods to other firms for resale, excluding outside storage, except as otherwise provided in this chapter [Code].
- D. Industrial Activities. The following land uses are included in the industrial land use classification where the same are conducted within a totally enclosed building except as specifically provided herein:
  - 1. *Kennels* for boarding of domestic dogs and cats and veterinary medical operations.
  - 2. Manufacturing Activities including:
    - Manufacturing or processing of electronic components, optical instruments, electrical appliances, or other precision components;
    - Assembly and distribution of goods;

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- Maintenance, repair, reconditioning, and cleaning;
- Printing;
- General packaging and processing activities;
- Research and development technology;
- Commercial laundries;
- Machine shops;
- Agricultural research laboratories;
- Vocational and trade schools;
- Sale of building material.

Other similar manufacturing activities conducted in a fully enclosed building which are approved by the Town Council after receipt of a recommendation from the Planning and Zoning Board. The uses shall exclude metal fabrication, chemical or petroleum manufacturing, rubber or plastics manufacturing, or other use generating potentially harmful nuisance impacts such as noise, vibrations, glare, dust, explosive or fire hazard, offensive odors beyond the property line, or air or water pollution.

Prior to approving any such "similar" use, the Town Council shall render a finding that the use is similar to the uses identified herein and will produce impacts similar in nature to impacts generated by those activities specifically permitted herein. The burden of proof resides with the applicant. The procedures and criteria for review of such uses shall be as cited in the following Section 1-2.6 [1-2.7].

- 3. Manufacturing Service Establishments, such as heavy machinery repair and service; heavy machinery or heavy equipment rental or other service uses approved by the Town Building Official based on similarity of use, excluding services which may generate potentially harmful nuisance impacts; and based on absence of any characteristic dissimilar and incompatible with the uses identified herein.
- 4. Vehicle and Other Mechanical Repairs and Services, including those not permitted as commercial zoning activities including paint and body shops.
- 5. Warehousing, Storage and Distribution Activities, including building contract construction, building supplies, furniture stores with major warehousing, and trade services with extensive warehousing, trucking support facilities, or requirement of outside storage.
- E. Agricultural Activities. The following land uses are included in the agricultural land use classification. No such activity shall permit commercial retail operations, except as otherwise expressly provided in the definition and/or the agricultural district provisions cited within this Code.
  - 1. Commercial Stables, including a stable operated for profit on a minimum five (5) acre site of not more than one (1) horse for the first one (1) acre and one (1) additional horse for each additional one-half (42) acre. Also reference conditional use criteria.

Noncommercial Agricultural Activities, including home gardens, noncommercial greenhouses, and keeping of agricultural animals. Keeping of agricultural animals shall be limited to one (1) agricultural animal for the first one (1) acre and one (1) additional animal for each additional one-half ( $y_2$ ) acre.

Wholesale Agricultural Activities, including harvested agricultural crops, fish and 3. aquatic farms, grazing of cattle, and wholesale trade of products grown or raised on premises. These agricultural operations shall be restricted to sites with a

All animals permitted pursuant to this subsection shall be maintained within a controlled area bounded by a fence or other barrier approved by the Town. (Ord. No. 12-48, § 1, 1-23-12; Ord. No. 14-01, § 1, 2-3-14)

Section 1-2.7. Procedures and criteria for review of "similar" uses.

4

2.

In the classification of uses stipulated in § 1-2.5 [1-2.6], wherever reference is made to the phrase "other similar" uses approved by Town Council after receipt of recommendations from the Planning and Zoning Board, the Planning and Zoning Board and the Town Council shall apply the following procedures and criteria in the review of such uses:

- The criteria for review shall be the same general criteria used in review of conditional (a)
- (b)
- Procedures for review shall be the same procedures used in review of a conditional use. In addition, the Town Council shall determine: (1) whether the use is similar in (c)character to other uses cited in the specific land use classification; and (2) whether the impacts generated by the use are similar in character to the impact generated by other uses cited in the specific land use classification.

