

Sumter City-County Planning Commission

May 28, 2014

OA-14-06, Massage Parlors - CBD (City)

I. THE REQUEST

Applicant:	Howie Owens, Downtown Manager – City of Sumter
Request:	Amend Section 3.j.3 and Exhibit 3-5 of the City Zoning Ordinance to make Massage Parlors and Spas a conditional use in the Central Business District (CBD) Zoning District.
Location:	City of Sumter
Tax Map:	N/A
Adjacent Land Uses	N/A

II. BACKGROUND

The applicant is requesting to amend the zoning ordinance to allow a day spa with massage services to open in the Downtown. Currently massage parlors and spas are conditional uses in the General Commercial (GC), Limited Commercial (LC) and Professional Office (PO) zoning districts, however; they are not permitted or conditionally permitted in Central Business District (CBD).

The applicant is requesting a revision to the zoning ordinance to allow massage parlors and spas as a conditional use in the CBD district. Over the last decade, the Downtown Managers Office has actively pursued businesses to locate in the downtown that contribute to the development of an active, lively, 24-hour downtown environment. Over the years, redevelopment efforts have resulted in the locating of downtown corporate offices as well as boutique shops and restaurants that further this goal. The addition of a day spa that offers massage therapy services as well as a compliment of other spa services contributes to the vision and is compatible with the established pattern of development. Currently massage parlor/spas are not permitted within the CBD.

III. ORDINANCE CHANGE

The applicant would like to amend the City Zoning Ordinance to add Massage Parlors and Spas (SIC Code 7299) as item number 3.j.3.g and amend Exhibit 3-5 to make massage parlors and spas a conditional use in the CBD zoning district.

1. In Section 3.j.3: a subparagraph g as follows:

g. Massage parlors, and spas with SIC Code 7299;

Re-letter existing items g – m.

**EXHIBIT 5
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS**

PERMITTED & CONDITIONAL USES	PO	NC	LC	GC	CBD	LI	HI	AC	AC-10	CP	SIC CODE
Massage Parlors and spas	C		C	C	C						7299

IV. STAFF RECOMMENDATION

Amending the Ordinance to make massage parlors and spas a conditional use in the CBD zoning district remedies the current issue with allowing massage parlors and spas to open in the Downtown, however; as with every other district in which the use is allowed conditionally, it will require Conditional Use staff review of each business license application. Conditional Use review increases the amount of time required to open a business, which by and large may be an unnecessary delay.

In the state of South Carolina, massage therapists are licensed professionals – just as hair stylists and nail technicians are required to be licensed. Most communities do not equate spas and massage services as negative uses, and treat them not unlike a hair or nail salon. They are, by and large, personal service uses. As such, staff believes that the City should consider not only adding Massage Parlors and Spas with SIC Code 7299 to the Central Business District, but should do so as a Permitted Use, not as a Conditional Use. In addition, Massage Parlors and Spas with SIC Code 7299 should be made permitted uses in the PO, LC, and GC districts as well.

IV. PLANNING COMMISSION – MAY 28, 2014

The Sumter City-County Planning Department at its meeting voted to recommended approval of this request.

V. CITY COUNCIL – JUNE 3, 2014 – FIRST READING