RID (Rule Interpretation Decision)

(Use additional sheets as necessary)

Type of RID		Requested Response Time		DSD Assigned RID # 98 revised
Customer RID	☒	24 hours	☐	
Internal Staff RID	☐	10 working days	☐	
		As time available	☒	

1. Project Name: Commercial Ice Vending Machines over 120 SF in size, revised

2. Project Number: None
(Plat #, Zoning Case #, etc.)

3. Project Street Address: None
(If not available nearest intersection of two public streets)

4. **Applicant Name:** N/A.

5. Applicant Address: N/A.

6. Applicant Telephone: N/A.

7. **Applicant e-mail Address: #:** N/A.

8. **Rule in Question:** Unified Development Code provisions relative to Ice Vending Machines
(Section and/or policy of UDC, Sign Code, etc)

9. **Applicant's Position:**
(Including date position presented and name of city staff point of contact)
Date: August 10, 2011 **Contact:** Richard Chamberlin **Contact Telephone #:** 210-207-8281

Freestanding commercial ice vending machines have recently become a prevalent use within the City of San Antonio. The staff of the Development Services Department needs additional guidance on permitting requirements, as the UDC does not currently address this land use.

10. Staff Finding:
(Including date of finding and name of city staff person formulating finding)
Date: August 10, 2011 **Contact:** Richard Chamberlin **Contact Telephone #:** 210-207-8281

Small ice machines that serve an individual business have been in existence for quite some time; such facilities are not used by the general public and are generally quite small and subordinate to other uses on a lot or parcel. Such machines are less than 120 square feet in size and thus not subject to permitting by the City of San Antonio.

San Antonio has recently witnessed the installation of numerous large-scale, freestanding commercial ice vending machines at locations throughout the City.

The following characteristics are common of such facilities based on recent permit submittals:

- Fully automated and unmanned, open 24 hours/day and 7 days/week
- Several manufacturers make ice/water vending machines with a footprint of up to 200 SF not including awnings
- Typical weight of up to 10,000 lbs
- Built and anchored to withstand design loads of the International Building Code
- Fully engineered designs and connected to water and electric utilities
- May also connect to phone or cable service to facilitate customer payments
- Machine may dispense large bags of ice and/or large quantities of bulk ice for placement in a container furnished by the customer
- Designed to provide from 300 to 800 bags of ice per day or about 6,500 lbs per day
- May be frequently accessed by Recreational Vehicles, Campers and Contractor Trailers

Due to traffic generation, the inherent noise of the use and its 24 hour/day operations such facilities should be limited to general commercial and industrial areas.

11. Staff Position:

(Including date position presented internally and name of city staff person formulating position)

Date: August 10, 2011 **Contact:** Richard Chamberlin **Contact Telephone #:** 210-207-8281

Ice machines over 120 SF in size shall require commercial building permits and comply with all requirements of the International Building Code, and shall meet all applicable plumbing, mechanical and electrical code requirements.

Typical ice machines foundation designs consist of an engineered tie down system and can be readily moved. They are not permanently located on site by being set on a standard permanent foundation. They are also not an occupiable building for the public. Some types may have a door to service equipment, but many servicing of the equipment can be done remote to the site. Therefore they do not fit into the category of a new permanent commercial building requiring platted property. They more closely resemble other smaller vending machines as stated in Information Bulletin 529 where a site plan is adequate to review easements and any setbacks.

For ice vending machines that are over 120 square feet and intended to be permanent, i.e. built and placed on permanent engineered foundations and not readily moved, the property location of the ice machine shall either be platted or meet one of the plat exceptions listed in 35-430 of the UDC.

Where an ice machine is a principal use on a property such facilities shall be a permitted use in the following zoning districts:

TABLE 311-2 NON-RESIDENTIAL USE MATRIX													
	PERMITTED USE	O-1 & O-1.5	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
* * * * *													
Service	Ice Machine Over 120 SF					P	P		P	P		P	

Table 311-2a
Nonresidential Use Matrix

		Urban			Rural			Farm		Mixed Industrial					
	PERMITTED USE	UD Major Node		UD Minor Node	RD Major Node		RD Minor Node	FR Ag Commercial	VILLAGE CENTER FR / FR Minor Node	MI - 1	MI-1 Minor Node	VILLAGE CENTER - M1	MI - 2	MI-2 Minor Node	VILLAGE CENTER - M2
Service	Ice Machine Over 120 SF	P			P				P	P		P			

Where an ice vending machine is an accessory use to another use on a property, such as an ice machine within the parking lot of a retail shopping center, then all requirements of §35-370 "Accessory Uses and Structure Regulations", as amended November 18, 2010 by ord. no 2010-11-18-0985, shall apply.

