

ZONING AMENDMENTS CONSUMER PRODUCTS AND SERVICES USE TABLE REVIEW

Gloucester County Planning Commission

Presentation – March 1, 2018



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Background

Phase 1 (Current)

- **SIMPLIFY** - user friendly and straightforward
- **MODERNIZE** - remove unnecessary regulations / conform with state code
- **CLARIFY** - intent / interpretation, address recurring items

Topics of Discussion

Use Table Modifications

- Simplification
- Clarification
- Conformance w/ State Code
- Modification
 - Less Restrictive
 - More Restrictive

Consumer Products and Services Categories

- Adult
- Restaurants/Beverages
- Office
- Personal Services
- Recreation
- Retail Sales
- Outdoor sales
- Automobile service/storage
- Lodging

Consumer Products and Services Home Occupations



	Districts												
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX
Home occupation, Type I		P	P	P	P	P	P	P		<u>P</u>	<u>P</u>		P
Home occupation, Type II		SE	SE	SE	SE	SE				<u>SE</u>	<u>SE</u>		

Fill used to highlight proposed changes

Type I – no employee, volunteer or customer traffic

Type II – generates employee, volunteer and/or customer or other traffic.

Adult Uses

Existing

- ~~Adult book store~~
- ~~Adult mini-motion picture theater~~
- ~~Adult motion picture theater~~
- ~~Cabaret~~
- Specified anatomical areas
- Specified sexual activities

Proposed

- Adult business
- Specified anatomical areas
- Specified sexual activities

Adult Uses



	Districts												
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX
Adult book store												SE	
Adult mini motion picture theater												SE	
Adult motion picture theater												SE	
Cabaret												SE	
<u>Adult business</u>												<u>CUP</u>	

Fill used to highlight proposed changes

Adult Uses

Adult book store

- An establishment having a substantial or significant portion of its stock in trade, including, but not limited to, video tapes, books, magazines, or periodicals, which are distinguished or characterized by their emphasis on matter depicting, describing, or related to "specified sexual activities," or "specified anatomical areas," as hereinafter defined, or an establishment with a segment or section devoted to the sale or display of such material.

Adult mini motion picture theater

- An enclosed building with a capacity for less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to "specified sexual activities," or "specified anatomical areas," as hereinafter defined, for observation by patrons therein.

Adult motion picture theater

- An enclosed building with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to "specified sexual activities," or "specified anatomical areas," as hereinafter defined, for observation by patrons therein.

Cabaret

- An adult club, restaurant, theater, hall, or similar place which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers exhibiting "specified anatomical areas," or performing "specified sexual activities," as hereinafter defined.

Key items:

- Businesses related to "specified anatomical areas" and/or "specified sexual activities" as defined.
- Being combined into one use "Adult business"

Adult Uses

Adult business

- Any adult bookstore, adult video store, adult movie theater, adult nightclub, adult store, business providing adult entertainment, or any other establishment that regularly exploits an interest in matter relating to "specified sexual activities" or "specified anatomical areas" or regularly features live entertainment intended for the sexual stimulation or titillation of patrons, and as such terms are hereinafter defined.

Key change:

- Group all adult businesses into one category
- Create new Article 9 related to distance from residences / schools / parks and other similar businesses.

Adult Uses

Specified sexual activities

- Human genitals in a state of sexual stimulation or arousal; sexual intercourse or sodomy; or fondling or other erotic touching of human genitals, pubic region, buttock or female breast, including masturbation.

Key change:

- Format change only

Specified anatomical areas

- Less than completely and opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Consumer Products and Services Categories



Adult

- Restaurants/Beverages
- Office
- Personal Services
- Recreation
- Retail Sales
- Outdoor sales
- Automobile service/storage
- Lodging

Questions / Comments?

