



PLANNING & ZONING COMMISSION MINUTES

REGULAR MEETING

Wednesday, October 4, 2023 @ 6:00 pm

The Kure Beach Planning and Zoning Commission (PZC) held its regular meeting on Wednesday October 4, 2023. A quorum of members was present and Attorney Jim Eldridge attended.

P&Z MEMBERS PRESENT

Chairman Byron Ashbridge
Vice-Chair Joe Barlok
Member Jim Dugan
Member Craig Galbraith
Alternate Member Connie Mearkle

P&Z MEMBERS ABSENT

Member Tony Garibay

STAFF PRESENT

Beth Chase, Town Clerk
John Batson, Building Inspector
Bethany White, Code Enforcement Officer

COUNCIL LIAISON PRESENT

Commissioner Dennis Panicali

CALL TO ORDER

Chair Ashbridge called the meeting to order at 6:00 p.m.

MOTION- Member Barlok made a motion to excuse Member Garibay from the meeting

SECOND- Member Dugan

VOTE- Unanimous

ADOPTION OF AGENDA

MOTION- Member Galbraith made a motion to adopt the agenda as presented

SECOND- Member Dugan

VOTE- Unanimous

APPROVAL OF MEETING MINUTES:

- September 6, 2023 Regular Meeting

MOTION- Member Barlok made a motion to approve the minutes as amended

SECOND- Member Dugan

VOTE- Unanimous

PUBLIC COMMENTS

None



PLANNING & ZONING COMMISSION MINUTES

REGULAR MEETING

Wednesday, October 4, 2023 @ 6:00 pm

OLD BUSINESS

1. Continued Discussion on Text Amendment Application for KBC 15.36.010 for Kure Beach Property Owner Steve Stefanovich

Attorney Eldridge commented what he is proposing tonight in the agenda packet was not intended as a final draft. He got focused on buildable areas but there may be other aspects to discuss. His intent was to provide a definition for open and available space.

Applicant Stefanovich stated he reviewed the proposed text amendment and his question is how it pertains to what was discussed last month. It appears a bit different so clarification would be helpful. He is assuming it addresses all concerns discussed last month but he is not sure.

Member Galbraith commented this covers the discussion regarding the elevator but not the hallway that he believes is being proposed.

Applicant Stefanovich stated his architect has redrawn the plans to eliminate the hallway.

Director of Development and Compliance Batson stated it is a good first draft but there is room for improvement if the Commission is considering making this part of the ordinance. The last section of the paragraph he is unsure what it means so he would delete.

Attorney Eldridge commented when this application first came before the Commission it was requesting two feet into a 5-yard setback if there was open and unbuildable space next door or adjacent. That term was not defined at all and was completely overboard so needed a definition. He found a few good definitions for buildable areas so reversed it. There has to be some authority to decide if its not unbuildable.

Member Dugan stated he does not like messing with setbacks and there was a reason they were established. Since he has been here it has always been stressed to him how important the setbacks are in Town.

Applicant Stefanovich commented he fully agrees with setbacks for safety and views but as the Town has grown so has other opportunities.

Director of Development and Compliance Batson stated if the Town was to move forward with this ordinance need to expand on the open and buildable space. Need to add language to include public owned properties such as HOA common areas that will not change.

Member Dugan asked if there any other possible location to install an elevator? He is not against elevators as this is an aging community.

Applicant Stefanovich commented not really unless it comes into his master bedroom or directly in the middle of the living room.



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Chairman Ashbridge stated has there been any discussion with the HOA regarding taking the small portion of land.

Applicant Stefanovich stated that was mentioned at the last meeting. He went to the board and the HOA president did not see any problem with it. He has a letter from the board all in favor of the project. He had the prior president who is an attorney review it and he was told he would need 2/3 vote from the community.

Member Mearkle stated she believes the declarations are silent on it.

Applicant Stefanovich commented Michael Davenport reviewed it and shared this information.

Chair Ashbridge asked assuming it was 2/3 vote do you feel you would not be able to get that?

Applicant Stefanovich stated what are the chances of getting 90 votes in favor. He spoke with the board and they felt it was not good odds to be approved. He is going to review this further and speak with an attorney and the HOA. He will reach out in two weeks with information he has found out.

Member Barlok commented he feels it is important to protect the setbacks, but this application is talking about unbuildable space. If there could be wording input that there would be no obstruction to the intent of the setback for emergency teams etc.

2. Consideration and Action on Proposed Text Amendment to 15.36.260

Director of Development and Compliance Batson stated the changes have been made based on the discussion at the last meeting. Included the following language "batteries are not mounted any higher than the manufacturer's installation directions for minimum distance from the ground and shall not project into the required setback".

MOTION- Member Galbraith made a motion to recommend to Town Council the adoption of the proposed text amendment to 15.36.260 Batteries Used for Storing Energy

SECOND- Member Barlok

VOTE- Unanimous

MOTION- Member Galbraith made a motion to adopt the zoning consistency statement for the proposed text amendment to 15.36.260 Batteries Used for Storing Energy

SECOND- Member Dugan

VOTE- Unanimous



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3. Consideration and Action on Proposed Text Amendments to SIC Codes

Member Barlok reviewed the proposed text amendments to the SIC codes that is hereby incorporated into the minutes.

