

Retail Fulfillment Centers

- Create definition of “retail fulfillment center”:

Section 114-1. Definitions.

Convenience store means a retail store with direct access from the street or sidewalk that is designed and stocked to sell a mixture of goods such as non-prescription medications, beverages, magazines, food (packaged and/or prepared), school/office supplies, cosmetics, and other household supplies. A store that markets itself as a "pharmacy store" or "pharmacy" in addition to selling the goods described above, but that does not provide pharmacy services, including the dispensing of medicinal drugs by a pharmacist, shall be considered a convenience store and not a pharmacy or pharmacy store.

Neighborhood fulfillment center shall mean a retail establishment where clients collect goods that are sold off-site, such as with an internet retailer. Additionally, the establishment provides a hub where goods can be collected and delivered to clients' homes or places of business by delivery persons that do not use cars, vans, or trucks. Such facilities are limited to 35,000 square feet.

Retail fulfillment center shall mean a retail establishment where goods are primarily sold online and delivered directly to a person's home or place of business. Such establishment must also have an active storefront, along all sidewalk facing portions of the building, that is open to the general public at least eight hours per day. The active storefront must have a minimum depth of 10' and a minimum area of 500 square feet. Retail fulfillment centers shall be limited to no more than 7,000 square feet. Goods sold by a retail fulfillment center may include goods similar to those that are sold in a convenience store.

- Add as a permitted use in the CD-2 District:

Sec. 142-302. Main permitted uses.

The main permitted uses in the CD-2 commercial, medium intensity district are commercial uses (including, for example, personal service establishments); apartments; apartment hotels, hotels, hostels, and suite hotels (pursuant to section 142-1105 of this chapter); religious institutions with an occupancy of 199 persons or less and alcoholic beverages establishments pursuant to the regulations set forth in chapter 6; retail fulfillment centers; Alcoholic beverage establishments located in the following geographic areas within the CD-2 commercial, medium intensity district shall be subject to the additional requirements set forth in section 142-310:

- Add as a permitted use in the CD-3 District:

Sec. 142-332. Main permitted uses.

The main permitted uses in the CD-3 commercial, high intensity district are commercial uses; apartments; apartment hotels, hotels, hostels, and suite hotels (pursuant to section 142-1105 of this chapter); alcoholic beverage establishments pursuant to the regulations set forth in chapter 6, retail fulfillment centers, and religious institutions with occupancy of 199 persons or less. Offices are prohibited on the ground floor on that portion of Lincoln Road which is closed to traffic, unless the office area is located in a mezzanine, or at least 75 feet back from the storefront; also apartments, apartment hotels and hotels located on that portion of Lincoln Road shall comply with section 142-335. For properties located south of 17th Street, between Lenox Avenue and Meridian Avenue, and properties with a lot line adjoining Lincoln Road, from Collins Avenue to Alton Road, dance halls (as defined in section 114-1 of this Code) licensed as alcoholic beverage establishments shall only operate as restaurants with full kitchens and serving full meals. Additionally, such dance halls, on properties located south of 17th Street, between Lenox Avenue and Meridian Avenue, and properties with a lot line adjoining Lincoln Road, from Collins Avenue to Alton Road, shall be required to install a double door vestibule at all access points from the sidewalk, with the exception of emergency exits.

- Incorporate the use into the Art Deco/Mimo Overlay District regulations:

Sec. 142-870.11. Compliance with regulations.

The following regulations shall apply to the overlay district. There shall be no variances allowed from these regulations. All development regulations in the underlying zoning district and any other applicable overlay regulations shall apply, except as follows:

- (a) The following limitations shall apply to the commercial uses listed below:
 - (1) Check cashing stores shall comply with the following regulations:
 - a. Such establishments shall be prohibited on lots fronting Ocean Drive and in the Ocean Terrace/Harding Townsite Area.
 - b. In areas of the overlay district not included in subsection a. above, there shall be no more than two such establishments. Such establishments shall be located no closer than 2,500 feet from any other such establishment.
 - (2) Convenience stores shall comply with the following regulations:
 - a. Such establishments shall be prohibited on lots fronting Ocean Drive.
 - b. In the Ocean Terrace/Harding Townsite Area, there shall be a limit of one such establishment.
 - c. In areas of the Overlay District not included in subsection a. and b. above, there shall be no more than five such establishments. Such establishments shall be located no closer than 2,500 feet from any other such establishment.

- (15) Retail fulfillment centers shall comply with the following regulations:
- a. Such establishments shall be prohibited on lots fronting Lincoln Road and Ocean Drive.
 - b. In the Ocean Terrace/Harding Townsite Area, there shall be a limit of one such establishment.
 - c. In areas of the Overlay District not included in subsection a. and b. above, there shall be no more than five such establishments. Such establishments shall be located no closer than 2,500 feet from any other such establishment.