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[The next page is 113]

# Appendix B

# Table 1-3.2 Land Use by Districts

#### TABLE 1-3.2. LAND USE BY DISTRICTS

	RR-65	RS-21	RS-15	RS-10	RM-4	RM-6	R-MH	OI	CL	CG	R/LC	IND	INS	CP
RESIDENTIAL USES			L	·		,		2			1	11,112		
Duplex		<u> </u>		·	Р	Р				·	P			
Mobile Homes							P				r			
Multiple Family Dwelling					P	P			·		P			
Single Family Dwellings	P	P	Р	P	P	- P	P				P P			-
COMMUNITY FACILITIES										-			L,	
Administrative Services				-			- 1	• • • •			<u> </u>			
(Public and Not-for-Profit)								Р	Р	Р	Р		Р	
Child Care Facilities								C		L.	Ċ		C P	
Churches, Synagogues and Other								-		<u> </u>	<u> </u>			_
Places of Worship	С	С	C	C	C	С		P, A <sup>1</sup>	P	Р	Р		Р	
Clubs and Lodges	_							A, 11	<u> </u>				· F	
(Not-for-Profit)									Р	Р	1			
Cultural or Civic Activities								P	P	P	P			
Educational Institutions								C, A <sup>1</sup>	P	P	P		P	
Golf Course Facilities	C			· · · -				U, A					C	·
Group Homes					Ċ	C		C			P		C	
Hospital and Extensive Care Fa-						<u> </u>					<u> </u>		<u> </u>	
cilities								C					С	
Nursing Homes (Including Rest											<u>+-</u> -⊦			
Homes and Convalescent														
Homes)					C	C		C			C		С	
Protective Services					C	C	C	C	C	C	C	C	Č	
Public Parks and Recreation	C	C	C	С	С	C	C	C	Ċ	C	C	C	C	
Public and Private Utilities	С	C	C	C	С	С	С	C	С	C	Ċ	C	Č	

DISTRICT PROVISIONS

	RR-65	RS-21	RS-15	RS-10	RM-4	RM-6	R-MH	OI	CL	CG	R/LC	IND	INS	С
AGRICULTURAL ACTIVITIES														
Noncommercial Agricultural Op-		_	1							r <del>-</del>	T			
erations	Р		ł											
Wholesale Agricultural Activities	P										┼───┤			
Commercial Stables	С									· · · · · · · · · · · · · · · · · · ·				
COMMERCIAL ACTIVITIES											<u> </u>			
Adult Activities				3						C				
Bars and Lounges										C				
Bed and Breakfast											P <sup>1</sup>			-
Business and Professional Of-											<u> </u>			
fices		}						P	Р	Р	P	Р	Р	
Enclosed Commercial Amusement			-						~	P	<u> </u>	· · ·		-
Arcade Amusement Center/														
Electronic Gaming Establish-														
ment										$C^2$				
Funeral Homes									P	P	C			
General Retail Sales and Ser-														_
vices										Р	1			
Hotels and Motels										P	<u> </u>			
Limited Commercial Activities									P	Р	P			-
Marine Commercial Activities										C*		-		
Medical Services								P	Р	P	P			
Mini Warehouse/Storage									С	Р		Р		
Parking Lots and Facilities								Р	Р	Р	Р		P	
Retail Plant Nurseries									Р	Р	P			
Restaurants (Except Drive-Ins							· · · · · ·							
and fast food service)					199				Р	р	P			
Restaurants (Drive-ins)										Р	1 1			
Service Station, Including Gaso-				8										
line Sales										C*		C*		
Trades and Skilled Services										C*		Р		
Veterinary Medical Services								Р	Р	P	C	Р		
Vehicular Sales and Services										C*		P		
Vehicular Services and Mainte-														
палсе										C*	1	Р		
Wholesale Trades and Services										C*		P		
INDUSTRIAL ACTIVITIES														
Kennels						· · · · ·	· · · 1					C		
Manufacturing Activities											· · · ·	Р		

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	RR-65	RS-21	RS-15	RS-10	RM-4	RM-6	R-MH	OI	CL	CG	R/LC	IND	INS	CP
Manufacturing Service Establish-		<b>-</b>							01		ALT LC		1143	- CP
ments									1			G		
Vehicle and Other Mechanical Re-														
pair and Services			}							C*		Р		
Warehouse, Storage and Distri-												-		
bution Activities												Р		
VATER DEVELOPMENT NONCOM-											·	· · · · · ·	L	
AERCIAL ACTIVITIES														
Noncommercial piers, boat slips,				· · · · · ·					1		γ	·		
and docks									1					~

C = Conditional Use

P = Permitted Uses

A = Accessory Use

\* = These uses are permitted only on sites abutting Babcock Street, US 1, and West Railroad Avenue.

