Retail Definitions

- BREVARD'S CURRENT DEFINITION:
    - Retail uses: Facilities involved in the sale, lease, or rental of new or used products, merchandise and prepared foods. Retail sales include, but are not limited to, those listed in Section 3.7.D.
- Atlantic Beach
    - The Retail Sales Use Category includes use types involved in the sale, lease, or rent of new or used products to the general public.
- Black Mountain
    - Mobile retail vendor: A motor vehicle, or trailer towed by another vehicle, designed and equipped to sell goods directly to consumers, excluding firearms, ammunition, tobacco and vaping products.
    - Mobile retail vendor, artisan: Artists or craftspersons who produce originally designed unique hand-crafted products and of high-quality, including crafts, inedible products, beauty and body products, excluding firearms, ammunition, tobacco and vaping products, and sell using a motor vehicle, or trailer towed by another vehicle.
    - Retail sales: Establishments engaged in selling goods or merchandise to the general public and rendering services incidental to the sale of such goods including tailoring or repair. This includes, but is not limited to, specialty shops and stores as well as:
    - Flea market: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.
- Carolina Beach
    - Outdoor display means the displaying of goods, merchandise, or products outdoors such that the items are readily available for sale at retail on the same lot and in conjunction within a permanent fully-enclosed building. Under no circumstance shall displayed items be available for purchase at any location other than the designation point of transaction inside the permanent fully-enclosed building.
    - Retail sales means use types involved in the sale or lease of new or used products to the general public. Accessory uses may include offices, display of goods, limited assembly, processing, or repackaging of goods for on-site sale.
- Chapel Hill
    - Retail sales: Establishments engaged in selling of goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.
- Fayetteville

    - Outdoor Display and Sales: The placement of products or materials (other than vehicles) for sale outside the entrance of a retail or wholesale sales establishment.
    - Retail Sales Establishment: Commercial enterprises that provide goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser. Examples include stores selling, leasing, or renting consumer, home, and business goods such as art, art supplies, bicycles, cameras, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries and food sales, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary, and videos.
    - Flea Market: A market held in an open area or structure where individual sellers offer goods for sale to the public. Such sellers may set up temporary stalls or tables for the sale of their products. Such sales may involve new and/or used items and may include the sale of fruits, vegetables, and other edible items. A farmer's market, where food items predominate, is different than a flea market. This also differs from a garage sale or yard sale that is conducted on a residentially developed lot by members of a household, or civic groups selling primarily donated items.
- Garner
    - Sales. The wholesale or retail sale, lease, or rental of new or used products. Sale or rental of items with customary service of rented items is allowed but excludes those services and sales classified more specifically by another category.
    - Temporary outdoor retail sales refers to the sale of goods or merchandise that are not generally sold as part of the principal use's inventory. Sales for the temporary outdoor retail operation shall be separate and apart from sales for the principal use.
- Gastonia
    - Retail: A building, property, or activity the principal use or purpose of which is the retail sale of goods, products, or merchandise directly to the consumer. Such a retail establishment shall not be classified as a "Retail" use, if listed elsewhere in the Table of Uses of this Ordinance. Examples of excluded uses include: restaurants, convenience store - fuel marts and convenience stores.
- Hendersonville
    - Retail sales, outdoor: The use of an area not in an enclosed building or under a permanent roof structure for the display of inventory.
    - Retail sales, seasonal outdoor: Temporary outdoor use of an area for the display of inventory related to a holiday, season of the year or otherwise not offered on a regular basis.
    - Retail storage, outdoor: Outdoor storage of goods for retail sale.