MOTION- Member Galbraith made a motion to recommend to Town Council to approve Proposed Text Amendments to SIC Codes

SECOND- Member Dugan

VOTE- Unanimous

MOTION- Member Galbraith made a motion to approve the Consistency Statement for Proposed Text Amendments to SIC Codes

SECOND- Member Dugan

VOTE- Unanimous

NEW BUSINESS

1. Discussion of use of Ipads for Commission Members

Town Clerk Chase stated the discussion for this item needs to be tabled till the Director of Administration is at the meeting.

CLOSED SESSION

None.

ADJOURNMENT

MOTION- Member Galbraith made a motion to adjourn the meeting at 7:17 p.m.

SECOND- Member Dugan

VOTE- Unanimous

ATTEST:


Beth Chase, Town Clerk


Byron Ashbridge, Chairman

NOTE: These are action minutes reflecting items considered and actions taken by Planning and Zoning Commission. These minutes are not a transcript of the meeting. A recording of the meeting is available on the town's website under government>planning and zoning.

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

[Amendatory text set out in red and only the revised sections and definitions are included]

15.02.010 Definitions

The terms for allowable uses are defined in this section and the extracts of the 1987 Standard Industrial Classification Manual (SIC) set forth in KBC 15.44.010 Appendix A., ~~will be used to determine a uses classification.~~ See KBC 15.08.040.D for additional guidance.

Adult bookstore shall mean an establishment having, as a substantial and significant portion of its stock in trade, books, magazines, other periodicals, videos, and/or streaming data which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas including, without limitation, exposed or opaquely covered human genitals, pubic region, buttock, or female breasts below a point immediately above the top of the areola or any establishment trading in such books, magazines, other periodicals, videos, and/or streaming data which limits its customers to persons over 18 years of age.

Adult cabaret shall mean an establishment whose principal business or commercial activity is the offering to customers of live entertainment which is intended to provide sexual stimulation or sexual gratification to such customers and which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas including, without limitation, exposed or opaquely covered human genitals, pubic region, buttock, or female breasts below a point immediately above the top of the areola.

Adult establishment shall mean an adult bookstore, adult cabaret, or an adult motion picture theater.

Adult motion picture theater shall mean a structure or facility used for presenting, for its customers or patrons, motion pictures, videos, and/or streaming data which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas including, without limitation, exposed or opaquely covered human genitals, pubic region, buttock, or female breasts below a point immediately above the top of the areola and which limits its customers or patrons to persons over 18 years of age.

Agriculture (8811) shall mean noncommercial farms, including horticulture, floriculture, dairying, livestock and poultry. No farms shall be operated for commercial purposes, nor shall there be farms for piggeries, or for the disposal of garbage, sewage, rubbish, offal or rendering plants or for the slaughtering of animals, except such animals as have been raised on the premises or have been on the premises for at least a period of one (1) year immediately prior thereto and for the use and consumption of persons residing on the premises.

Apartment (6513) shall mean any building or portion thereof used as a multifamily dwelling for the purpose of providing a complete rental dwelling unit may share means of egress.

Boarding hHouse (7021) shall mean ~~r~~Rooming ~~h~~HHouse as defined herein.

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

Mobile home park (6515) shall mean any premises used or intended to be used or occupied by two (2) or more mobile homes, anchored in place or supported by a foundation or other stationary supports, together with automobile parking space, utility structures, and other required facilities incidental thereon. This definition shall not include mobile home sales lots on which unoccupied mobile homes are parked for purposes of inspection or sale.

Recreation, commercial indoor (7999) shall mean any form of play, amusement or relaxation used for monetary gain conducted within an enclosed structure.

Recreation, commercial outdoor (7999) shall mean any form of play, amusement or relaxation used for monetary gain not conducted within an enclosed structure.

Retail, apparel and accessory stores (5611 and 5651) shall mean stores primarily engaged in selling new clothing, shoes, hats, underwear, and related articles for personal wear and adornment. Furriers and custom tailors carrying stocks of materials are included. ~~All~~ ~~i~~Industry ~~g~~Group numbers in this major retail group are acceptable as retail stores for the purpose of these zoning regulations.

Retail, building materials, hardware and garden supply (~~5231 and 5251~~) shall mean establishments primarily engaged in selling lumber and other building materials; paint, glass, and wallpaper; hardware; lawn and garden supplies. ~~Only~~ ~~i~~Industry ~~G~~group no.'s ~~5231, and 5251, 5261 and 5193~~ are acceptable as retail stores for the purposes of these zoning regulations.

Retail, food stores shall mean stores primarily engaged in selling food for home preparation and consumption. ~~Only~~ ~~i~~Industry ~~g~~Group no.'s (~~5411, 5441, 5451, and 5461~~) are acceptable as retail food stores for the purposes of these zoning regulations.

Retail, general merchandise stores shall mean stores, selling merchandise such as dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, and food. ~~Only~~ ~~i~~Industry ~~g~~Group no. 5399 is acceptable as ~~a~~ retail stores for the purposes of these zoning regulations.

