



## ORDINANCE NO. 10-843

### **Amend Appendix A Article 3.8-1 Table of Permitted Uses; Article 7 Off-street parking and loading requirements; Article 12.2 Development standards for particular uses; and Article 23 Definitions;**

#### **Sec. 12.2. Development standards for particular uses.**

##### **Rental of Golf Carts, Mopeds and Scooters**

Any operation whether as principal or accessory that plans to rent golf carts, mopeds, and/or scooters shall meet the following requirements:

1. No rental item shall be permitted to encroach into any public right-of-way or site triangle in accordance with Section 7.1(e)(7)(c) vision clearance.
2. All exterior display areas shall be paved or stoned with proper drainage provided.
3. All lighting shall be directed to the interior of the property and shall not impact adjacent properties or public rights-of-ways.
4. Rental, maintenance and all related functions shall be conducted within a permanent *building* having restrooms facilities for patrons and employees.
5. Any rental item that is viewable by a patron whether inside or outside shall be considered "displayed for rent" and shall meet the requirements for on-site parking where applicable. Display areas may be indoors or outdoors, but shall not be located in required parking or landscape buffer areas.
6. A minimum of \$1,000,000 liability insurance policy shall be secured by the operator and the Town shall be named as an additional insured party.
7. It shall be the responsibility of the operator to insure that all federal, state and local safety and motor vehicles laws are adhered to.

**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
<b>Non-Residential Uses</b>														
Radio, television, computer, appliance repairs and rental service									P		P			
Rental of any item the sale of which is permitted in the district									P		P	P		
Rental of golf carts, mopeds, and scooters (see Article 12.2)*								P	P	P	P	P		P
Repair of any item the sale of which is permitted in the district									P		P			
Retail sales General								P	P	P	P	C		

\*Note: Rental of these items may be permitted in the designated zoning districts as an accessory use to other permitted commercial uses if parking and other standards can be met.

(d) *Off-street parking space schedule.*

TABLE INSET:

Types of Uses	Number of Required Parking Spaces
Drive through windows (eating and drinking establishments)	6 stacking or queuing spaces for the first window; 3 stacking spaces for each additional window
Rental of golf carts, mopeds, and scooters	1 parking space per every three vehicles displayed for rent
Retail stores and service businesses (i.e. barber, tailor, etc)	1 per 200 sq. ft. of actual retail space or service area
Shopping centers, multi-use facility	5 per 1,000 sq. ft. of gross leasable area

\*Where fractional spaces are indicated, the total will be counted and rounded up to the next whole number.

\*\*Landscape islands must be provided for each unit to distinguish separate ownership.

\*\*\*Units stacked on top of each other with common ownership of land must provide for two (2) unobstructed parking spaces per unit.

Notes:

(1) *On all streets which terminate with the ocean berm or the waters of Myrtle Grove Sound where dwellings, hotels or motels are located on corner lots which about the terminated street and the dominant highway or right-of-way, such dwellings, hotels or motels shall have the entrance to such projects for ingress and egress on the dominant street only unless the technical review committee determines the new ingress/egress will not negatively impact the level of public access. Minimal evaluation criteria that shall be met: (1) enhance access by defining additional public parking; (2) increase public safety by allowing access on the terminating street; (3) include improvements to public access to the ocean and/or soundfront areas.*

(2) *For types of uses not listed, the planning director shall have the authority to determine the appropriate number of required parking spaces based upon the maximum anticipated use.*

**Article 23.3 Definitions**

*Rental Items:* Any item(s) for rent that are located on the premises of the principal business that may also sell the same item(s).

Adopted this 10<sup>th</sup> day of August 2010.

  
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Joel A. Magon, Mayor

Attest:   
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Melinda N. Prusa, Town Clerk