Restaurants / Brewery

Simplification
Clarification
Modification (less restrictive)

Existing

- Restaurant
- Drive through food service
- Micro-brewery

Proposed

- Restaurant and catering facilities
- Restaurant, drive through
- Micro beverage production establishment

Restaurants / Brewery

Simplification
Clarification
Modification (less restrictive)

PC Comment:
Permit in B-4

	Districts												
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX
<u>Restaurant and catering facilities</u>									P	P	P		
<u>Drive through food service Restaurant, drive through</u>									P		P		
<u>Micro-brewery beverage production establishment</u>									SE P	SE P	P	P	

Fill used to highlight proposed changes



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Restaurants / Brewery



Restaurant and catering facilities

- Any building in which, for compensation, food or beverages are dispensed for consumption on or off the premises. ~~This definition shall include restaurants which prepare food primarily for table service, served in non-disposable containers, as well as restaurants which prepare food for either take out, delivery, or table service, served primarily in disposable containers.~~ Drive through food service is specifically excluded from this definition.

Key change

- Added catering facilities to the use



Restaurants / Brewery

~~Drive through food service~~

Restaurant, drive through

- Any building in which, for compensation, food or beverages are dispensed for consumption on or off the premises which includes and where ordering and pickup of food may take place from a vehicle within a drive lane specifically designated for that service. n automobile. ~~The sale of food or beverages to customers remaining in their automobile. Drive through service, because of its unique transportation demands, generally requires access to a major thoroughfare.~~

Key points:

- Specifies a building with a drive through...
- Separated from “Restaurant and catering facilities”
- Don’t allow drive throughs in B-2-Village Business district

Restaurants / Brewery



Micro-brewery beverage production establishment

- ~~• A facility equipped for brewing and bottling beer. This definition includes facilities which engage in retail sale of beer on site, as well as those which engage only in wholesale distribution.~~
- A facility, licensed in accordance with Title 4.1 of the Code of Virginia, as amended, in which beer, wine, cider, mead, distilled spirits, or other similar beverages are brewed, fermented, or distilled in quantities not to exceed 15,000 barrels of beer, or 36,000 gallons of distilled spirits, wine, cider, or mead annually. Establishments exceeding the above production quantities shall be deemed a food and beverage manufacturing, production and processing establishment. A portion of the establishment sells directly to the consumer on site within a retail shop, bar, tasting room, tap room, restaurant, or similar facility.

Key points

- Expanded to include beer, wine, cider, spirits, etc.
- Reference State Code

Consumer Products and Services Categories

- ✓ Adult
- ✓ Restaurants/Beverages
- Office
- Personal Services
- Recreation
- Retail Sales
- Outdoor sales
- Automobile service/storage
- Lodging

Questions / Comments?

Office

Staff Comment:
Combine all office uses

Clarification
Modification (less restrictive)

Existing

- Business, office type
- Banks and other financial institutions
- ~~Business services~~
- Business wholesale
- ~~Newspaper and commercial printing shops~~
- Veterinary hospital

Proposed

- Office, general
- Office, financial institutions
- Office, medical clinics and offices
- Warehouse and distribution
- Veterinary clinic and other animal related services

Will be moved to Industrial Category

Office

Combine general, financial institutions, and medical clinic/offices into one use category.

Clarification Modification (less restrictive)

	Districts													
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX	
<u>Business Office, type-general</u>									P	P	P	P	CUP/SE?	P
<u>Banks and other Office, financial institutions</u>									P	P	P		CUP/SE?	P
<u>Office, medical clinics and offices</u>									<u>P</u>	<u>P</u>	<u>P</u>		P	
<u>Business support services</u>									P	<u>P</u>		P		
<u>Business wholesale Warehouse & distribution</u>									P			P		
<u>Newspaper and commercial printing shops</u>									P	P				
<u>Veterinary hospital-clinic & other animal related services</u>		SE	SE	SE	SE				P	<u>P</u>	P			

Fill used to highlight proposed changes



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Office



~~Business, office type~~ Office, general

- ~~Quasi-commercial uses which may often be transitional between retail business and/or manufacturing, and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic, and drafting. Institutional offices of a charitable, philanthropic, or religious or educational nature are also included in this classification.~~
- Use of a site for business, professional, or administrative offices, excluding medical offices. Typical uses include real estate, insurance, management, travel, **financial** or other business offices; organization and association offices; or law, architectural, engineering, accounting or other professional offices; or contractors offices that do not include outside storage.

Key items

- Typical offices
- Can include contractors offices w/out outdoor storage

Office



~~Banks and other~~ Office, financial institutions

- Provision of financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are generally provided on site. Typical uses include banks, savings and loan associations, savings banks, credit unions, lending establishments and automatic teller machines (ATMs).

