

Executive Summary:

This is a proposed change to the LDR which will:

1. Adopt by reference the State of Florida definition of Manufacturing
2. Define a subset of Manufacturing called Light Manufacturing based on processes used and other characteristics.
3. Establish Light Manufacturing as a conditional use only on Commercial properties which meet certain restrictions.

Background: This matter was first discussed at 13 June 2023 Planning Commission meeting. My initial proposal was to establish Limited Temporary Industrial Privileges for certain Commercial parcels which would allow limited manufacturing. "Industrial" was part of the name; however, the City currently does not identify Industrial land use districts in either the Comprehensive Plan or the Land Development Regulations.

Per the 13 June discussion, I was asked to refine the idea so that the LDR could be used as the sole vehicle to permit the desired limited manufacturing not resulting in industrial sewer flow in Commercial parcels without having to change the Comprehensive Plan, particularly the Future Land Use Map. These are the main parameters I used to build this concept.

MANUFACTURING is defined in great detail in F.S. 163.3251(4). Florida adopts by reference the North American Industry Classification System (NAICS). That system provides a high degree of granularity by defining more than 440 types of manufacturing to which it assigns individual six digit codes. These codes cover more than 667,000 individual manufacturing businesses nationwide.

I believe a municipality should not discard these definitions in favor of its own by declaring some included operations "not manufacturing". A municipality could pick and choose from within those codes and the State adopted definitions. That would involve going through the entire list which is continuously updated and selecting only those manufacturing codes which the municipality considers desirable. I don't think it would be wise to take this approach because it would require continuous revision of the LDR.

Instead, we should accept the Florida definition of manufacturing and place additional limitations on the manufacturing processes thus creating a new category called Light Manufacturing. By doing this we can eliminate the types of manufacturing which the community finds undesirable while encouraging those which represent a public benefit. These limitations must be carefully chosen. We should not create a limitation which is an obvious attempt to restrict any specific named business from locating in Parker.

I believe that we can most effectively do this by placing parametric limits on common manufacturing processes. In this way we encourage “complimentary” manufacturing while discouraging the “smokestack/noise factory” types of manufacturing that I believe the citizens are against.

Purpose of Change: To allow light manufacturing in certain Commercial Land Use Districts that is compatible with the desired growth patterns of the CRA and which will serve a legitimate public purpose.

Proposed Changes to LDR Definitions

1. Page 2-14 change the definition of “Industrial Use” to:

“Any activity within land areas involving manufacturing as defined in Sectors 31-33 of the North American Industry Classification System but not “light manufacturing” which is defined below.”

2. Page 2-17 to avoid confusion and to keep all “manufacturing” definitions in one place change item 21 to read:

“Inside assembly facilities not defined as Manufacturing¹ under NAICS Sectors 31-33.”

3. Add after MAINTENANCE the following definition:

MANUFACTURING. A business engaged in the mechanical, physical, or chemical transformations of materials, substances or components into new products as defined in Sectors 31-33 of the North American Industry Classification System².

4. Add the following definition

LIGHT MANUFACTURING. A subset of manufacturing for any business which meet all of the following limitations:

1. Wet or dry processes not generating industrial waste that must be treated before its release into the Parker sanitary sewer system.

¹ Reference to NAICS Manufacturing is needed to avoid a circular reference to Light Manufacturing in this document.

² This is consistent with the definition of “manufacturer” in F.S. 163.3251 (4)

2. Processes that emit no obnoxious odors as described in Section 386.401, Florida Statutes, or any odor subject of a complaint and detectable via ASTM E679-19 using the recognition of the nature of the substance threshold method.

3. Processes not requiring temperatures above 600°F or pressures above 300 psig. Notwithstanding the foregoing, all dry processes run at atmospheric pressure regardless of temperature which emit no waste gasses are allowed.

4. Processes not involving materials in Hazard Class (as defined in 49 CFR 173.2) 1 (explosives), 2.1 (flammable gas), 2.3 (poisonous gas), 4.2 (spontaneously combustible material), 5 (oxidizers), 6 (poisonous or infectious materials), 7 (radioactive material), 8 (corrosive material), 9 (miscellaneous hazardous material).

5. Processes which do not create noise levels above 65 dB beyond the property boundary.

5. Add the following definition

North American Industry Classification System ("NAICS"). A private industry standards company which expands the 99 OSHA Standard Industrial Classification (SIC) codes into many hundreds of more specific, discrete and detailed NAICS codes. Florida Statutes incorporate by reference NAICS code groups 31 through 33 as the state definition of manufacturing.

6. *To reinforce that manufacturing will be allowed only as a conditional use in commercial districts,* on Page 4-10 add new section 4.5.4.2 a. Allowable uses, add new final sentence:

This does not include manufacturing including light manufacturing.

7. Page 4-10 renumber existing section 4.5.4.3 to 4.5.4.5 and add new sections as follows.

4.5.4.3 Conditional Uses.

1. Light Manufacturing, provided that in any Subarea of the CRA the property must have direct vehicular access to a state or federal road or highway without the use of any city streets for deliveries including raw materials or finished products.

4.5.4.4 Prohibited Uses

Manufacturing (except light manufacturing).

8. Change 4-7.2.1 to clarify Subarea 1 may include low intensity commercial.

1. Purpose: To provide guidelines for development activity within the Main Street Subarea which includes properties located adjacent to the Business Highway 98 corridor. The subarea is intended to be the core of the Community Redevelopment Area and to redevelop over time through a combination of public and private investments into a more traditional downtown including low intensity commercial and residential. The boundaries of this subarea are more particularly illustrated on City of Parker Community Redevelopment Design Overlay Subarea 1 Map in Article 10.