1 = Allowing up to 1,000 square feet of a church or educational institution for the housing of a caretaker or security guard serving the church or educational institution. No such use shall be allowed unless administrative approval is granted by the Town.

<sup>1</sup> Any Bed and Breakfast which is proposed to have more than five (5) living quarters shall only be approved as a conditional use in accordance with Article VI of the Land Development Regulations.

<sup>2</sup> Any Arcade Amusement Center and Electronic Gaming Establishment as defined herein shall only be approved as a conditional use in accordance with Article VI of the Malabar Land Development Code.

(Ord. No. 94-4, § 3, 4-3-95; Ord. No. 97-3, § 2, 3-17-97; Ord. No. 05-01, § 1, 3-7-05; Ord. No. 06-19, § 1, 1-11-07; Ord. No. 12-48, § 2, 1-23-12)

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P

## Appendix C

# Table 1-3.3(A) Size and Dimensions

#### Section 1-3.3. Size and dimension criteria.

A. Minimum Lot or Site Requirements for All Uses. Table 1-3.3(A) incorporates required size and dimension regulations which shall be applicable within each respective zoning district. All developments shall have a total land area sufficient to satisfy all standards stipulated within the land development code, including but not limited to:

- Setback requirements;
- Open space, buffers, and landscaping;
- Surface water management;
- Water and wastewater services;
- Access, internal circulation and off-street parking;
- Wetland protection; and
- Soil erosion and sedimentation control standards.

Conventional single family lots shall be required pursuant to square footage requirements stipulated in Table 1-3.3(A). Similarly, more intense development within multiple family residential districts and other specified nonresidential districts shall maintain sites having minimum acreage requirements stipulated in Table 1-3.3(A).

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		Minimum Lot (	7)	Maximum			Cathe	ck (ft.)(2)		Maximum Impervious	Maximum	Maximum Density	With Centr
Zoning	Size	Width	Depth	Height (ft. /	Minimum Living		Setou	CR ()1.)(2)		Surface Ra-	Building	(units per	Water and
District	(sq. ft.)	(ft.)	(ft.)	stories)	Area (sq. ft.)	Front	Rear	Side (I)	Side (C)	tio (%)	Coverage	acre)	Wastewat
Rural Res	idential Develo	pment	•	•					4				
RR-65	65,840	150	250	35/3	1,500	40	30	30	30	20	N/A	80	0.66
Traditions	al Single Family	Residential I	)evelopment										
RS-21	21,780	120	150	35/3	1,800	35	20	15	15	85	N/A	65	2.00
RS-15	15,000	100	120	35/3	1,500	30	20	15	16	45	N/A	55	2,904
RS-10	10,000	75	100	35/3	1,200	25	20	10	10	50	N/A	50	4.00
Multiple F	amily Resident	ial Developme	nt										
RM-4	5 Acres Minimum Site	200	200	35/3	1 Bedroom: 900 2 Bedroom: 1100 3 Bedroom: 1300 Each Additional Bedroom: 120	60	~ 40	40	40	50	N/A	50	4.00
RM-6	5 acres Minimum Site	200	200	36/3	Single Family:	25	20	10	10	50	n/a	50	6
					Multiple Family: 1 Bedroom: 500 2 Bedroom: 700 3 Bedroom: 900 Each Additional Bedroom: 120	60	40	40	40	50	n/a	50	6
R/LC	Development	100	150	35/3	Qineto Femiles	26	20	10	10	60	-1-	50	
RVLC	20,000	100	100	30/3	Single Family: Multiple Family:	50	20	10	10 · 20	65	n/a n/a	50 85	4
					1 Bedroom: 500 2 Bedroom: 700 3 Bedroom: 900 Each Additional Bedroom: 120				œ				÷
					Commercial: Min. Area: 900 Max. Area 4,000						0.20		
	me Residential 1	Development						·····					
r-MH	Site: 5 Acres Lot: 7000					10	8	8	10	50	N/A	50	6.00
office Deve		المستحج معينية			·			<b>'</b>			k		
I	20,000	100	150	85/3	Minimum Floor Area: 1000	35/60	25	20	25	66	20	85	N/A
Commercia	al Development							_					
L	20,000	100	150	35/3	Minimum Floor Area: 900	50	25	10 <sup>4</sup> 15 <sup>8</sup>	20	65	0.20	35	N/A