Key item

- Financial offices

Office



Office, medical clinics and offices

- A building, other than a hospital as herein defined, providing medical, psychiatric or surgical services for sick or injured persons exclusively on an out-patient basis.

Key item

- Medical offices



Office

Business, support services

- Any profit-making activity business which renders services primarily to other commercial or industrial enterprises, which services and repairs appliances and machines used in homes and businesses.
- Establishments or places of business engaged in the sale, rental or repair of office equipment, supplies and materials, or the provision of services used by office, professional and service establishments. Typical uses include office equipment and supply firms, small business machine repair shops, convenience printing and copying establishments, as well as temporary labor services.

Key item

- Not needed.



Office

Business wholesale Warehouse and distribution

- ~~Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for the fabrication of a product, or for use by a business service.~~
- Uses including storage, warehousing and dispatching of goods within enclosed structures, or outdoors. Typical uses include wholesale distributors, storage warehouses, moving/storage firms.

Key item

- Typically large buildings / operations

Office



~~Newspaper and commercial printing shops~~

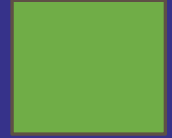
~~Veterinary hospital~~ clinic and other animal related services

- A facility established to supply examination, diagnostic and prophylactic services and medical and surgical treatment to companion animals and equipped to provide housing and nursing care for them during illness and/or convalescence. Boarding of animals shall only be conducted indoors, on a short term basis, and shall only be incidental to such hospital/clinic use, unless also authorized and approved as a **kennel**. Use also includes other animal related services such as taxidermy and pet crematoriums.

Key items

- Newspaper and commercial printing covered under “Office, general”
- Combined all animal services together

Office



Office park

- A development that contains a group of architecturally related office establishments which are planned, developed, constructed, and managed on an integrated and coordinated basis.

Key Point

- Definition is related to the sign ordinance.

Consumer Products and Services Categories

- ✓ Adult
- ✓ Restaurants/Beverages
- ✓ Office
- Personal Services
- Recreation
- Retail Sales
- Outdoor sales
- Automobile service/storage
- Lodging

Questions / Comments?

Personal Services

Clarification
Modification (less restrictive)

Existing

- Music and dance studios →
- Business, convenience →
- ~~Beauty salon/barbershop~~
- ~~Dry cleaning/laundry facilities~~
- Wellness and fitness center →

Proposed

- Studio, fine and performing arts
- Personal service establishment
- Commercial indoor amusement, recreation , sports

Considered adding Studio, fine and performing arts to proposed Commercial indoor amusement, recreation, sports but suggest leaving it separate. Wellness and fitness center can be combined.

Personal Services

Clarification
Modification (less restrictive)

	Districts													
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX	
Music and dance studios- <u>Studio, fine and performing arts</u>										P	P	<u>P</u>		
Business, convenience <u>Personal service establishment</u>										P	P	P		
Wellness and fitness center										<u>P</u>	<u>P</u>	<u>P</u>		
<u>Commercial indoor amusement, entertainment, sports</u>										<u>P</u>	<u>P/</u> <u>CUP</u> <u>?</u>	<u>P</u>		<u>CUP?</u>

Fill used to highlight proposed changes

Wellness and fitness center combined with “Commercial indoor amusement, recreation...”



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Personal Services

~~Music and dance studios~~ Studio, fine and performing arts

- A place of work for an artist, artisan, or craftsperson including persons engaged in the application, teaching or performance of fine, craft or performing arts such as but not limited to drawing, dance, music, painting, pottery, sculpture and writing.

