



September 30, 2024

Dear Neighbor,

We are requesting a text amendment to amend the Comprehensive Zoning Ordinance regulations for Ice Manufacturing and Vending Machines. Specifically, this is a request to create use standards and permissions for “Ice Manufacturing and Vending Machines”. We are requesting to amend Sections 10.2.A, 12.2.A, 14.2.A, 15.2.A, and 16.2.A use tables to add Ice Manufacturing and Vending Machines as a permitted or conditional use, Section 18.20.B.2 to prohibit the use in the Magazine Street Overlay District, Section 20.3.ZZZ to add use and design standards, Section 21.6.S to amend the use standards for Accessory Ice Manufacturing and Vending Machines, Article 22 to add parking requirements, and Section 26.6 to add the definition of Ice Manufacturing and Vending Machine (Principal). Currently the CZO only lists Ice Storage Machines as an Accessory Use. According to Section 21.6.S. Ice Storage Machines and Propane Storage Machines are permitted in certain zoning districts as accessory structures to principal use with their own use and design guidelines listed. Please see amended text below.

Article 20.3.ZZZ ICE MANUFACTURING AND VENDING MACHINE (PRINCIPAL USE)

A Principal Use Ice Manufacturing and Vending Machine’s purpose is to produce and sell ice from a single structure and shall meet the following requirements:

- A Principal Use Ice Manufacturing and Vending Machine is permitted for commercial use in the following zoning districts: HMC-1, HMC-2, HU-MU, HM-MU, S-B1, S-B2, S-LC, S-MU, C-1, C-2, C-3, MU-1, MU-2, EC, MC, MS, LS, LI, HI, MI, AND BIP.
- A Principal Use Ice Manufacturing and Vending Machine is a conditional use for commercial use in the following zoning districts: HU-B1, S-LB1, and S-LB2.
- An Ice Manufacturing and Vending Machine shall be setback a minimum of five (5) feet from any lot line unless there is an established residential use on the adjoining parcel, in which case the setback shall be a minimum of twenty (20) feet from the lot line abutting the residential property.
- Any parcel to which an Ice Manufacturing and Vending Machine is located that’s adjoining parcel is a residential property shall construct at least a seven (7) foot opaque fence around the perimeter of the side, rear, and corner of the lot.
- An Ice Manufacturing and Vending Machine shall be places so that customers assessing these units do not block the public right-of-way.
- An Ice Manufacturing and Vending Machine shall not exceed fifteen (15) feet in height, nine (9) feet in width, and twenty-seven (27) feet in length.
- An Ice Manufacturing and Vending Machine shall be exempt from having to adhere to Article 24 – Signs standards and may have signage on all four sides of the machine. The signage permitted is limited to the brand name, the word “ICE”, and instructional information. The permitted signage cannot be in excess of seventy-eight (78) square feet for the whole principal structure.
- The color of these units shall be unobtrusive. An Ice Manufacturing and Vending Machine shall be in steel grey or neutral tones only.

- The area surrounding an Ice Manufacturing and Vending Machine shall be kept free of any junk, debris, or other material.
- Only one (1) unit shall be permitted per parcel.
- The lot where an Ice Manufacturing and Vending Machine is located shall be required to construct and maintain off-street parking and commercial vehicular access driveway to the requirements in Article 22-Off-Street Parking Requirements. No Ice Manufacturing and Vending Machine may be located within the required parking space.
- Ice Manufacturing and Vending Machine shall have a three (3) foot of landscape strip on three sides of the structure, excepting the front.
- No Ice Manufacturing and Vending Machine shall be constructed or operated prior to final site plan approval from the Department of Safety and Permits.
- Each Ice Manufacturing and Vending Machine shall have a skirting material extending around the entire foundation of the unit that is composed of brick, stone, stone-faced concrete blocks, stucco, insulated panel, or other material that is approved by the Department of Safety and Permits.
- Within thirty (30) calendar days of the closure or ceasing of operations of any Ice Manufacturing and Vending Machine, the owner of the said machine and/or owner of the land shall remove all equipment and appurtenances from the premises.
- The Ice Manufacturing and Vending Machine shall meet all applicable building, plumbing, electrical, and fire code requirements.
- Potable water provided at the facility shall be from an approved source.
- The Ice Manufacturing and Vending Machine shall drain adequately by a floor drain or other system that does not permit water to pool inside the machine.