DISTRICT PROVISIONS

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		Minimum Lot (1) Bize Width Depth					Setbac	k (ft.)(2)		Maximum Impervious	Maximum	Maximum Density	With Central
Zoning District	Bize (sq. ft.)	(ft.)	Depth (fl.)	Height (ft. / stories)	Minimum Living Area (sq. ft.)	Front	Rear Side (I)		Side (C)	Surface Ra- tio (%)	Building Coverage	(units per acre)	Water and Wastewater
					Min. Area: 900 Max. Area 4,000								
CĠ	20,000	100	150	35/3	Minimum Floor Area: 1200 Minimum Hotel/ Motel Area: 300 Each Unit	50	25	20 <sup>4</sup> 15 <sup>8</sup>	80	65	0,20	85	N/A
Industrial	Development												
IND	20,000	100	150	85/3	Minimum Floor Area: 1200	50 100 <sup>6</sup>	25 100 <sup>5</sup>	20 100 <sup>5</sup>	30 100 <sup>5</sup>	70	0.42	30	N/A
Institution	al Development												
INS	20,000	100	150	35/3	Minimum Floor Area; 1200	50	25	20	30	60	0,20 0,10 <sup>5</sup>	40	N/A
Coastal Pr	eservation												
CP	No Size or Dir	nension Standa	rds Adopted										

<sup>1</sup>Minimum size sites and lots include one-half of adjacent public right-of-way.

<sup>2</sup>Minimum setbacks determined from the existing right-of-way line where the yard abuts a public street pursuant to the above cited standards or from the center of the right-of-way pursuant to Table 1-3.3(E) whichever is most restrictive.

<sup>8</sup>Setback where rear lot line abuts an alley.

<sup>4</sup>Setback shall be greater where side property line abuts a district requiring a larger setback on the abutting yard. In such case the more restrictive abutting setback shall apply.

<sup>5</sup>Where any yard of industrial zoned property abuts a residential district, the building setback for such yard shall be 100 feet.

<sup>6</sup>Recreation activities maximum FAR shall be .10.

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# Appendix D

## Table 1-6.1B Conditional Land Use RQTs

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### TABLE 1-6.1(B). CONDITIONAL LAND USE REQUIREMENTS

	Conditional Land Uses	Minimum Size Site	Minimum Width / Depth (feet)	Access Required to Street	Building Setback from Residential District / Nonresidential District (feet)	Parking Lot Setbacks from Adjacent Residential District/ Nonresidential District (feel)	Perimeter Screening Residential.District/ Nonresidential District (5)	Curb Cut Controls	Other
	Child Care Facilities	1 Acre	145	Paved	50/30	15/10	Type A/B	(7)	
	Places of Worship	5 Acres	250	Paved	70/45	25/20	Type A/C	(7)	
	<b>Educational Institution</b>	(1)	<b>500</b>	Arterial	70/45	25/20	Type A/C	(7)	
	Enclosed Arcade Amusement Center/Electronic Gaming Es- tablishment	1 Acre	120	Highway 1 and Babcock Street only	100/30	N/A	Type A/C	(7)	
	Golf Courses	(2)	500	Paved	70/45	25/20	Type C/C	(7)	
	Hospitals and other Licensed Facilities	5 Acres	325	Arterial	100/75	25/20	Type A/C	(7)	
	Nursing Homes and Related Health Care Facilities	2 Acres	210	Paved	60/30	25/20	Тура А/С	(7)	
	Protective Services	(4)	120	Paved	60/30	<b>25/2</b> 0	Type A/C	(7)	
	Public Parks and Recreation Areas	5 Acres	325	Paved	70/45	25/20	Type C/C	(7)	
	Public and Private Utilities	N/A ·	120	N/A.	70/30	25/20	Type A/C	(7)	
	Commercial Stables	5 Acres	325	N/A	100/75	50/40	Type B/C		
	Adult Entertainment	1 Acre (8, 9, 10)	120	US 1/Babcock	100/30	N/A.	Type A/C	(7)	(6)
	Bars and Lounges	1 Acre (8, 9)	120	US 1/Babcock	100/30	N/A.	Type A/C	(7)	(6)
·	Marine Commercial Activities	1 Acre	120	US 1/Babcock/ West Raiboad Avenue	700/30	N/A	N/A	(7)	
	Service Stations, Including Gasoline Sales	I Acre (8)	145	Arterial	100/30	N/A.	N/A	(7)	
	Trades and Skilled Services	1 Acre (8)	145	US 1/Babcock/ West Railroad Avenue	100/30	N/A	Type A/C	(7)	
	Vehicular Services and Main- tenance	1 Arre (8)	145	US 1/Babcock/ West Railroad Avenue	100/30	N/A	Type A/C	(7)	
	Wholesale Trades and Services	1 Acre		US 1/Babcock/ West Railroad Avenue	50/30	15/10	Type A/C	(7)	