Key points

- Currently no definition
- Broadened use to include fine arts

Personal Services

~~Business convenience~~ Personal service establishment

- ~~Commercial establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. To prevent congestion, convenience uses include, but need not be limited to, drugstores, beauty salons, barbershops, carry-outs, dry cleaning and laundry facilities, and grocery stores, and other personal services if less than ten thousand (10,000) square feet in floor area. Uses in this classification tend to serve a day-to-day need in the neighborhood.~~
- Establishments primarily engaged in providing services to people, their pets, or their belongings involving the care of a person or his or her personal goods or apparel. Uses in this classification tend to serve the day to day needs of the community and include, but are not limited to, the following: laundry, including cleaning and pressing services; beauty salons; barber shops; shoe repair; pet grooming, and clothing rental.**

Key points

- Existing definition very broad
- Proposed narrows the focus
- Allowed removal of 2 definitions
 - Beauty barber shops
 - Laundry facilities

Personal Services

~~Wellness and fitness center~~

- ~~An indoor establishment designed and equipped for the conduct of recreational sports, **that provides facilities for** physical exercise, leisure time activities, **recreational sports**, or other usual recreational activities, and open to members and guests or open to the public for a fee. Such establishments may offer classes or instruction in such activities as physical exercise, weight training, martial arts, or weight control and include such facilities and equipment as handball courts, basketball courts, squash or racquetball courts, gymnasiums, tennis courts, swimming pools, cardio exercise apparatus, or weight training equipment.~~

Key points

- Combined with “Commercial, indoor amusement, entertainment, sports”

Consumer Products and Services Categories

- ✓ Adult
- ✓ Restaurants/Beverages
- ✓ Office
- ✓ Personal Services
 - Recreation
 - Retail Sales
 - Outdoor sales
 - Automobile service/storage
 - Lodging

Questions / Comments?

Recreation

Simplification
Clarification
Modification (less & more restrictive)

Existing

- ~~Indoor theaters and auditoriums~~
- Recreation and amusement enterprises
- Event Facility

Proposed

- Commercial indoor amusement, entertainment, sports
- Commercial outdoor entertainment or sports, major
- Commercial outdoor entertainment or sports, minor
- Event facility

Staff suggestion: Revise the name to "Commercial... amusement, performance, or recreation"

Recreation

Simplification

Clarification

Modification (less & more restrictive)

	Districts												
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX
Indoor theaters & auditoriums									P	SE			
Recreation and amusement enterprises		SE	SE	SE	SE				SE	SE	SE		
<u>Commercial indoor amusement, entertainment, sports</u>									P	P/CUP ?	P		CU PX
<u>Commercial outdoor amusement, entertainment, sports, major</u>			CUP						CUP	CUP X	CUP		
<u>Commercial outdoor amusement entertainment sports, minor</u>			CUP	CUP					P	P/CUP	P/CUP ?		CU PX
Event facilities		CUP	CUP	CUP	CUP				P	P	CUP		

Recreation



Indoor theaters and auditoriums

- Predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters and music halls.

Key points

- Covered in proposed broader definition “Commercial indoor amusement, entertainment, sports”

Recreation



Recreation and amusement enterprises

- ~~Participant and/or spectator uses operated as a business. Typical uses include: dance halls, nightclubs, game rooms; billiard and pool halls; video arcades; bowling alleys; ice and roller skating rinks; outdoor racquetball, swimming, and/or tennis facilities; sports arenas; outdoor amusement parks; driving ranges; archery ranges; and miniature golf.~~

Key points

- Very broad use from a pool hall to an amusement park
- Replaced with several more focused definitions



Recreation

Commercial indoor amusement, entertainment, or sports

- Participant and/or spectator uses conducted within an enclosed building. Typical uses include game rooms, pool halls, video arcades, bingo parlors, theaters, concert halls, bowling alleys, ice and roller skating rinks, swimming, and/or indoor racquetball.

Key points

- Indoor use
- Possibly add an Article 9 to address/identify items that would not be acceptable



Recreation

Commercial outdoor amusement, entertainment, or sports, major

- Large participant and/or spectator uses conducted in open or partially enclosed or screened facilities. Typical uses include sports arenas, motorized cart and motorcycle tracks, motor vehicle or animal racing facilities, and outdoor amusement parks.

Key point

- Includes major outdoor uses with adjacent property impacts



Recreation

Commercial outdoor amusement, entertainment, sports, minor

- Predominantly participant uses conducted in open or partially enclosed or screened facilities. Facilities in this category Typical uses include driving ranges, miniature golf, swimming pools, tennis courts, outdoor racquetball courts.

Key points

- Includes low impact uses
- Create new Article 9 to address noise, hours of operation, etc. for by-right uses.

Art. 9

- Such use shall be so located, designed and operated that noise from equipment, machinery or loudspeaker systems is not audible from nearby residential districts; hours of operation limits 7am - 10 pm. (occupancy/acres?)

