

Rules Committee Amendments to O-6-14

Seasonal Outdoor Sales

Amendment #1

Page 1, Line 25

Insert: Section 21.64.150 (Christmas tree and greens sales) and Section 21.64.380 (Markets, open air) **FOR THE PURPOSE OF STRIKING FROM THE CODE**

21.64.150 Christmas tree and greens sales.

A. Sales are allowed only on a seasonal basis.

B. No permanent structures shall be erected in conjunction with the sales.

C. Portable tables and umbrellas may be utilized for the sales.

D. Site design review under Chapter 21.62 is required.

E. Where it can be demonstrated that there is no negative impact on the availability of parking for such other uses as may occupy the site, an adjustment to the parking requirement may be granted at the discretion of the Planning and Zoning Director in order to utilize those parking spaces for the temporary use.

F. No use may be made of buffers for sales.

G. The Department of Planning and Zoning may establish requirements for hours of operation, refuse removal and deliveries.

H. Refuse containers shall be provided and the cleanliness of the site and adjacent areas, as defined by the Department of Planning and Zoning, shall be maintained.

21.64.380 Markets, open air.

See Food and beverage-related uses.

Amendment #2

21.64.555 - SEASONAL OUTDOOR SALES

A. SALES ARE ALLOWED ONLY ON A SEASONAL BASIS.

INSERT NEW B. THE DEPARTMENT OF PLANNING AND ZONING SHALL DETERMINE THE LENGTH OF TIME THAT THE SEASONAL USE MAY REMAIN OPEN, THE NUMBER OF DAYS AND NUMBER OF HOURS IN A DAY THAT THE SEASONAL USE MAY REMAIN OPEN, REQUIREMENTS FOR REFUSE REMOVAL AND DELIVERIES FOR EACH

SEASONAL USE, AND ANY OTHER STANDARDS REQUIRED BY THIS CHAPTER FOR EACH SEASONAL USE.

~~B. C. A USE PERMIT IS REQUIRED AND SHALL NOT BE ISSUED WITHOUT THE PRIOR WRITTEN CONSENT OF THE OWNER OF THE PROPERTY ALLOWING USE OF THE PROPERTY FOR SEASONAL OUTDOOR SALES. A LETTER FROM THE OWNER OF THE PROPERTY GIVING HIS/HER CONSENT TO USE THE SUBJECT PROPERTY SHALL BE PROVIDED.~~

~~C. D. NO PERMANENT STRUCTURES SHALL BE ERECTED IN CONJUNCTION WITH THE SEASONAL OUTDOOR SALES. TEMPORARY STRUCTURES, PORTABLE TABLES, AND UMBRELLAS MAY BE UTILIZED FOR THE SEASONAL OUTDOOR SALES.~~

~~D. E. SITE DESIGN REVIEW AND APPROVAL UNDER CHAPTER 21.62 IS REQUIRED. A SCALED SITE PLAN INDICATING THE LOCATION OF THE TEMPORARY STRUCTURES, TRASH STORAGE AREAS, LOCATION OF SIGNS AND THE LOCATION OF ADJACENT STREETS, AVENUES AND ALLEYS; A SITE DESIGN REVIEW APPLICATION SHALL INCLUDE THE PRODUCTION OF A SCALED SITE PLAN INDICATING THE LOCATION OF TEMPORARY STRUCTURES, TRASH STORAGE AREAS, AND SIGNS, AND THE LOCATION OF ADJACENT STREETS, AVENUES, AND ALLEYS.~~

~~STRIKE: E. THE USE SHALL NOT OBSTRUCT THE VISIBILITY OF MOTORISTS, NOR OBSTRUCT THE PARKING LOT CIRCULATION OR BLOCK ACCESS TO A PUBLIC STREET;~~

~~REPLACE WITH: F. NO SEASONAL OUTDOOR USE SHALL OBSTRUCT THE VISIBILITY OF ANY MOTORISTS OR PARKING LOT CIRCULATION OR BLOCK ACCESS TO A PUBLIC STREET, AVENUE, OR ALLEY.~~

~~STRIKE:F. WHERE IT CAN BE DEMONSTRATED THAT THERE IS NO NEGATIVE IMPACT ON THE AVAILABILITY OF PARKING FOR SUCH OTHER USES AS MAY OCCUPY THE SITE, AN ADJUSTMENT TO THE PARKING REQUIREMENT MAY BE GRANTED AT THE DISCRETION OF THE PLANNING AND ZONING DIRECTOR IN ORDER TO UTILIZE THOSE PARKING SPACES FOR THE TEMPORARY USE.~~

~~REPLACE WITH: G. WHERE THE DEPARTMENT OF PLANNING AND ZONING DETERMINES THAT A SEASONAL OUTDOOR USE WILL RESULT IN ONLY MINIMAL IMPACT ON THE AVAILABILITY OF PARKING FOR OTHER USES OCCUPYING THE SAME PROPERTY, THE DIRECTOR MAY, IN HIS OR HER DISCRETION, ALLOW AN ADJUSTMENT TO THE EXISTING PARKING REQUIREMENT FOR THAT PROPERTY IN ORDER TO UTILIZE THOSE PARKING SPACES FOR THE SEASONAL OUTDOOR USE.~~

~~STRIKE: G. NO USE MAY BE MADE OF BUFFERS FOR SALES. THE USE SHALL BE AT LEAST FIFTY (50) FEET FROM ANY RESIDENTIAL ZONE;~~

REPLACE WITH:

H. LANDSCAPE BUFFERS SHALL NOT BE USED IN ANY MANNER FOR, OR IN CONNECTION WITH, ANY SEASONAL OUTDOOR SALES.

AND

I. NO SEASONAL OUTDOOR USE SHALL BE LOCATED WITHIN FIFTY (50) FEET FROM ANY RESIDENTIAL ZONE.

~~**STRIKE:** H. THE DEPARTMENT OF PLANNING AND ZONING MAY ESTABLISH REQUIREMENTS FOR HOURS OF OPERATION, REFUSE REMOVAL AND DELIVERIES. REFUSE CONTAINERS SHALL BE PROVIDED AND THE CLEANLINESS OF THE SITE AND ADJACENT AREAS, SHALL BE MAINTAINED.~~

REPLACE WITH: J. A SEASONAL OUTDOOR USE SHALL INCLUDE SUFFICIENT REFUSE CONTAINERS, AND RESPONSIBILITY FOR THE MAINTENANCE AND CLEANLINESS OF THE SITE AND ADJACENT AREAS.

~~I. K. NO TRUCK-TRACTORS OR SEMI-TRAILERS SHALL BE PARKED OR STORED ON OR ADJACENT TO ANY SEASONAL OUTDOOR SALES AREA. ;AND~~

~~J. L. NO SEASONAL OUTDOOR SALES SHALL BE PERMITTED ON ANY ZONE LOT WHERE ANY TYPES OF CHEMICALS—OR, GASOLINE OR OTHER HAZARDOUS MATERIALS ARE STORED OR SOLD.~~

NEW M. THE DEPARTMENT OF PLANNING AND ZONING MAY IMPOSE ADDITIONAL CONDITIONS AS DEEMED NECESSARY TO INSURE THE SAFE OPERATION OF A SEASONAL OUTDOOR USE AND CODE COMPLIANCE.

Amendment #4

Page 12, Line 46: insert before “without”
ON PUBLIC OR PRIVATE PROPERTY