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Conditional Land Uses	Minimum Size Site	Mīnimum Width / Depth (feet)	Access Required to Street	Building Setback from Residential District/Nonresidential District (feet)	Parking Lot Setbacks from Adjacent Residential District / Nonresidential District (feet)	Perimeter Screening Residential District/ Nonresidential District (5)	Curb Cut Controls	Other
Kennels	1 Acre	145	N/A	100/30	15/10	Type A/C	(7)	
Vehicular and Other Mechan- ical Repair	1 Acre (8)	145	US 1/Babcock/ West Railroad Avenue	100/30	15/10	Type A/C	(7)	
Noncommercial Piers, Boat Slips and Docks	N/A	N/A	N/A	N/A	N/A.	N/A	(7)	
<b>Community Residential Home</b>								
Level 1 (1 to 6 residents/ beds)	1.5 acres	210	Paved	60/30	25/20	Type A/C	(7)	
Level 2 (7 to 14 residents/ beds)	3 acres	210	Paved	60/30	. 25/20	Type A/C	(7)	
Assisted Care Communities								
I Assisted Living Facility								
Level 1 (1 to 5 residents/ beds)	2 acres	210	Arterial .	60/30	25/20	Type A/C	(7)	
Level 2 (6 to 15 residents/ beds)	3 acres	210	Arterial	60/30	25/20	Type A/C	(7)	
Level 3 (16 or more residents/beds)	5 астев	325	Arterial	100/75	25/20	Type A/C	(7)	
II Adult Family-Care Homes								
(I to 5 residents/beds)	2 acres	210	Paved	60/30	25/20	Type A/C	(7)	
III Adult Day Care Facili- ties	2 acres	210	Arterial	60/30	25/20	Type A/C	(7)	

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Note: Arterial streets refer to transportation linkages on the Major Thoroughfare Plan within the Comprehensive Plan (i.e., Malabar Road, US 1, and Babcock Street).

- (1) Minimum spatial requirements for public and private, primary and secondary educational institutions shall comply with standards used by the Brevard County School Board and the State of Florida.
- (2) Minimum spatial requirements for golf courses shall comply with standards recommended by the U.S. Golf Association or the American Society of Golf Architects.
- (3) Minimum spatial requirements shall comply with the requirements established by the Town of Malabar District Provisions or the Florida Statues, whichever requirement is greater.
- (4) Minimum spatial requirements for the American Insurance Association and the National Fire Prevention and Control Administration.
- (5) The Type A, B, and C screening requirements reflect the standards cited in Section 1-4.1(G)(2)(a)—(c).
- (6) No parking lot or structure within 200' of residential or institutional district.
- (7) No more than two curb cuts shall be permitted to any one street frontage. The ingress-egress width shall be restricted to a maximum width of thirty (30) feet at the point of curvature at the property line; shall be located no closer than thirty (30) feet to a right-of-way intersection; and shall be at least ten (10) feet removed from property lines. A minimum fifty (50) feet separation shall be maintained between curb cuts. The Town may require controlled access, including dedication of cross easements and joint use of drive. The Town Council may grant a waiver to these requirements after considering the recommendations of the Planning and Zoning Board and the Town staff.
- (8) Shall not be located adjacent to a residential district, including the RR district.
- (9) Shall not be located within 1000 feet of a religious institution, educational institution, or public park.
- (10) Reference Town of Malabar Ordinance Regulating Adult Entertainment.
- (Ord. No. 94-4, § 9, 4-3-95; Ord. No. 12-48, §§ 3, 4, 1-23-12; Ord. No. 14-01, § 4, 2-3-14) Cross reference—Adult entertainment establishments, regulations, § 10-26 et seq.

