Town Council Regular Meeting
Agenda Item 7.c.

Agenda Item: **Resolution 26-G-30 to initiate consideration of Zoning Ordinance Text Amendment ZOTA #26-04 to amend Chapter 78 (ZONING), Article IV (Business Districts), Section 78-40.3 (CO – Commercial Office) and Article VII (Use Regulations), Section 78-70.2 (Table of Permitted and Allowed Uses), to remove the special exception requirement for personal service uses in the CO zoning district.**

Meeting Date: April 28, 2026

Category: Consent

Prepared by: David Stromberg, Zoning Administrator

Description:
This zoning ordinance text amendment will remove the special exception requirement for general personal services uses in the CO, Commercial Office, zoning district. Land uses in the zoning ordinance are organized into groups called "use categories" which then list specific "use types." Article VII (Use Regulations) contains the "Table of permitted and allowed uses," which contains the full list of use categories and use types, as well as all zoning districts. This table provides every type of classified use that could potentially be allowed within the town and provides for comparison of uses between zoning districts. The table identifies which uses are allowed by-right, which uses are allowed by special exception, which uses are allowed subject to the proffers of a rezoning application, and which uses are prohibited for each zoning district in the town. Each zoning district also contains a simplified use table that lists only the uses allowed by-right, by special exception, or by proffered rezoning (planned development districts only). Implementing this text amendment requires a change to both the full use table and the CO district use table.

Hair, tanning, personal care, esthetician, and manicure/pedicure businesses all fall into the "personal services, general" use type. This use type is allowed by-right in the CC, Central Commercial, CS, Commercial Services, and most PD-B, Planned Development - Business, zoning districts. Review and approval of a by-right use is administrative and consists of obtaining a ZAP (Zoning Appropriateness Permit) and a business license and typically takes 2-4 business days. Review and approval of a special exception use typically takes four to five months to allow for legal advertisements and public hearings of the planning commission and town council. Special exception review also utilizes more staff members and more staff time than administrative review.

Background/Timing Impact:
One of the recommendations of the Small Business Process Improvement Committee is to, "Conduct a comprehensive review of the zoning ordinance use tables and Special

Exception process, with the goal of expanding by-right uses in appropriate zoning districts and streamlining approval pathways for commonly approved uses, thereby reducing regulatory barriers for small businesses." This ZOTA is one of potentially multiple amendments to further this goal.

Strategic Focus Area:
Environmental and Economic Sustainability

Fiscal Impact:
If adopted, this zoning ordinance text amendment will result in shorter review times allowing for approved businesses to obtain a business license and pay BPOL (business, professional, and occupational license) fees.

Legal Impact:
Adoption of this initiating resolution will refer the Zoning Ordinance Text Amendment to the Planning Commission to be discussed at a public hearing, followed by a public hearing of the town council.

Staff Recommendation/Next Steps:
Approve the initiating resolution.

Attachments:
1. Draft Ordinance
2. Resolution (Proposed)