Retail, home furniture, furnishings, and equipment stores (~~5712, 5722, and 5731~~) shall mean stores selling goods used for furnishing the home, such as furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, and other household electrical and gas appliances. ~~Only~~ ~~i~~Industry ~~g~~Group no.'s (~~5712, 5722, and 5731~~) are acceptable as retail stores for the purposes of these zoning regulations.

Retail, miscellaneous shall mean retail stores not found in other major groupings (drug and proprietary stores; liquor stores; used merchandise stores; sporting goods stores; book stores; stationery stores; jewelry stores; hobby, toy and game shops; camera and photographic supply stores; gift, novelty and souvenir shops; luggage and leather goods store, sewing, needlework, and piece goods stores; florists; tobacco stores; optical goods store). Industry numbers which are acceptable as retail stores for the purposes of these zoning regulations are (~~5912, 5921, 5932, 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, 5961, 5992, 5993, and 5995.~~)

Rooming ~~h~~House (7021) shall mean a tourist lodging that rents single rooms and which may have a common kitchen, living room and bath. (See tourist lodgings)

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

Tourist lodgings (7011 and 7021) shall mean a building containing rooms designed to be used for the most part as sleeping accommodations for tourist/vacationers or short term transients (i.e., hotel, motel, ~~boardinghouse, roominghouse~~, boarding house, rooming house, bed breakfast home, and bed and breakfast inn) as distinguished from a residential dwelling. No more than five (5) percent of the individual units shall be occupied for more than ninety (90) continuous days by the same occupant. The individual unit will be no larger than four hundred twenty-five (425) square feet in size (exclusive of bathroom, closet and balcony areas). Any unit exceeding four hundred twenty-five (425) square feet in size will meet the dimensional and parking requirements of residential units KBC 15.36.120 and KBC 15.36.220. A tourist lodging will have one (1) water meter and one (1) electric meter. Individual metering is prohibited.

Video gaming machine shall mean a slot machine or an electronic, mechanical, or computerized video machine requiring deposit of any coin or token, or use of any credit card, debit card, prepaid card, or any other method that requires payment, whether directly into the video gaming machine or resulting in remote activation, to activate play of any computer games such as, by way of illustration and not exclusion:

- (1) A video poker game or any other kind of video playing card game.
- (2) A video bingo game.
- (3) A video craps game.
- (4) A video keno game.
- (5) A video lotto game.
- (6) Eight liner.
- (7) Pot-of-gold.
- (8) A video game based on or involving the random or chance matching of different pictures, words, numbers, or symbols not dependent on the skill or dexterity of the player.
- (9) Any other video game not dependent on skill or dexterity that is played while revealing a prize as the result of an entry into a sweepstakes.

15.08.040 District Regulations

A. Within the districts as indicated on the zoning map, no building or land shall be used and no building shall be erected or altered which is intended or designed to be used in whole or part for any use other than those listed as permitted for that district. A building or the use thereof may be considered changed when its form of occupancy or operation is substantially changed beyond those permitted uses as specified within the designated districts. More than 1 permitted use may be located on a particular site or within a particular building.

B. Special uses, with appropriate conditions, may be permitted in zoning districts where those uses would not otherwise be allowed. The special use permit procedures are set forth in 15.08.080 and except as otherwise provided in subsection C herein, special uses requiring a permit are identified with an "S."

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

C. Uses which are listed shall be liberally interpreted to include non-listed uses which have similar characteristics. A use that is not listed and that does not have characteristics similar to those of a listed use shall be interpreted as a use requiring a special use permit under the provisions of KBC 15.08.080 herein.

D. The Standard Industrial Classification ("SIC") code references in this chapter are for illustrative purposes only. In the event of a conflict between the chapter's text and the SIC codes, the chapter's text shall control.

15.08.050 Uses Which Are Prohibited

The following uses are prohibited:

~~Adult book and video stores:~~ establishments as defined in this chapter. ~~SIC codes 5731, 5192, 5947, 5932, 5942 and 5961.~~

~~Internet gaming devices:~~ Video gaming machines as defined in this chapter. ~~SIC codes 7993 and 7999.~~

~~Adult oriented dancing:~~ SIC code 7911.

The use of containers as buildings.

Habilitation/rehabilitation facility.

Halfway house.

Homeless shelters.

15.10.020 Permitted Uses

The following are the permitted uses ~~and special uses (S)~~ in the RA-1 residential district:

- A. One-family dwellings;
- B. Religious institutions (8661) including parish houses, Sunday schools and religious annexes. A religious annex may be used for housing, on a temporary basis, only visiting groups from other religious institutions (hereinafter "visiting religious groups") and emergency relief workers providing services in conjunction with declared states of emergencies. A religious annex shall not be used for private benefit/inurement, lobbying, political campaign activity, or to generate unrelated business income. A religious institution shall not charge a fee for any temporary housing provided hereunder although it may receive donations to offset the cost of providing such housing. For the purposes of this subparagraph, the temporary housing of a visiting religious group shall not exceed fourteen (14) days and the housing of emergency relief workers shall not exceed thirty (30) days;
- C. Accessory buildings to permitted uses, provided that no accessory building shall be rented or occupied. Provided, further, that accessory buildings shall be constructed at time or following construction of the main building;

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

D. Home occupations as defined in KBC 15.02.010.

15.12.010 Purpose

The RA-1A district, is composed of quiet, low density residential developments compatible with existing **single one**-family structures and for the housing of seasonal tourists.

