

To see if the Town will vote to amend the zoning bylaw by inserting in Section 3.8.3 – Accessory Uses Permitted in Any Zoning District, a new subsection 3.8.3.7 as follows:

- 3.8.3.7 Temporary on-premises outdoor display and sale of merchandise for Business PRINCIPAL USES only, subject to the following requirements:
- a) The outdoor display and sale of merchandise shall be limited to a total of no more than 28 days per PRINCIPAL USE for each calendar year.
  - b) The outdoor display and sale of merchandise shall be conducted only by a PRINCIPAL USE located on the same LOT, and shall only include merchandise that is regularly offered for sale inside that business establishment.
  - c) The outdoor display and sale of merchandise shall be prohibited at any time that the Business PRINCIPAL USE is not open for business.
  - d) Each outdoor display and sale area shall meet the minimum front, side, and rear yard setback requirements for BUILDINGS and STRUCTURES of the zoning district in which it is located.
  - e) Outdoor display and sale areas shall not be placed or located so as to interfere with the following: pedestrian or building access or egress; the minimum number of vehicle parking and handicap parking spaces required under this Bylaw and the Massachusetts Architectural Access Board (AAB); ACCESS driveways; interior driveways; maneuvering aisles; loading areas; public or private utilities, services, or drainage systems; fire lanes, alarms, hydrants, or other fire protection equipment; or emergency access or egress.
  - f) Outdoor display and sale areas shall be operated and maintained so that all sidewalks continuously meet minimum Americans with Disabilities Act (ADA) and Massachusetts Architectural Access Board (AAB) standards.

, or take any other action relative thereto.

#### **SUMMARY**

The Acton Zoning Bylaw does not currently allow outdoor sales except in very limited settings such as a garden center. Outdoor sales can be enjoyable to the customers and clients of businesses, and help businesses retain and attract new customers. In reality, outdoor sales are happening at many business locations in Acton, often on weekends when zoning enforcement staff is off duty. The Town has not received any complaints about outdoor sales. The question then is: Should Acton formally allow outdoor displays and sales? This article, if adopted, would allow business in Acton to conduct outdoor sales events on the same premises that they are located. The article includes limits on –

- Operators: Only a business located on the same lot.
- Time: Only during regular business hours, and not more 28 days per calendar year.

- Merchandise: Only what is sold regularly inside the business.
- Location: Display and sales areas must comply with zoning setbacks.
- Configuration: Display and sales areas may not obstruct access, egress, parking, driveways, etc.

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**Finance Committee:**

**Planning Board:**

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