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Appendix D

Supporting Data

Pat Reilly Suggestion

	RR-65	RS-21	RS-15	RS-10	RM-4	RM-6	R-MH	OI	CL	CG	R/LC	IND	INS	C
AGRICULTURAL ACTIVITIES		· · · · ·	· · · · · · · · · · · · · · · · · · ·						I					
Noncommercial Agricultural Op-		r	r. <u> </u>				···							
erations	P									ł				
Wholesale Agricultural Activities	P										<u> </u>			
Commercial Stables	C F													L
COMMERCIAL ACTIVITIES	0							_						
Adult Activities									ļ					
Bars and Lounges										C				
Bed and Breakfast										C				
Business and Professional Of-	····	-									P1			
fices														
Enclosed Commercial Amusement						_		P	Р	P	P	P	Р	
Arcade Amusement Center/										P				
Electronic Gaming Establish-														
ment		·								C <sup>2</sup>				
Funeral Homes									P	P	C		2	
General Retail Sales and Ser-														
vices Hotels and Motels		·								P				
										P				
Limited Commercial Activities									Р	P	Р			
Marine Commercial Activities										C*				
Medical Services								Р	Р	P	Р			
Mini Warehouse/Storage	··								C	P		P		
Parking Lots and Facilities								Р	Р	P	Р		Р	
Retail Plant Nurseries									Р	P	P			
Restaurants (Except Drive-Ins													-	
and fast food service)	-				5				P	P	Р			
Restaurants (Drive-ins)										P				
Service Station, Including Gaso-														
line Sales										C*		C*		
Trades and Skilled Services										C*		P		
Veterinary Medical Services								Р	P	P	C	Р		
Vehicular Sales and Services										C*		Р		
Vehicular Services and Mainte-												_		
nance										C*		P		
Wholesale Trades and Services										C*		P		
INDUSTRIAL ACTIVITIES														
Kennels Manufacturing Activities												С		

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				1	<u>at</u>	Rei	11y .	Śug	ges	tion	1	24				
S			RR-65	RS-21	00	100 101					4	1	1			
Supp.			nn-05	RS-21	RS-15	RS-10	RM-4	RM-6	R-MH	OI	CL	CG	R/LC	IND	INS	CP
. No.	->	Manufacturing Service Establish- ments		ĺ							<u>C</u>	P	C	P		
20		Vehicle and Other Mechanical Re- pair and Services									· · · · · ·	C*		P		
		Warehouse, Storage and Distri- bution Activities												 p		
		WATER DEVELOPMENT NONCOM- MERCIAL ACTIVITIES									1		I	^		
		Noncommercial piers, boat slips, and docks														с

C = Conditional Use

P = Permitted Uses

A = Accessory Use

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\* = These uses are permitted only on sites abutting Babcock Street, US 1, and West Railroad Avenue.

1 = Allowing up to 1,000 square feet of a church or educational institution for the housing of a caretaker or security guard serving the church or educational institution. No such use shall be allowed unless administrative approval is granted by the Town.

<sup>1</sup> Any Bed and Breakfast which is proposed to have more than five (5) living quarters shall only be approved as a conditional use in accordance with Article VI of the Land Development Regulations.

<sup>2</sup> Any Arcade Amusement Center and Electronic Gaming Establishment as defined herein shall only be approved as a conditional use in accordance with Article VI of the Malabar Land Development Code.

(Ord. No. 94-4, § 3, 4-3-95; Ord. No. 97-3, § 2, 3-17-97; Ord. No. 05-01, § 1, 3-7-05; Ord. No. 06-19, § 1, 1-11-07; Ord. No. 12-48, § 2, 1-23-12)

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### What is the light industry?

The light industry or consumer goods industry covers **those activities that produce goods destined for the final consumer**. It differs from other industrial activities such as obtaining raw material and heavy industry, which produces other types of goods. Unlike the heavy ones, light industries are economic activities that involve lower energy consumption, lower proportions of processed or semi-processed materials and also a much lower environmental impact. Therefore, they can develop within cities and even around residential areas, which does not usually occur with heavy industry.

The most important light industries are usually those of:

- Food and beverages.
- Footwear, textiles and clothing.
- Books, magazines and newspaper.
- Medicines.
- Cosmetics.
- Electronics

Light industry covers manufacturing businesses that are usually less capital-income intensive. Most light industry products are produced for end users rather than as intermediates for use of other industries. Their facilities normally have less environmental impact than those associated with heavy industry. For that very reason, zoning laws are more likely to permit light industry near residential areas.

In general, light industries require fewer raw materials, space and power. A light industry uses small amounts of light raw materials to produce light goods e.g. computers or mobile phones. Light industries usually include electronics and assembly industries, and it's good for them to be near research facilities, in a clustered group, or near high class transport like Interstates and railways.