15.12.020 Permitted Uses

The permitted uses in the RA-1A district are as follows:

- A. One-family dwellings.
- B. Home occupations as defined in KBC 15.02.010.
- C. Accessory building to permitted uses, provided that no accessory building shall be rented or occupied and that accessory building shall be constructed at the same time or following construction of the main building.
- D. Noncommercial recreational facilities **(7997)**, such as club house, swimming pool, tennis court.

15.14.010 Purpose

The RA-2 district is composed of certain quiet, low density residential sections of the community plus certain open areas where similar residential development appears likely to occur as indicated by the land development trend and for the housing of seasonal tourists. The regulations of this district are intended to discourage any use which because of its character would substantially interfere with the development of **single- one** and two-family residences in the districts and which would be detrimental to the quiet residential nature of the areas included within this district.

15.14.020 Permitted Uses

The following are the permitted uses **and special-uses (S)** in the RA-2 district:

- A. One and two-family dwellings;
- B. **Religious** institutions **(8661)** including parish houses, Sunday schools and religious annexes. A religious annex may be used for housing, on a temporary basis, only visiting groups from other religious institutions (hereinafter "visiting religious groups") and emergency relief workers providing services in conjunction with declared states of emergencies. A religious annex shall not be used for private benefit/inurement, lobbying, political campaign activity, or to generate unrelated business income. A religious institution shall not charge a fee for any temporary housing provided hereunder although it may receive donations to offset the cost of providing such housing. For the purposes of this subparagraph, the temporary housing of a visiting religious group shall not exceed fourteen (14) days and the housing of emergency relief workers shall not exceed thirty (30) days;

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

- C. Home occupations as defined in KBC 15.02.010.
- D. Accessory buildings to permitted uses, provided that no accessory building shall be rented or occupied. Provided further, that accessory buildings shall be constructed at time or following construction of the main building.
- E. Noncommercial recreational facilities (7997), such as, clubhouse, swimming pools, and tennis court.

15.16.010 Purpose

The RA-2A district is composed of residential sections of the community where the principal use of land is for ~~single one~~-family and multiple-family structures and for the housing of seasonal tourists.

15.16.020 Permitted Uses

The following are the permitted uses in the RA-2A district:

- A. One and two-family dwellings;
- B. Townhouses;
- C. Noncommercial recreational facilities (7997), such as clubhouse, swimming pool, tennis court;
- D. Home occupation as defined in KBC 15.02.010.

15.18.010 Purpose

The RA-2T district is composed of certain quiet, low density residential sections of the community plus certain open areas where similar residential development appears likely to occur as indicated by the land development trend. The regulations of this district are intended to discourage any use which because of its character would substantially interfere with the development of ~~single one~~- and two-family residences in the districts and which would be detrimental to the quiet residential nature of the areas included within this district.

15.18.020 Permitted Uses

The following are the permitted uses ~~and special uses (S)~~ in the RA-2T district:

- A. One- and two-family dwellings;
- B. Manufactured/mobile homes;
- C. Religious institutions (8661) including parish houses, Sunday schools and religious annexes. A religious annex may be used for housing, on a temporary basis, only visiting groups from other religious institutions (hereinafter "visiting religious groups") and

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

emergency relief workers providing services in conjunction with declared states of emergencies. A religious annex shall not be used for private benefit/inurement, lobbying, political campaign activity, or to generate unrelated business income. A religious institution shall not charge a fee for any temporary housing provided hereunder although it may receive donations to offset the cost of providing such housing. For the purposes of this subparagraph, the temporary housing of a visiting religious group shall not exceed fourteen (14) days and the housing of emergency relief workers shall not exceed thirty (30) days;

- D. Home occupations as defined in KBC 15.02.010.
- E. Accessory buildings to permitted uses, provided that no accessory building shall be rented or occupied. Provided, further, that accessory buildings shall be constructed at time or following construction of the main building.

15.20.020 Permitted Uses

The following are the permitted and special uses (S) in the RA-3 district:

- A. One-family dwellings, two-family dwellings, and multiple family dwellings;
- B. Tourist lodgings. (7011, 7021) (S);
- C. Schools, institutions of an educational nature (8211, 8299); (S)
- D. Public buildings and facilities;
- E. Religious institutions (8661) including parish houses, Sunday schools and religious annexes. A religious annex may be used for housing, on a temporary basis, only visiting groups from other religious institutions (hereinafter "visiting religious groups") and emergency relief workers providing services in conjunction with declared states of emergencies. A religious annex shall not be used for private benefit/inurement, lobbying, political campaign activity, or to generate unrelated business income. A religious institution shall not charge a fee for any temporary housing provided hereunder although it may receive donations to offset the cost of providing such housing. For the purposes of this subparagraph, the temporary housing of a visiting religious group shall not exceed fourteen (14) days and the housing of emergency relief workers shall not exceed thirty (30) days;
- F. Public museums, art galleries, libraries, parks, playgrounds (8221, 8211, 8231, 8412, 7999); (S)
- G. **Accessory** buildings to permitted uses, provided that no accessory building shall be constructed at time or following construction of the main building;
- H. Home occupations as defined in KBC 15.02.010;

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

- I. Establishments engaged in the business of renting, purchasing, selling, managing, or appraising real property ~~=(6531)~~.

