

ORDINANCE NO. 2023-04

THE MAYOR AND COUNCIL OF
THE TOWN OF NEW MARKET

FOR THE PURPOSE OF AMENDING ARTICLE IV, SECTION 1.0
ESTABLISHMENT OF DISTRICTS AND USE CLASSIFICATIONS, 1.5 NON-
RESIDENTIAL USES OF THE LAND DEVELOPMENT ORDINANCE:

WHEREAS, per Article III Section 3.1 of Ordinance 2009-01 states that" The Town Council may from time to time amend, supplement, change, modify, or repeal by ordinance the regulations of this Ordinance and any amendment may be initiated by resolution of the Town Council; and

WHEREAS, per Article III Section 3.4 Before taking any action on any proposed amendment, supplement, change, modification, or repeal, the Town Council shall submit the proposal to the Planning Commission for review and recommendation. The Planning Commission may hold a hearing on any proposed amendment, supplement, or change before submitting its recommendation to the Town Council; and

WHEREAS, the Planning Commission voted on May 4, 2023, to recommend approval of this proposal and had confirmed both that there is a public need for the proposed amendment and that the proposed amendment is consistent with the Comprehensive Plan as required by per Article III Section 3.4; and

WHEREAS, per Article III Section 3.5 the Town Council held a public hearing on June 22, 2023, to hear public comment on this amendment and has published notice of the time and place of the public hearing, together with a summary of the proposed regulation in at least one newspaper of general circulation within the Town, once a week for two successive weeks, with the first notice to be published at least 14 days before the hearing and the notices have indicated where the proposed amendment and documents relating to the amendment may be reviewed, which may include a reference to internet publication of documentation by the Town.

NOW, THEREFORE, The Mayor and Council of The Town of New Market ordains as follows:

Article IV, Section 1.0 Subsection 1.5 (Non-Residential Uses), is amended to provide as follows:

1.5.8 Artisan Shop/Maker Space. A business in which an artist, craftsman, or designer engages in production of marketable goods and services, creating individual pieces or products for produced for sale demonstration, instruction, and which are consistent with the cultural, artistic and/or entrepreneurial heritage of the Town. Typical uses include but are not limited to woodworking, cabinet shops, ceramic studios, photographic studios, jewelry making, upholstering, spinning, weaving, quilting, coppersmithing, tinsmithing, cabinetmaking, broom making, clobbering and caning and types of arts and crafts and small-scale fabricating and manufacturing that have no significant external impacts on surrounding properties.

AG	OS	R-1	R-2	RM in d.u.	RM not in d.u.	MRS	MC	MCI	AP	I	EDF
				P	P	P	P	P			

1.5.20 Business Services. Services rendered to a business establishment or individual on a fee or contract basis, that involve the presence of trucks and/or large equipment on-site including, janitorial, office or business equipment rental or leasing, photofinishing, telecommunications, blueprinting and photocopying, and other such services.

AG	OS	R-1	R-2	RM in d.u.	RM not in d.u.	MRS	MC	MCI	AP	I	EDF
								P	P		

1.5.25 Clinic/Office, Medical or Dental. This use includes but is not limited to, medical, dental, chiropractors, osteopaths and social workers and mental health practitioners and health practitioner office uses related to diagnosis and treatment of human patients' illnesses, injuries and physical maladies that can be performed in an office setting with no overnight care. Surgical, rehabilitation, and other medical centers that do not involve overnight patient stays are included in this category, as are medical and dental laboratories.

AG	OS	R-1	R-2	RM in d.u.	RM not in d.u.	MRS	MC	MCI	AP	I	EDF
				SE	SE	P	P			P	

1.5.57 Office, Business or Professional. A use or building where business is conducted in an enclosed building that does not primarily involve the sale or transfer of goods by the business to the customer at that location. This includes, but is not limited to, general business offices, financial services, insurance offices, law offices, and real estate agencies, brokerages sales and management offices actuarial, advertising, credit reporting, title offices, travel agencies and excluding banks and medical or dental clinics. Professional services may also include other uses customarily performed in an office that focus on providing executive, management, administrative, or professional, services that require specialized training or professional certification such as accountants, appraisers, architects, landscape architects, engineers lawyers, engineers, optometrists, surveyors, and stockbrokers.

AG	OS	R-1	R-2	RM in d.u.	RM not in d.u.	MRS	MC	MCI	AP	I	EDF
				SE	SE	P	P	P	P		

1.5.57 (a) Office, Business or Professional - Upper floor- A use an Office, Business or Professional business is conducted on the second floor of a Structure in the RM zone.

AG	OS	R-1	R-2	RM in d.u.	RM not in d.u.	MRS	MC	MCI	AP	I	EDF
				P	P	P	P	P	P		

1.5.61 Personal Services. A place of business engaged in the provision of frequent or recurrent needed nonmedical services of a personal nature associated with personal grooming, instruction, self-improvement, and maintenance of fitness, general health, and well-being. Typical uses include, but are not limited to, beauty, hair and nail salons, day spas and barber shops, health clubs, yoga studios, martial arts studios, shoe repair shops, tailor shops, dry cleaning pick-up stores, self-service laundries, hair stylists, and cosmeticians and therapeutic masseuses. This shall not include automobile service stations, travel agencies, real estate agencies, tattoo parlors, or Commercial Indoor/Outdoor Recreation uses.

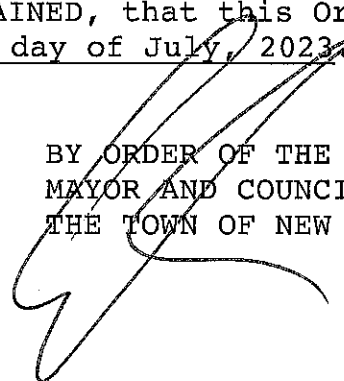
AG	OS	R-1	R-2	RM in d.u.	RM not in d.u.	MRS	MC	MCI	AP	I	EDF
				SE	SE	P	P	P	P		

AND, IT IS FURTHER ORDAINED, that this Ordinance shall become effective on the 12th day of July, 2023.

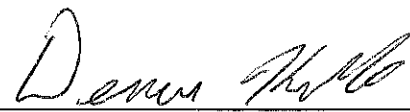
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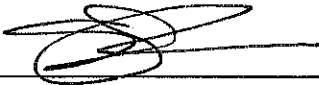
BY ORDER OF THE
MAYOR AND COUNCIL OF
THE TOWN OF NEW MARKET


Town Clerk

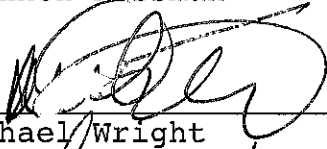

Winslow F. Burhans, III, Mayor

Council Members:


Dennis Kimble



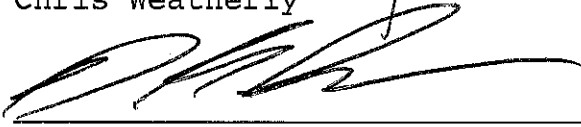
Shannon Rossman



Michael Wright



Chris Weatherly



Matthew Chance

INTRODUCED: May 25, 2023

ENACTED: June 22, 2023

EFFECTIVE: July 12, 2023