Recreation



	Commercial Amusement, Entertainment, Sports		
	Indoor	Outdoor, major	Outdoor, minor
Size	Large or Small	Large	Small
Location	Within an enclosed building	Open or partially enclosed or screened facilities	Open or partially enclosed or screened facilities
Typical Uses	game rooms, pool halls, video arcades, bingo parlors, theaters, concert halls, bowling alleys, ice and roller skating rinks, swimming, and/or indoor racquetball	sports arenas, motorized cart and motorcycle tracks, motor vehicle or animal racing facilities, and outdoor amusement parks	driving ranges, miniature golf, swimming pools, tennis courts, outdoor racquetball courts
By-Right	B-1, B-2?, B-4		B-1, B-4?
CUP	B-2?	RC-1, B-1, B-4	C-2?, RC-1, RC-2, SC-1?, B-2, B-4?

Recreation



Event facility

- Event facility: A place of public assembly used for commercial events as defined herein.
- Event, commercial: A social, sporting, or charitable gathering open to the general public or invited guests held at a venue which is operated as a business pursuant to the definition in Chapter 10 of the Gloucester County Code. Typical events include, but are not limited to, weddings, performances, conferences, social, or other events. Excluded from this definition are events held by a property owner for their personal use and enjoyment, and events held for charitable purposes by a non-profit entity properly registered as a 501(c) organization with the Internal Revenue Service, both of which are not regulated by this ordinance.

Key points

- Definitions from recent “Event facilities” CA

Consumer Products and Services Categories

- ✓ Adult
- ✓ Restaurants/Beverages
- ✓ Office
- ✓ Personal Services
- ✓ Recreation
 - Retail Sales
 - Outdoor sales
 - Automobile service/storage
 - Lodging

Questions / Comments?

PC Comment: Leave General store, country as a separate use.

Retail Sales

Simplification
Clarification
Modification (more restrictive)

Existing

- ~~Business, general~~
- ~~General store, country~~
- Retail stores and shops
- ~~Building supplies and services~~
- ~~Department store, discount store~~
- ~~Furniture, carpet, or appliance store~~
- ~~Hardware store~~
- ~~Pharmacy /drug store~~
- ~~Supermarket~~

Proposed

- Retail sales, indoor

Key point

- Many of these uses were only differentiated due to parking requirements
- Gasoline sales is not included. It will be included in outdoor sales.

Retail Sales

Simplification
Clarification
Modification (more restrictive)

PC Comment: Leave as a separate use and as currently permitted.

	Districts												
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX
Business, general									P	P			
General store, country Convenience store			SE	SE	SE						P		
Retail stores and shops sales, indoor									P	P	P		
Building supplies and services									P				

Fill used to highlight proposed changes

Retail Sales

Business, general

- Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which serve day to day needs of the community, as well as supplying the more durable and permanent needs of the whole community. General business uses include, but need not be limited to, such activities as supermarkets; stores that sell hardware, apparel, footwear, appliances, and furniture; department stores; pharmacies; and discount stores.

Key points

- Too broad

Retail Sales

Retail stores and shops sales, indoor

- ~~Any building wherein the primary occupation is the sale of merchandise in small quantities, in broken lots or parcels, not in bulk, for use or consumption by the immediate purchaser (but specifically exclusive of coal, wood and lumberyards), such as the following, which will serve only as illustrations: drugstore, newsstand, food store, candy shop, milk dispensary, dry goods and notions store, antique store and gift shop, hardware store, household appliance store, furniture store, florist, optician, music and radio store, electronics sales and service, tailor shop, barbershop, and beauty shop.~~
- Establishments engaged in the selling or rental of goods or merchandise primarily indoors (usually to the general public for personal use or household consumption, although they may also serve business and institutional clients) and in rendering services incidental to the sale of such goods. **Includes gasoline sales in association with a convenience store.** Excludes those classified more specifically by these use type classifications.

Key point

- Primarily indoor sales
- New Article 9 to address outdoor display and sales

Retail Sales

Building supplies and services

- Establishments primarily engaged in retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, but specifically excluding automobile or equipment sales otherwise classified herein. Typical uses include: building material stores and home supply establishments.