    - Retail store: An establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Such use may process some of the products which it sells so long as such processing is incidental to such retail sales. The term shall not be deemed to include establishments in which the sale of goods or merchandise is incidental to another use, such as junk yards and wrecking yards as defined by G.S. 136-143.
- Lake Lure
    - Retail business means establishments selling commodities directly to the consumer.
- Morehead City
    - Flea market. An occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private yard sales.
    - Retail and wholesaling, indoor. An establishment which sells items at retail or wholesale wholly within an enclosed building.
- Mount Airy
    - Flea Market. An open-air market for new and/or second-hand articles and goods sold by one or more merchants, which is conducted on an open non-residential lot. Permanent flea markets can only be located in the M-1 zoning district. A detailed site plan must be presented to the Planning Director or his designee prior to a Zoning Permit being issued. Occasional yard sales conducted by individuals or non-profit organizations shall not be deemed flea markets, provided such yard sales are not conducted on more than six (6) days per year or, in the case of non-profit organizations, not more than fourteen (14) days per year.
- New Bern
    - Flea market: An occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private yard sales.
- Oak Island
    - Flea market: An occasional or periodic market held in an open area or structure where goods are offered for sale to the general public by individual sellers from open or semi-open facilities or temporary structures.
- Statesville
    - Retail - the use of land, buildings or structures for the sale of merchandise to the consumer of the merchandise which may include, but not be limited to, convenience goods, shoppers' goods, bicycle sales, gas stations, liquor stores,

lumber and other building material sales, mail order pickup facilities, mobile home sales, motor vehicle sales, service stations, and sales of used merchandise.

- Topsail Beach
    - Retail sales. Use types involved in the sale or lease of new or used products to the general public. Accessory uses may include offices, display of goods, limited assembly, processing, or repackaging of goods for on-site sale, concessions, and ATM machines. Retail sales does not include the following:
- Washington
    - Retail sales means establishments engaged in selling merchandise for personal or household consumption, and rendering services incidental to the sale of goods. Retail sales establishments are classified by kind of business according to the principal lines of commodities sold (apparel), or the usual trade designation (shoe store). Characteristics of retail trade is engaged in activities to attract the general public to buy; the establishment buys or receives merchandise as well as sells; the establishment may process its products but such processing is incidental or subordinate to selling; the establishment is considered as retail in the trade; and the establishment sells to customers for personal or household use.
- Waynesville
    - Outside Sales. The sale of goods and products outside of a permanent structure such as landscape materials, lawn and garden supplies, and produce. This definition includes farmer's markets and flea markets.
- Wilmington
    - Retail, general: Establishments engaged in the sale with incidental service of commonly used goods and merchandise for personal or household use but excludes those uses specifically listed in this article.
- Winston-Salem
    - Retail store: An establishment primarily engaged in general retail sales, where the majority of display and/or storage of merchandise being sold occurs within an enclosed structure.

Abandoned Definitions

- Charlotte
    - Where a nonconforming use is visibly discontinued for 12 consecutive months, the use shall not be reestablished or resumed, and any subsequent use of the land or structure shall conform to the requirements of this Ordinance
- Fayetteville
    - Discontinuance or Abandonment: A nonconforming use shall not be re-established after discontinuance for a period of 365 consecutive calendar days or more. Efforts to renovate or repair the use are not considered a vacancy, abandonment, or discontinuance, provided all appropriate development approvals are obtained, and provided the renovation or repair is completed within 365 days from commencement or repair or renovation, and the use is re-established within 30 days from the time the renovation or repairs are completed. Failure to complete the repairs or renovation within 365 days or re-establish the use within 30 days following repairs or renovation shall constitute discontinuance, and a nonconforming use shall not be re-established.
- Garner
    - Abandon. To cease, either intentionally or unintentionally, from actively using land, structures, or any premises for the intended or previous use, but excluding temporary periods of inactivity due to remodeling, maintaining, or otherwise improving a facility. Abandonment is often referenced to a specified time period. This definition includes “abandon”, “abandonment”, and any other tense or version of the word “abandoned.”
- Gastonia
    - A use becomes an abandoned use when it is discontinued for a continuous period of one year or more or when the premise on which it is located is devoted to another use.
- Greensboro
    - Discontinuance
        - A nonconforming use that ceases operations for any reason for a continuous period of more than one year may not be reestablished. Any subsequent use of such land must be a use permitted in the district.
        - The resumption of a nonconforming use is not permitted if the nonconforming use is replaced by an allowed use for any period of time.
- High Point

    - Cessation 1.General (a)If a nonconforming use of land ceases operation for a continuous period of more than 180 days, any subsequent use of the land shall be a use permitted in the district by right.
    - CESSATION: Ending of the use of land, structure, operation, or activity, permanently or for a period of time, as defined by this Ordinance.
- Morehead City
    - Abandonment. To visibly cease or discontinue a use or activity, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal period of vacation or seasonal closure.
- Rutherfordton
    - Abandonment means to cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure. (See section 30-406.)