

KNOW BEFORE YOU SIGN: 10 REASONS NOT TO IGNORE ZONING WHEN ASSESSING A NEW BUSINESS LOCATION

We've all heard that in real estate, it's location, location, location. That's why you ignore zoning issues at your peril when evaluating a new business location for lease or purchase.

Here's the top zoning issues you must assess when considering a new business location:

1 • ZONING CATEGORY

Does the zone of the property permit the uses you are proposing at this location? Know before you sign. Many business people stop here, but it's not enough.

2 • CHANGE IN USE

If you intend to change the use, what will get triggered and what is the timeline for the approval process for the change in use? You could trigger additional parking requirements, a new occupancy permit, upgrades to fire systems, ADA improvements, delays for site plan modification approval, or traffic mitigation.

3 • NEW OCCUPANCY PERMIT

Will you need to get a new occupancy permit and must the space be inspected? Know before you sign if an occupancy permit must be in a tenant's own name and will trigger a new inspection and what upgrades could be required before occupying.

4 • PARKING

Is there sufficient parking under the zoning ordinance onsite not just for your use but for all other uses?

5 • SIGNS

What are the locations and sizes of permitted signs for your use? Never make assumptions until you have reviewed the sign ordinance which controls total square footage, locations, color, logos, and operation of signs on a property.

6 • SPECIAL RESTRICTIONS

Does your zone have special conditions or is your use only permitted by a special exception or conditional use approval? You may have commercial zoning but your specific use may have operational restrictions (hours of operation, limits on deliveries, restrictions on expansion, signs, employees, and the like). Know all special restrictions and if a specific approval needs to be transferred to you before you sign.

7 • SPECIAL LICENSES

Does your business require a special license and does the zone includes special conditions on those types of licenses? For example, do you need a liquor license but are too close to a school under zoning regulations? Know before you sign.

8 • DISPUTES AND CITATIONS

Has the prior use been the subject of neighborhood disputes and government citations? Know what the issues were before you sign and step into a nightmare.

9 • PRIVATE COVENANTS

Are there restrictions or private agreements controlling the use of the property? Condominium declarations, homeowner association documents, or other private agreements between parties can add an enforceable layer of requirements in addition to zoning regulations.

10 • ASK AND OBSERVE

Take the time to look at the property, check public records, and confirm zoning so you can ask the right questions to avoid costly mistakes.



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Nancy Regelin uses her skills as a strategic thinker, manager and communicator to implement the vision of land owners, developers and creative consultants to create great places for us to live, work and play. In a recent assignment, she served on the site selection team for Marriott International's new Bethesda headquarters.

Nancy co-founded The Power Conference to pursue her passion of helping women-owned businesses develop and flourish.



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