Agenda Item:  Zoning Motion 2020-719, UDO Text Amendment to Revise Text on Outdoor Sales in B-1SCD Zoning District

DATE:  November 9, 2020
FROM:  Darin Hallman

Background/Issue:

- The applicant is requesting that trailers used for the sale of outdoor goods be allowed year-round.
- Home Depot would like to have the straw trailers available year-round without a time limitation.

Proposal/Solution:

- The provided text limits changes only to the B-1SCD (Shopping Center District)
- Trailers are limited to front and rear of the building
- Other communities:
  - Charlotte/Huntersville – prohibits any sale of goods from trailers
  - Davidson - use of trailers over thirty (30) feet is prohibited for storage of goods or outdoor sales. Number of trailers limited to two (2). [standard semi-trailer length in US is 48 feet, excluding cab]
  - Pineville – only limits except for microbrewery uses; sales associated with microbreweries are limited to commercial districts
  - Mint Hill – no explicit limitation; temporary sales are permitted through the Town.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

- Quality of Life
- Economic Development/Land Use Planning

Recommended Motion/Action:

Hold the public hearing on the proposed text changes to the Matthews UDO, then refer the Motion to the Planning Board for their review and recommendation.
155.506.36 Outdoor Sales In Conjunction With A Permanent Business.

A. Outdoor sales of goods in conjunction with a permanent business may be allowed in the HUC, B-1, B-3, BD, B-H, I-1, I-2, MUD, TS, ENT and B-1SCD Districts with specific criteria being met.

B. STANDARDS.

1. All outdoor display and sales shall be operated and maintained as a part of, under the same ownership as, and on the same parcel of land as the principal use which includes a retail element. Outdoor sales shall not exceed the normal business hours of the principal establishment.

2. There must be a clearly defined physical access way from the outdoor sales area to a customer entrance of the principal use.

3. All sight triangles, required parking spaces, driveway accesses, internal driveway aisles and vehicular circulation paths, pedestrian walks must remain unobstructed by outdoor display, landscaping, signs, vehicular parking, or any other items that relate to the outdoor sales activity.

4. Where outdoor sales take place on a multi-tenant property, the outdoor sales area shall be physically located only adjacent to the business to which it is connected, and shall not block access to any other tenant on the multi-tenant parcel.

5. No goods, signs, or other items that are a part of the outdoor sales activity shall be attached to the principal building’s wall surface.

6. HUC, B-1, B-3, BD, B-H, I-1, I-2, MUD, TS, and ENT Districts:

   The occasional or intermittent sale of goods from a semi-truck trailer without a cab, or from a temporary greenhouse or tent, for a short-term sale shall not exceed one hundred twenty (120) days during a calendar year. Any semi-truck, temporary greenhouse, or tent used as a part of outdoor sales shall not be located within any required front setback, any required parking, any driveway or any internal vehicular or pedestrian circulation areas.

B-1SCD Districts:

   The occasional or intermittent sale of goods from a temporary greenhouse or tent, for a short-term sale shall not exceed one hundred twenty (120) days during a calendar year. Sale of goods from a semi-truck trailer without a cab shall be limited to the side or rear of the building. Any semi-truck, temporary greenhouse, or tent used as a part of outdoor sales shall not be located within any required front setback, any required parking, any driveway or any internal vehicular or pedestrian circulation areas.