15.22.010 Purpose

The RA-3A district is composed of residential sections of the community where the principal use of the land is for ~~single one and two~~-family structures and for the housing of seasonal tourist.

15.22.020 Permitted Uses

The following are the permitted uses in the RA-3A district:

- A. One and two-family dwellings;
- B. Townhouses and condominiums;
- C. Tourist Lodgings. (7011, 7021).\
- D. Noncommercial recreational facilities (7997), such as club house, swimming pool, tennis court ~~(7997)~~;
- E. Home occupations as defined in KBC 15.02.010.

15.24.010 Purpose

The RA-4 district is composed of residential sections of the community where the principal use of the land is for ~~single one and multiple two~~-family structures, and for structures for the housing of seasonal tourists. The regulations of this district are intended to discourage any use which because of its character would substantially interfere with the development of residences in the district and which would be detrimental to the purpose of land use within the district.

15.24.020 Permitted Uses

The following are the permitted uses in the RA-4 district:

- A. One- and two-family dwellings;
- B. Townhouses and condominiums;
- C. Home occupations as defined in KBC 15.02.010.

15.26.020 Permitted Uses

The following are the permitted uses and special uses (S) in the B-1 district:

- A. Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard;
- B. Banks, finance and loan companies (6021, 6022);

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

- C. Religious institutions (8661) including parish houses, Sunday schools and religious annexes. A religious annex may be used for housing, on a temporary basis, only visiting groups from other religious institutions (hereinafter "visiting religious groups") and emergency relief workers providing services in conjunction with declared states of emergencies. A religious annex shall not be used for private benefit/inurement, lobbying, political campaign activity, or to generate unrelated business income. A religious institution shall not charge a fee for any temporary housing provided hereunder although it may receive donations to offset the cost of providing such housing. For the purposes of this subparagraph, the temporary housing of a visiting religious group shall not exceed fourteen (14) days and the housing of emergency relief workers shall not exceed thirty (30) days;
- D. Dwelling when constructed in conjunction with permitted use provided such dwellings are an integral part of the main building of such a permitted use; (S)
- E. Eating and drinking establishments (5812, 5813);
- F. Service stations (5541); (S)
- G. Food stores (5411, 5431, 5441, 5451, 5461);
- H. Tourist Lodgings (7011, 7021);
- I. Parking lots (7521); (S)
- J. Offices for professional business activities (8011, 8021, 8031, 8041, 8042, 8043, 8049; 8111, 8711, 8712, 8721);
- K. Personal service establishments such as barber and beauty shops (7231, 7241, ~~5611, 5651~~);
- L. Public buildings and facilities;
- M. Retail stores not otherwise listed: (5251, 5261, 5331, 5399, 5611, 5651, 5712, 5722, 5731, 5912, 5921, 5932, 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, 5961, 5992, 5993, 5995, ~~5331, 5399, 5712, 5722, 5731~~);
- N. Arcades (7993); (S)
- O. Theaters when housed in a permanent structure (6512); (S)
- P. Dance halls when at least five hundred (500) square feet of space is provided for dancing (7911);
- Q. Establishments engaged in the business of renting, purchasing, selling, managing, or appraising real property ~~-(6531)~~;

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

R. Home occupation as defined in KBC 15.02.010.

15.28.020 Permitted Uses

The following are the permitted and special (S) uses in the B-2 district:

- A. One-family, two-family, and multifamily dwellings;
- B. Tourist Lodgings (7011, **7021**);
- C. Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard;
- D. **Miscellaneous Light** Retail businesses, see KBC 15.02.010 (Retail, miscellaneous), (5331, 5399, ~~5411, 5441, 5451, 5461~~, 5712, 5722, 5731, **5912, 5921, 5932, 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, 5961, 5992, 5993, and 5995);**
- E. Parking lots (7521); (S)
- F. Store or shop for custom work or for the making of articles the major portion of which are to be sold at retail on the premises;
- G. Businesses providing rental services which will not create a public nuisance;
- H. Establishments engaged in the business of renting, purchasing, selling, managing, or appraising real property-~~(6531)~~.

15.30.020 Permitted Uses

The following are the permitted uses ~~and special uses~~ in the B-3 district:

- A. One-family dwellings;
- B. Townhouses and condominiums;
- C. Noncommercial recreational facilities (**7997**), such as ~~clubhouse~~, swimming pool and tennis court.

15.32.010 Purpose

The RB-1 district is composed of residential sections of the community where the principal use of land is for ~~single-family, multiple one and two~~-family structures and for the seasonal influx of tourist. It is also designed for retail services clearly incidental to personal services that are not detrimental to the environment and to protect the area from incompatible uses which would render such areas undesirable for future development.

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

15.32.020 Permitted Uses

The following are the permitted uses ~~and special uses~~ in the RB-1 district:

- A. One- and two-family dwellings;
- B. Townhouses and condominiums;
- C. Noncommercial recreational facilities (7997), such as clubhouse, swimming pool and tennis court.

15.34.010 Purpose

The purpose of the B-4 district is to permit ~~single one-~~family dwellings.