Key point

- Covered under proposed “Retail sales, indoor”
- If outdoor sales or storage involved, can be covered under proposed “Retail sales, outdoor”

Retail Sales

~~General store, country~~ Convenience store

- ~~A single store, the ground floor area of which is four thousand (4,000) square feet or less and which primarily offers for sale at retail most of the following articles: Bread, milk, cheese, canned and bottled foods and drinks, tobacco products, candy, papers, magazines, and general hardware articles. Gasoline may also be offered for sale, but only as a secondary activity.~~
- Establishments primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged or prepared food and beverages, and limited household supplies and hardware. This use may include fuel pumps and/or the selling of fuel for motor vehicles. Typical uses include neighborhood markets and country stores.

Key point

- Not needed



Retail Sales

~~Department store, discount store~~

~~Furniture, carpet or appliance store~~

~~Hardware Store~~

~~Pharmacy/drug store~~

Supermarket

Key points

- Uses and definitions included related to parking table.
- Differences will be handled in the parking table

Consumer Products and Services Categories

- ✓ Adult
- ✓ Restaurants/Beverages
- ✓ Office
- ✓ Personal Services
- ✓ Recreation
- ✓ Retail Sales
 - Outdoor sales
 - Automobile service/storage
 - Lodging

Questions / Comments?

Outdoor Sales

Simplification

Modification (less & more restrictive)

Existing

- ~~Business, highway~~
- Automotive and farm implement sales and service
- Farm, forestry, and construction equipment sales and service
- Manufactured home and trailer sales
- ~~Automotive and farm implement sales~~

Proposed

- Retail sales, outdoor



Outdoor sales

Simplification
Modification (less & more restrictive)

	Districts												
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX
Business, highway									P			P	
Automotive, and farm implement, <u>and marine sales and service</u>									P		<u>P</u>	<u>CUP</u>	
Farm, forestry, and construction equipment sales and service			SE	SE	SE						SE	SE	
Manufactured (<u>mobile</u>) home and <u>modular home trailer sales</u>									<u>P</u>		<u>P</u>	<u>P</u> <u>CUP</u>	
<u>Retail sales, outdoor</u>			<u>CUP</u>						<u>P</u>		<u>P</u>	<u>P</u>	

Staff Comment: Consider SE instead of CUP.

Fill used to highlight proposed changes



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Outdoor Sales

Business, highway

- Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend to serve the motoring public. Highway businesses uses include, but need not be limited to, such activities [as] filling stations; truck and auto sales and service, restaurants and motels.

Key points

- Too broad

Outdoor Sales



~~Automotive and farm implement, and
marine sales and service~~

- ~~• Any business establishment that sells or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, farm implements, boats, motorcycles or other similar motorized vehicle. The facility may provide on-site facilities for the repair and service of the vehicles sold or leased by the business.~~
- ~~• Buildings and premises for the display, sale or rental of new and/or used motor vehicles, recreational vehicles, farm implements, boats, trailers, etc. The facility may provide on-site facilities for the repair and service of the vehicles sold or leased by the business.~~

Key point

- Combined all outdoor sales



Outdoor Sales

Farm, forestry, and construction equipment sales and service

- The sale or rental of new and/or used farm, forestry, and construction equipment, displayed and sold on the premises. This definition also includes repair and service of such equipment.

Key point

- Combined all outdoor sales



Outdoor Sales

~~Manufactured (mobile) and modular~~ ~~home and trailer~~ **Residential** sales

- ~~Buildings and premises for the display and sale of new and/or used~~ The sale or rental of new and used manufactured (mobile) homes, modular homes, or home additions. and trailers, but displayed and sold on the premises.

