

Planning Board and the sponsor. This problem was mainly the result of the ambiguities in the descriptions of Motor Freight and Warehousing Facilities in the table of uses, and the absence of definitions upon which to make an interpretation. As a result, a Motor Freight Facility was inadvertently permitted in the I-1 Zone.

The Planning Board supports the legislation, with several amendments that were agreed to by the Committee. The Municipal Association also supports the legislation. The Legislative Officer found it to be in proper legislative form.

Larry Taub testified in support of the legislation. Arthur Horne, on behalf of Carolina Freight, the use that was inadvertently permitted in the I-1 Zone, requested that his client not be given nonconforming status with the enactment of this legislation, but in fact continue to operate as a conforming use enjoying all of the privileges set forth in the applicable zone. Grandfathering language to protect this use was proposed, but the Committee agreed to an alternative proposal. The grandfathering provision accepted by the Committee would not only apply to Carolina Freight, but to all legal Motor Freight facilities that had previously been considered nonconforming uses. This was viewed by Committee members as a more equitable treatment of all affected parties. Paul Rodbell, testifying on behalf of Montgomery Ward, requested that minor amendments be made to the the definition of Distribution Facility. This amendment was accepted by the Committee.

**BACKGROUND INFORMATION/FISCAL IMPACT
(Includes reason for proposal, as well as any unique statutory requirements)**

There has recently been confusion regarding the status of Motor Freight facilities, distribution facilities and trucking operations in the Zoning Ordinance. This legislation eliminates the ambiguities by defining these uses, and further clarifies the allowance of storage facilities.

CODE INDEX TOPICS:

Zoning
 Definitions.....27-107.01

 Motor freight facilities.....27-467.01

 Uses
 Permitted
 Industrial Zones.....27-472