15.34.020 Permitted Uses

The following are permitted uses ~~and special uses (S)~~ in the B-4 district:

- A. One-family dwellings;
- B. Noncommercial recreation facilities (7997), such as club house, swimming pool and tennis court.

15.44.010 APPENDIX A EXTRACTION OF SIC CODES FOR ZONING

~~2052. Cookies and Crackers~~

~~Establishments primarily engaged in manufacturing fresh cookies, crackers, pretzels, and similar "dry" bakery products. Establishments primarily engaged in producing other fresh bakery products are classified in Industry 2051.~~

- ~~• Bakery products, dry: e.g., biscuits, crackers, pretzels~~
- ~~• Biscuits, baked: dry, except baking powder and raised~~
- ~~• Cookies~~
- ~~• Crackers: e.g., graham, soda~~

~~2387. Apparel Belts~~

~~Establishments primarily engaged in manufacturing apparel belts of any material.~~

- ~~• Belts, apparel: made of any material~~

~~2441. Nailed and Lock Corner Wood Boxes and Shook~~

~~Establishments primarily engaged in manufacturing nailed and lock corner wood boxes (lumber or plywood), and shook for nailed and lock corner boxes.~~

- ~~• Boxes, wood plain or fabric covered, nailed or lock corner~~

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

- ~~Chests for tools, wood~~
- ~~Cigar boxes, wood and part wood~~
- ~~Trunk slats, wood~~

~~4173. Terminal and Service Facilities for Motor Vehicle Passenger~~

~~Establishments primarily engaged in the operation of motor vehicle passenger terminals and of maintenance and service facilities, not operated by companies that also furnish motor vehicle passenger transportation. Establishments that are owned by motor vehicle passenger transportation companies and are primarily engaged in operating terminals for use of such vehicles are classified in the same industry as the establishments providing the motor vehicle transportation. Separate maintenance and service facilities operated by companies furnishing motor vehicle passenger transportation should be treated as auxiliaries. Establishments which provide motor vehicle maintenance or service for the general public are classified in Services, Industry Group 753.~~

- ~~Bus terminal operation~~

~~5146. Fish and Seafoods~~

~~Establishments primarily engaged in the wholesale distribution (but not packaging) of fresh, cured, or frozen fish and seafoods, except canned or packaged frozen. The preparation of fresh or frozen packaged fish and other seafood, and the shucking and packing of fresh oysters in nonsealed containers, are classified in Manufacturing, Industry 2092. Establishments primarily engaged in the wholesale distribution of canned seafood are classified in Industry 5149, and those distributing packaged frozen foods are classified in Industry 5142.~~

- ~~Fish fresh wholesale~~

~~5192. Books, Periodicals, and Newspapers~~

~~Establishments primarily engaged in the wholesale distribution of books, periodicals, and newspapers.~~

- ~~Books wholesale~~
- ~~Magazines wholesale~~

~~5193. Flowers, Nursery Stock, and Florists' Supplies (wholesale)~~

~~Establishments primarily engaged in the wholesale distribution of flowers, nursery stock, and florists' supplies.~~

- Florists—Wholesale
- Flowers, artificial—Wholesale
- Flowers, fresh—Wholesale
- Nursery stock—wholesale
- Plants, potted-wholesale

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

~~5511. Motor Vehicle Dealers (New and Used)~~

~~Establishments primarily engaged in the retail sale of new automobiles or new and used automobiles. These establishments frequently maintain repair departments and carry stocks of replacement parts, tires, batteries, and automotive accessories. These establishments also frequently sell pickups and vans at retail.~~

- ~~•—Automobiles, new and used-retail~~

5946. Camera and Photographic Supply Stores

Establishments primarily engaged in the retail sale of cameras, film, and other photographic supplies and equipment. Establishments primarily engaged in the retail sale of video cameras are classified in Industry 5731 and those engaged in finishing films are classified in Services, Industry 7384.

- Camera shops, photographic-retail Photographic supply

6513. Operators ~~or~~ of Apartment Buildings

Establishments primarily engaged in the operation of apartment buildings. Apartment buildings are defined as containing five or more housing units. This industry does not include hotels, rooming and boarding houses, camps, and other lodging places for transients which are classified in Services, Major Group 70.

- Operators of apartment buildings (five or more housing units)

7011. Hotels and Motels

~~Commercial establishments, known to the public as hotels, motor hotels, motels, or tourist courts, primarily engaged in providing lodging, or lodging and meals, for the general public. Hotels which are operated by membership organizations and open to the general public are included in this industry. Hotels operated by organizations for their members only are classified in Industry 7041. Apartment hotels are classified in Real Estate, Industry 6513; rooming and boarding houses are classified in Industry 7021; and sporting and recreational camps are classified in Industry 7032.~~

- ~~•—Bed and breakfast inns~~
- ~~•—Cabins and cottages~~
- ~~•—Hotels, except residential~~
- ~~•—Inns, furnishing food and lodging~~
- ~~•—Motel with restaurant having 150 seats~~
- ~~•—Motels~~
- ~~•—Resort hotels~~
- ~~•—Tourist cabins (Tourist lodgings)~~

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

7011. Hotels and Motels (Tourist Lodgings)

Commercial establishments, known to the public as hotels, motor hotels, motels, or tourist courts, primarily engaged in providing lodging, or lodging and meals, for the general public. Hotels which are operated by membership organizations and open to the general public are included in this industry. Hotels operated by organizations for their members only are classified in Industry 7041. Apartment hotels are classified in Real Estate, Industry 6513; rooming and boarding houses are classified in Industry 7021; and sporting and recreational camps are classified in Industry 7032.