Key point

- Combined all outdoor sales



Outdoor Sales

~~Automotive and farm implement sales~~

- ~~• The sale or rental of new and used motor vehicles or farm implements, but displaced and sold on the premises.~~

Key points

- Just a definition
- No districts assigned



Outdoor Sales

Retail sales, outdoor

- The display and sale or rental of products, primarily outside of a **commercial** building, including but not limited to vehicles, boats, farm and lawn equipment, recreational vehicles, **gasoline**, structures, building and landscape materials such as garden supplies, flowers, shrubs, and lumber. Includes both retail and wholesale sales. The facility may provide on-site facilities for the repair and service of the items sold or leased by the business. **This use does not include flea markets.**

Key points

- New use to cover all outdoor sales
- New Article 9 to address loading / unloading, outdoor display, storage, ADA access, etc.
- Lumber yards and Garden centers could fall under this category

Consumer Products and Services Categories

- ✓ Adult
- ✓ Restaurants/Beverages
- ✓ Office
- ✓ Personal Services
- ✓ Recreation
- ✓ Retail Sales
- ✓ Outdoor sales
 - Automobile service/storage
 - Lodging

Questions / Comments?

Simplification
Modification (less restrictive)

Automobile service/storage

Existing

- Service station garage
- ~~Lawn and garden equipment sales, service and repair~~
- ~~Automobile service stations, gasoline sales, automobile repair~~
- ~~Car wash~~

- Public parking lots or structures
- ~~Garage, private~~
- ~~Garage, public~~

Proposed

- Vehicle and engine repair/service

- Parking lots or structures
- Automobile/vehicle storage
- Automobile Impoundment lot

Automobile Sales/Storage

Simplification
Modification (less restrictive)

	Districts													
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX	
<u>Service station garage</u> <u>Vehicle and engine</u> <u>repair/service</u>										<u>P</u>		P	<u>P</u>	
Lawn and garden equipment sales, service and repair												P		
Public parking lots or structures										<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P
<u>Automobile/vehicle</u> <u>storage</u>										<u>CUP</u>		<u>CUP</u>	<u>P</u>	
<u>Automobile impound</u> <u>facility</u>													<u>P</u>	

Fill used to highlight proposed changes



Automobile service/storage

~~Service station garage~~ Vehicle and engine repair/service

- ~~Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be sold. A service station includes a repair garage and a body shop.~~
- The business of repairs and maintenance to any motor vehicle, small engine, construction equipment, commercial vehicles, agricultural implements and similar heavy equipment. This definition includes car washes.

Key point

- Combined all engine repair/service
- Includes car washes

Automobile service/storage



~~Lawn and garden equipment sales,
service, and repair~~

- ~~• The sale and/or repair of new and/or used lawn and garden equipment, displayed and sold on the premises.~~

Key point

- Covered in “Vehicle and engine repair/service”

Automobile service/storage



~~Automobile service stations, gasoline sales, automobile repair~~

~~Car wash~~

- ~~• Washing and cleaning of vehicles. Typical uses include automatic conveyor machines and self-service car washes.~~

Key points

- Not needed, included in others

Automobile service/storage



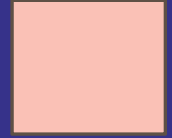
Public parking lots or structures

- An off-street ground level area or structure used for temporary parking of automobiles, whether for free or for compensation. Typical uses include but are not limited to public/private parking lots, parking structures and park and ride lots.

Key points

- Removed “public”
- Added definition

Automobile service/storage



Automobile/vehicle storage

- A facility that provides outdoor storage of motorized vehicles. All vehicles stored must remain mechanically operable and licensed at all times. This definition does not include the areas designated for the storage of motorized vehicles in a private development.

Key points

- New definition
- Provided to serve home based businesses that cannot store their vehicle at their residence

Automobile service/storage



Automobile impound facility

- A facility that provides temporary outdoor storage for Class-I vehicles that are to be claimed by titleholders or their agents where no motor vehicle is kept for more than 14 days.

Key point

- New definition

Automobile service/storage



~~Garage, private~~

- ~~• A detached accessory building or portion of a principal building designed or used for the storage of automobiles, travel trailer, and/or boats owned and used by the occupants of the premises. On a lot occupied by a two-family or multifamily dwelling, the private garage may be designed and used for the storage of two (2) times as many automobiles as there are dwelling units.~~

~~Garage, public~~

- ~~• A principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles, and in which no other service shall be provided for remuneration.~~

Key points

- Not assigned districts as a use currently
- Not needed, included in others

Consumer Products and Services Categories

- ✓ Adult
- ✓ Restaurants/Beverages
- ✓ Office
- ✓ Personal Services
- ✓ Recreation
- ✓ Retail Sales
- ✓ Outdoor sales
- ✓ Automobile service/storage
 - Lodging

Questions / Comments?

