

ATTACHMENT #3 RECOMMENDED ORDINANCE

ORDINANCE NO 09-813

Repeal the allowances for Open Air Commercial Platforms as listed in Appendix A Zoning Article 3.8-1 Table of Permitted Uses; Article 7.1 (d) Off-street parking space schedule; Article 12.2 Development Standards for Particular Uses; and Article 23 Definitions.

3.8-1. Table of Permissible Uses

TABLE INSET

P = Permitted

C = May be permitted with Conditions

TABLE INSET

USES OF LAND

	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Museums					P				P		P		P	P
Nursery, garden and landscaping, display & sales											P			P
Offices, public, private or civic								P	P	P	P	P	P	P
Open air commercial platform (See Art. 12.2)									C	I				
Parking decks - Municipal									P					
Parking decks - Private									C					
Parking lot, commercial-permanent (See Art. 12.2)									P					

Article 7.1

(d) Off-street parking space schedule.

TABLE INSET	
Types of Uses	Number of Required Parking Spaces
All others	1 per 200 sq. ft.
Animal hospitals	1 per 300 sq. ft.
Automobile service station	2 per station + 4 per service bay
Open air commercial platform	1 per only 4 persons accommodated by facility at maximum capacity
BANKS AND SIMILAR FINANCIAL	
Banks	1 per 300 sq. ft.
Drive through windows (Banks)	3 stacking or queuing spaces for each window
ATM	2 per machine
Commercial marina	1 per wet boat storage space, 1 per 2 dry storage, 1 per service bay, 1 per 2 employees + required for all other on-site uses

Article 12.2

~~Open air commercial platform.~~

~~Open air commercial platforms~~ are available for commercial uses that are permissible in the CBD. In reviewing an application for an open air commercial establishment, the town council and planning and zoning commission shall apply the following supplemental review guidelines criteria in addition to the standard review guidelines for conditional uses permits pursuant to Article 14:

~~(1) An operational/business plan which addresses hours of operation, number of employees, goals of business, and other operational characteristics pertinent to the application.~~

~~(2) A parking plan which fully describes where and how the parking is to be provided and utilized.~~

~~(3) An indoor/outdoor crowd control plan which addresses how large groups of people waiting to gain entry into the establishment, or already on the premises will be controlled.~~

~~(4) A security plan for the establishment and any parking facility, including enforcement of patron age restrictions.~~

~~(5) A traffic circulation analysis and plan which details the impact of projected traffic on the immediate neighborhood and how this impact is to be mitigated.~~

~~(6) A sanitation plan which addresses on-site facilities as well as off-premises issues resulting from the operation of the establishment.~~

~~(7) A noise attenuation plan which addresses how noise will be controlled to meet the requirements of the noise ordinance.~~

~~(8) Proximity of proposed establishment to residential uses.~~

~~(9) Cumulative effect of proposed establishment on adjacent existing uses.~~

~~(10) Town council may add additional landscaping requirements where applicable to screen objectionable views within and between uses and assists in noise abatement, maintaining the climatic balance and decreasing wind velocity and to assist in crowd control.~~

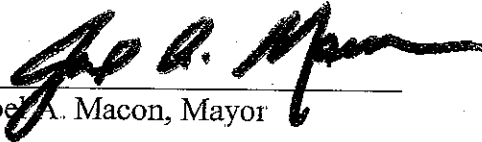
~~(11) The outdoor area shall be safely lighted and be confined to the project property not to shine on adjoining properties.~~

(Ord. No. 07-674, 3-13-07)

Article 23

~~Open air commercial platform: Means a commercial establishment in which the use provides an area more than fifty (50) percent open air or area, which by its design is open to the outside, to be approved by a conditional use permit.~~

Adopted this 13th day of October, 2009.



Joel A. Macon, Mayor

Attest: 
Melinda N. Prusa, Town Clerk