- Auto courts
- Bed and breakfast inns
- Cabins and cottages
- Casino hotels
- Hostels
- Hotels, except residential
- Inns, furnishing food and lodging
- Motels
- Recreational hotels
- Resort hotels
- Seasonal hotels
- Ski lodges and resorts
- Tourist cabins
- Tourist courts

~~7021. Rooming and Boarding Houses~~

~~Establishments primarily engaged in renting rooms, with or without board, on a fee basis. Rental of apartments, apartment hotels, and other housing units are classified in Real Estate, Industry Group 651. Rooming and boarding houses operated by membership organizations for their members only are classified in Industry 7041. Homes for the aged, for children, and for the handicapped that also provide additional services, other than nursing care, are classified in Industry 8361, and homes that provide nursing care are classified in Industry Group 805.~~

- ~~• Boarding houses, except organization~~
- ~~• Rental of furnished rooms~~
- ~~• Rooming houses, except organization~~

7021. Rooming and Boarding Houses (Tourist Lodgings)

Establishments primarily engaged in renting rooms, with or without board, on a fee basis. Rental of apartments, apartment hotels, and other housing units are classified in Real Estate, Industry Group 651. Rooming and boarding houses operated by membership organizations for their members only are classified in Industry 7041. Homes for the aged, for children, and for the handicapped that also provide additional services, other than nursing care, are classified in Industry 8361, and homes that provide nursing care are classified in Industry Group 805.

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

- Boarding houses, except organization
- Dormitories, commercially operated
- Lodging houses, except organization
- Rental of furnished rooms
- Rooming houses, except organization

7033. Recreational Vehicle Parks and Campsites (Travel Park)

Establishments primarily engaged in providing overnight or short-term sites for recreational vehicles, trailers, campers, or tents. Establishments primarily engaged in operating residential trailer parks are classified in Real Estate, Industry 6515.

- Trailer parks for transients

7359. Equipment Rental and Leasing

Establishments primarily engaged in renting or leasing (except finance leasing) equipment, not elsewhere classified.

- Appliance rental and leasing
- Electronic equipment rental and leasing, except medical and computer
- Furniture rental and leasing
- Party supplies rental and leasing
- Rental and leasing of dishes, silverware, and tables
- Tool rental and leasing

7999. Amusement and Recreation Services, ~~Not Elsewhere Classified~~

Establishments primarily engaged in the operation of sports, amusement, and recreation services, not elsewhere classified, such as bathing beaches, swimming pools, riding academies and schools, carnival operation, exposition operation, horse shows, picnic grounds operation, rental of rowboats and canoes, and shooting galleries. Establishments primarily engaged in showing or handling animals at shows or exhibitions are classified in Agricultural Services, Industry Group 075.

- Amusement concessions
- Bathing beaches, public
- Bingo parlors
- Bridge instruction
- Fishing piers and lakes, operation of
- Golf courses, miniature operation of
- Karate instruction
- Lifeguard service
- Rental of beach chairs and accessories
- Rental and instruction of Scuba and skin diving equipment
- Sporting goods rental
- Tennis clubs, non-membership
- Tennis courts, outdoor and indoor operation of, non-membership

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

- Yoga instruction

8011. Offices and Clinics of Doctors of Medicine

~~Establishments of licensed practitioners having the degree of M.D. and engaged in the practice of general or specialized medicine and surgery. Establishments operating as clinics of physicians are included in this industry. Osteopathic physicians are classified in Industry 8031.~~

- ~~• Ambulatory surgical centers~~
- ~~• Anesthesiologists, offices of~~
- ~~• Clinics of physicians (M.D.)~~
- ~~• Dermatologists, offices of~~
- ~~• Freestanding emergency medical (M.D.) centers~~
- ~~• Gynecologists, offices of~~
- ~~• Neurologists, offices of~~
- ~~• Obstetricians, offices of~~
- ~~• Oculists, offices of~~
- ~~• Ophthalmologists, offices of~~
- ~~• Orthopedic physicians, offices of~~
- ~~• Pediatricians, offices of~~
- ~~• Physicians (M.D.), including specialists: offices and clinics of~~
- ~~• Primary care medical (M.D.) clinics~~
- ~~• Psychiatrists, offices of~~

8011. Offices and Clinics of Doctors of Medicine

Establishments of licensed practitioners having the degree of M.D. and engaged in the practice of general or specialized medicine and surgery. Establishments operating as clinics of physicians are included in this industry. Osteopathic physicians are classified in Industry 8031.