In addition to complying with the Building, Plumbing, Mechanical and Electrical Codes and the aforementioned zoning requirements, the following supplemental requirements are applicable:

1. The placement of the ice machine shall not impede traffic nor visually impair any motor vehicle operation entering or leaving a parking lot from a street.
2. The ice machine shall not be located in a required building setback, buffer yard, access easement, drainage easement, floodplain, driveway, utility easement and/or fire lane.
3. A minimum of one (1) stacking or parking space per ice machine shall be required. Such parking or stacking space shall be of sufficient size to accommodate an oversized vehicle as defined in UDC 35-A101.
4. The location of the ice vending machine shall not reduce existing parking to below the required minimum parking spaces for the principal use on a lot.
5. All signage shall comply with Chapter 28, Signs and Billboards.
6. Permanently located (those with traditional permanent foundations), non accessory ice vending machines, where platting is required, shall meet site work related UDC requirements for traffic, sidewalk, tree canopy, landscaping and irrigation if over 150 square feet in size. Non permanent (those with tie down systems) and accessory ice vending machines are not required to

comply with traffic, sidewalk and landscaping/irrigation requirements. Any ice vending machine project is required to comply with the city tree ordinance for tree preservation.

12. Departmental Policy or Action:

(Including date of presentation of policy or action to the applicant, the effective date of the policy or action, schedule for pursuing an amendment to the code if required and signature of the Director)

Date of policy/action: Immediate **Effective Date of policy/action:** Immediate

Ice vending machines over 120 SF in size shall require commercial building permits and comply with all requirements of the International Building Code and shall meet all applicable plumbing, mechanical and electrical code requirements.

For ice vending machines that are over 120 square feet and intended to be permanent, i.e. built with permanent foundations, the property location of the ice machine shall either be platted or meet one of the plat exceptions listed in 35-430 of the UDC. For ice vending machines whose foundation designs consist of an engineered tie down system and are not permanently located on a site, a site plan showing building lot lines and existing easements is sufficient.

Where an ice vending machine is a principal use on a property such facilities shall be a permitted use in the following zoning districts:

TABLE 311-2 NON-RESIDENTIAL USE MATRIX

	PERMITTED USE	O-1 & O-1.5	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
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Service	Ice Machine Over 120 SF					P	P		P	P		P	

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Service	Ice Machine Over 120 SF	P			P				P	P		P			

Where an ice vending machine is an accessory use to another use on a property, such as an ice machine within the parking lot of a retail shopping center, then all requirements of §35-370 "Accessory Uses and Structure Regulations", as amended November 18, 2010 by ord. no 2010-11-18-0985, shall apply.

In addition to complying with the Building, Plumbing, Mechanical and Electrical Codes and the aforementioned zoning and platting requirements, the following supplemental requirements are applicable:

1. The placement of the ice machine shall not impede traffic nor visually impair any motor vehicle operation entering or leaving the parking lot from a street.
2. The ice machine shall not be located in a required building setback, buffer yard, access easement, drainage easement, floodplain, driveway, utility easement and/or fire lane.
3. A minimum of one (1) stacking or parking space per ice machine shall be required. Such parking or stacking space shall be of sufficient size to accommodate an oversized vehicle as defined in UDC 35-A101.
4. The location of the ice vending machine shall not reduce existing parking to below the required minimum parking spaces for the principal use on a lot.
5. All signage shall comply with Chapter 28, Signs and Billboards.
6. Permanently located (those with traditional permanent foundations), non accessory ice vending machines, where platting is required, shall meet site work related UDC requirements for traffic, sidewalk, tree canopy, landscaping and irrigation if over 150 square feet in size. Non permanent (those with tie down systems) and accessory ice vending machines are not required to comply with traffic, sidewalk and landscaping/irrigation requirements. Any ice vending machine project is required to comply with the city tree ordinance for tree preservation.

This rule interpretation is limited to the freestanding commercial ice vending machine use described and is not intended to apply to small ice machines accessory to a hotel/restaurant use that is not used by the general public, nor to freezers that contain bags of ice for sale, such as at a convenience store.

Rod A. Sanchez

Roderick Sanchez, AICP, C.B.O
Director

August 19, 2011

Date