Lodging

Simplification

Modification (less & more restrictive)

Existing

- Hotel or motel
- ~~Motor lodges~~
- Guest house
- Bed and breakfast

Proposed

- Hotel
- Inn
- Bed and breakfast

Lodging

Simplification
Modification (less & more restrictive)

	Districts												
	C-1	C-2	RC-1	RC-2	SC-1	SF-1	MF-1	MH-1	B-1	B-2	B-4	I-1	RMX
Hotel or motel									P	SE			
Motor lodge									P				
Guest house <u>Inn</u>		SE CUP	SE CUP	SE CUP					P	P	P		
Bed and breakfast		SE	SE	SE	SE	SE			P	P	P		P

Fill used to highlight proposed changes



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Lodging



Hotel or motel

- ~~• A building with six (6) or more guest rooms in which lodging or boarding and lodging are provided and offered the public for compensation; as such it is open to the public in contradistinction to a boarding house which is herein defined.~~
- A building or group of buildings containing sleeping and/or living accommodations used only for transient occupancy. Such uses generally provide additional services such as daily maid service, restaurants, meeting rooms, personal services, and/or recreation facilities.

Key points

- Conference facilities are considered a permitted accessory use
- Motor lodge deleted – no definition

Motor lodge

Lodging

Guest house-Inn

- ~~• A building or structure, other than a hotel or motel, where both lodging and meals are to be provided, for compensation, for no less than four (4) and no more than twenty (20) individuals.~~
- A building or group of buildings, other than a hotel or bed and breakfast home, with no more than 30 rooms containing sleeping and/or living accommodations used only for transient occupancy. Such uses generally provide additional services such as daily maid service, meals, and personal services. Facilities may also include restaurants, meeting rooms, and/or recreation facilities.

Key points

- Current Guest house definition is very similar to B&B, includes meal service
- New definition references # of rooms, not # of individuals
- Small scale hotel - limited to 30 rooms

Lodging



Bed and breakfast

- An owner/operator-occupied building or structure, other than a hotel or inn motel, containing no more than five (5) guest bedrooms, where lodging is provided to transient guests, and which provides no food or beverage service other than breakfast for the guests.

Key points

- Can also be operator occupied
- Limited to 5 bedrooms

Lodging



~~Tourist court, auto court, motel
cabins, or motor lodge~~

- ~~• One (1) or more buildings containing individual sleeping rooms, designed for or used temporarily by automobile tourists or transients, with garage or parking space conveniently located to each unit.~~

~~Country inn~~

- ~~• See definition of “guest house”.~~

Key points

- Existing definitions no longer needed.

Consumer Products and Services Categories

- ✓ Adult
- ✓ Restaurants/Beverages
- ✓ Office
- ✓ Personal Services
- ✓ Recreation
- ✓ Retail Sales
- ✓ Outdoor sales
- ✓ Automobile service/storage
- ✓ Lodging

Questions / Comments?

Other definitions

Business

- ~~• An organization or economic system where goods and services are exchanged for one another or for money.~~
- A course of dealing which requires the time, attention and labor of the person so engaged for the purpose of earning a livelihood or profit. It implies a continuous and regular course of dealing, rather than an irregular or isolated transaction. A person may be engaged in more than one (1) business. The following acts shall create a rebuttable presumption that a person is engaged in a business: (i) advertising or otherwise holding oneself out to the public as being engaged in a particular business or (ii) filing tax returns, schedules and documents that are required only of persons engaged in a trade or business.

Key point

- Revisions to match the Commissioner of Revenue's definition.

Other definitions

Flea market

- A temporary (occasional or periodic) commercial market held in a structure or open area where one (1) or more individuals are involved in the setting up of tables, platforms, racks or similar display areas for the purpose of selling, buying, or exchanging merchandise, goods, materials, products or other items. This definition shall not be construed to include sidewalk sales by retail merchants, fruit or produce stands, bake sales, or garage/yard or rummage sales held in conjunction with residential uses or sponsored activities conducted by religious, civic, charitable or nonprofit organizations conducted not more than four (4) times a year.

Key point

- Only a definition with no districts assigned
- Used to eliminate the perpetual garage sale

END OF PRESENTATION



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