- Ambulatory surgical centers
- Anesthesiologists, offices of
- Clinics of physicians (M.D.)
- Dermatologists, offices of
- Freestanding emergency medical (M.D.) centers
- Gynecologists, offices of
- Neurologists, offices of
- Obstetricians, offices of
- Oculists, offices of
- Ophthalmologists, offices of
- Orthopedic physicians, offices of
- Pathologists (M.D.), offices of
- Pediatricians, offices of
- Physicians (M.D.), including specialists: offices and clinics of
- Plastic surgeons, offices of
- Primary care medical (M.D.) clinics

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

- Psychiatrists, offices of
- Psychoanalysts, offices of
- Radiologists, offices of
- Surgeons (M.D.), offices of
- Urologists, offices of

8049. Offices and Clinics of Health Practitioners

Establishments of health practitioners engaged in the practice of health fields, not elsewhere classified. Practitioners may or may not be licensed or certified, depending on the State in which they practice. Establishments operating as clinics of health practitioners are included in this industry.

- Acupuncturists, except M.D.: offices of
- Audiologists, offices of
- Christian science practitioners, offices of
- Dental hygienists, offices of
- Dieticians, offices of
- Hypnotists, offices of
- Inhalation therapists, registered
- Midwives, offices of
- Naturopaths, offices of
- Nurses, registered and practical: offices of, except home health
- Nutritionists, offices of
- Occupational therapists, offices of
- Paramedics, offices of
- Physical therapists, offices of
- Physicians' assistants, offices of
- Psychiatric social workers, offices of
- Psychologists, clinical offices of
- Psychotherapists, except M.D.: offices of
- Speech clinicians, offices of
- Speech pathologists, offices of

8111. Legal Services

Establishments which are headed by members of the bar and are primarily engaged in offering legal advice or services.

- Attorneys
- Counselors at law
- Law offices
- Lawyers
- Legal aid services
- Legal services
- Patent solicitors' offices

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

- Referees in bankruptcy

8211. Elementary and Secondary Schools

Elementary and secondary schools furnishing academic courses, ordinarily for kindergarten through grade 12. Included in this industry are parochial schools and military academies furnishing academic courses for kindergarten through grade 12, and secondary schools which furnish both academic and technical courses.

- Academies, elementary and secondary schools
- Boarding schools
- Finishing schools, secondary
- High schools
- Kindergartens
- Military academies elementary and secondary level
- Parochial schools, elementary and secondary
- Preparatory schools
- Schools for the physically handicapped, elementary and secondary
- Schools for the disabled
- Schools, elementary and secondary
- Seminaries, below university grade
- Vocational high schools

8231. Libraries

Establishments primarily engaged in providing library services, including the circulation of books and other materials for reading, study, and reference. Establishments primarily engaged in operating motion picture film libraries are classified in Industry 7829.

- Centers for documentation
- Circulating libraries
- Lending libraries
- Libraries, printed matter
- Rental of books

8299. Schools and Educational Services

Establishments primarily engaged in offering educational courses and services, not elsewhere classified. Included in this industry are music schools, drama schools, language schools, short-term examination preparatory schools, student exchange programs, curriculum development, and vocational counseling, except rehabilitation counseling. Establishments primarily engaged in operating dance schools are classified in Industry 7911, and those providing rehabilitation counseling are classified in Industry 8331.

- Art schools, except commercial
- Automobile driving instruction
- Baton instruction

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

- Bible schools, not operated by churches
- Ceramics schools
- Charm schools
- Civil service schools
- Continuing education programs
- Cooking schools
- Curriculum development, educational
- Diction schools
- Drama schools
- Finishing schools, charm and modeling
- Flying instruction
- Hypnosis schools
- Language schools
- Modeling schools, clothes
- Music schools
- Personal development schools
- Public speaking schools
- Reading schools
- Speed reading courses
- Student exchange programs
- Survival schools
- Tutoring
- Vocational counseling, except rehabilitation counseling

8412. Museums and Art Galleries

Establishments primarily engaged in the operation of museums and art galleries. Art galleries and dealers primarily engaged in selling to the general public are classified in Retail Trade, Industries 5932 and 5999.

- Art galleries, not primarily selling Museums
- Planetaria

~~8661. Religious Organizations~~

~~Establishments of religious organizations operated for worship, religious training or study, government or administration of an organized religion, or for promotion of religious activities. Establishments of such religious groups which produce taped religious programming for television are classified in Industry 7812, and those which produce live religious programs are classified in Industry 7922. Establishments of such groups which operate radio or television stations are classified in Communications, Major Group 48.~~

- ~~• Churches (Parish & Sunday School)~~
- ~~• Temples (Parish & Sunday School)~~

PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 RE SIC CODE REFERENCES

(PZC Review and Report)

8661. Religious Organizations

Establishments of religious organizations operated for worship, religious training or study, government or administration of an organized religion, or for promotion of religious activities. Other establishments maintained by religious organizations, such as educational institutions, hospitals, publishing houses, reading rooms, social services, and secondhand stores, are classified according to their primary activity. Also included in this industry are religious groups which reach the public through radio or television media. Establishments of such religious groups which produce taped religious programming for television are classified in Industry 7812, and those which produce live religious programs are classified in Industry 7922. Establishments of such groups which operate radio or television stations are classified in Communications, Major Group 48.

- Churches
- Convents
- Monasteries
- Religious instruction, provided by religious organizations
- Religious organizations
- Shrines, religious
- Temples

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(PZC Review and Report)

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(PZC Review and Report)

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