Article 21.6.S.1 Ice Manufacturing and Vending Machine (ACCESSORY USE)

An Accessory Use Ice Manufacturing and Vending Machine's purpose is to produce and sell ice from a single structure and shall meet the following requirements:

- An Accessory Use Ice Manufacturing and Vending Machine is permitted for commercial uses in the following zoning districts: HMC-1, HMC-2, HM-MU, S-B1, S-B2, S-LC, S-MU, C-1, C-2, C-3, MU-1, MU-2, EC, MC, MS, LS, LI, HI, MI, AND BIP.
- An Ice Manufacturing and Vending Machine shall be setback a minimum of five (5) feet from any lot line.
- Any parcel to which an Ice Machine and Vending Machine is located that's adjoining parcel is a residential property shall construct at least a seven (7) foot opaque fence around the perimeter of the side, rear, or corner of the lot.
- An Ice Manufacturing and Vending Machine shall be placed so that customers accessing these units do not block the public right-of-way.
- An Ice Manufacturing and Vending Machine shall not exceed fifteen (15) feet in height, nine (9) feet in width, and twenty-seven (27) feet in length.
- An Ice Manufacturing and Vending Machine shall be exempt from having to adhere to Article 24 – Signs standards and may have signage on all four sides of the machine. The signage permitted is limited to the brand name, the word "ICE", and instructional information. The permitted signage cannot be in excess of seventy-eight (78) square feet for the whole principal structure.
- The color of these units shall be unobtrusive. An Ice Manufacturing and Vending Machine shall be in steel gray or neutral tones only.

- The area surrounding an Ice Manufacturing and Vending Machine shall be kept free of any junk, debris, or other material.
- Only one (1) unit shall be permitted per parcel.
- The lot where an Ice Manufacturing and Vending Machine is located shall be required to construct and maintain off-street parking and commercial vehicular access driveways according to the requirements in Article 22 – Off-Street Parking Requirements. No Ice Manufacturing and Vending Machine may be located within a required parking space.
- An Ice Manufacturing and Vending Machine shall have a three (3) foot landscape strip on three sides of the structure, excepting the front. This requirement shall not apply where the Ice Manufacturing and Vending Machine abuts a structure.
- No Ice Manufacturing and Vending Machine shall be constructed or operated prior to final site plan approval from the Department of Safety and Permits.
- Each Ice Manufacturing and Vending Machine shall have a skirting material extending around the entire foundation of the unit that is composed of brick, stone, stone-faced concrete block, stucco, insulated panel, or other material that is approved by the Department of Safety & Permits.
- Within thirty (30) calendar days of the closure or ceasing of operation of any Ice Manufacturing and Vending Machine, the owner of the said machines and/or owner of the land shall remove all equipment and appurtenances from the premises.
- The Ice Manufacturing and Vending Machine shall meet all applicable building, plumbing, electrical, and fire code requirements.
- Potable water provided at the facility shall be from an approved source.
- The Ice Manufacturing and Vending Machine shall drain adequately by a floor drain or other system that does not permit water to pool inside the machine.

Article 22, Table 22-1 Off-Street Vehicle and Bicycle Parking Requirements

Add minimum require vehicle space as “2 per unit on parcel, including a minimum of 1 ADA space.”

Article 26.6 Definitions

Ice Machine – A free standing outdoor freezer storage unit that stores bagged ice until purchased. The size of an ice machine shall not exceed nine (9) feet in height, five (5) feet in width and six (6) feet in length.

Ice Manufacturing and Vending Machine – A free standing freezer storage unit that manufactures and dispenses ice upon the insertion of coin, cash, credit, or other payment by electronic means. The size of an Ice Manufacturing and Vending Machine shall not exceed fifteen (15) feet in height, nine (9) feet in width, and twenty-seven (27) feet in length.

As an interested party or someone with regards for the neighborhood, Zach Smith Consulting & Design’s team would like to invite you to a virtual meeting to discuss the Text Amendment request. During this virtual meeting, you will learn more about our proposal and have time to ask questions or voice concerns regarding this request. You are welcome to send us any questions beforehand. Please contact Laura Barth at laura@zachsmithconsulting.com or 504-383-3748 so that we may send you a link to the virtual meeting.

This letter is being delivered by email.

The meeting will take place: **Tuesday, October 15th at 5:30 pm virtually via ZOOM.** Please see the ZOOM link

<https://us06web.zoom.us/j/81746162554?pwd=3DxsAad3P6pganjWbxF4X9PIUK2w8G.1>

If you are unable to attend and would like to receive info about the meeting, please feel free to contact me. If you have any additional questions or comments, please reach me at my email address below and include "Ice Machine Text Amendment" in the subject line. I hope to see you at the meeting on Tuesday, October 15th at 5:30pm on ZOOM.

<https://us06web.zoom.us/j/81746162554?pwd=3DxsAad3P6pganjWbxF4X9PIUK2w8G.1>

Sincerely,

Laura Barth

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