

140.02.02 Nonresidential and Mixed-Use Districts

- A. Applicability.** This Section establishes the factors necessary for designing a residential development, which include development types, permitted uses, housing types and standards, and site development standards.
- B. Development Type.** Within the nonresidential and mixed-use districts, there are two specialized sub-districts: traditional neighborhood development and transit-oriented development. The sub-districts described in Table 140.02.02-1, *TND and TOD Descriptions*, are selectively permitted in each district as listed in the respective tables of this Section. The abbreviations defined in this table are used in subsequent tables in this Section

Table 140.02.02-1, TND and TOD Descriptions	
Name Description	Illustration
TND Traditional Neighborhood Development Development that consists of a variety of residential lot sizes and housing types, along with neighborhood supportive commercial development, in a vertical mixed-use setting.	
TOD Transit-Oriented Development A higher density, mixed-use development within walking distance (approximately a 1/2 mile) of a transit station.	

- C. Permitted Uses.** Table 140.02.02-1, *Permitted Uses by Nonresidential and Mixed-Use Zoning District and Development Type*, lists the land uses permitted in the various nonresidential and mixed-use zoning districts.

1. Symbols. Table 140.02.02-2 uses the following symbols:

- "P" means that the land use is Permitted by Right, subject to the standards that apply to all Permitted Uses. The use is approved by the Director.
- "L" means that the land use is Permitted with Limitations, in the same manner as a Permitted Use, but is also subject to Section 140.04, *Land Use Standards (Administrative and Special)*.
- "S" means that the use is allowed as a Special Use, which may be approved following a public hearing by the Board of Adjustment, subject to:
 - The standards in Section 140.04; and
 - The procedures set forth in Subsection 145.04.03, *Special Use Permit*.
- "--" means that the use is a Prohibited Use in the specified zoning district.

2. **Standards.** The "Standards" column provides a reference to associated standards for uses Permitted with Limitations and for Special Uses. Where "N/A" is in the column, the use is Permitted by Right in all districts.
3. **Unlisted Use Categories and Uses.** A use category or specific use is prohibited if it is not listed in Table 140.02.02-2 and if the Director cannot interpret an unlisted specific use as functionally similar to a use that is allowed, based on the criteria in Section [140.04.02, New and Unlisted Uses](#).

Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District										
Key	TND - Traditional Neighborhood Development TOD - Transit-Oriented Development	P – Permitted by Right S – Permitted as Special Use					-- – Prohibited Use P(L) – Permitted with Limitations			
Use Category	Specific Use	Zoning Districts and Development Types								Standards
		MU		CC	O-I	NC	GC	CD	EC	
		TND	TOD							
Agricultural and Residential										
Agricultural and Animal-Related	Animal Boarding or Shelter	--	--	--	--	--	S	--	P	140.04.06.D
	Farmer's Market or Fruit / Vegetable Stand	--	--	P(L)	--	--	P	--	--	140.04.03.C
	Pet Care Service (without outdoor kennels)	--	--	P	--	--	P	--	P	N/A
	Pet Care Service (with outdoor kennels)	--	--	--	--	--	P	--	P	N/A
	Veterinarian Office or Hospital, Large Animal	--	--	P(L)	--	--	--	--	--	140.04.03.B
	Veterinarian Office or Hospital, Small Animal	--	--	P	--	P	P	P	--	140.04.03.B
	All Other Agricultural and Animal-Related Uses	--	--	--	--	--	--	--	--	N/A
Household Living	Accessory Dwelling Unit	P(L)	P(L)	--	--	--	--	--	--	140.04.07.B
	Duplex or Single-Family Attached Dwelling	P(L)	P(L)	P(L)	P(L)	P(L)	--	--	--	140.04.03.D
	Multi-family Dwelling	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	--	--	140.04.03.E
	Single-Family Detached Dwelling	--	--	--	S	--	--	--	--	140.04.06.D
	Single-family Manufactured Home Park	--	--	--	--	--	--	--	--	140.04.03.G
	Single-family Manufactured Home Subdivision	--	--	--	--	--	--	--	--	140.04.03.G
	Single-Family Modular Home	--	--	--	S	--	--	--	--	140.04.06.D
	Townhouse	P(L)	P(L)	--	P(L)	P(L)	--	--	--	140.04.03.H
Group Living	Family Care Home	--	--	P(L)	S	--	--	--	--	140.04.07.B 140.04.06.D
	Residential Care Facility	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	--	--	140.04.07.B 140.04.03.I
	All Other Group Living Uses	--	--	P	--	--	P	--	--	140.04.03.I
Institutional and Civic										
Community Amenities	All Community Amenities	P(L)	P(L)	P	S	P(L)	P	--	--	140.04.04.A
Day Care	All Day Care Uses	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	--	140.04.04.B
Educational Facilities	School, Technical or Trade	--	--	--	S	--	P	P	P	140.04.06.D
	University or College	--	P	P	S	--	P	P	--	140.04.06.D
	All Other Educational Facilities	P	P	P	P	P	P	--	--	N/A

Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District

Key	TND - Traditional Neighborhood Development TOD - Transit-Oriented Development	P – Permitted by Right S – Permitted as Special Use				-- – Prohibited Use P(L) – Permitted with Limitations				
Use Category	Specific Use	Zoning Districts and Development Types								Standards
		MU		CC	O-I	NC	GC	CD	EC	
		TND	TOD							
Government Facilities	Correctional Institution	--	--	S	--	--	--	--	S	140.04.06.D
	All Other Government Facilities	P	P	P	P	P	P	P	P	N/A
Medical Facilities	Medical and Dental Office	P	P	P	P	P(L)	P	P	P	140.04.04.I
	All Other Medical Facilities	--	P	P	P	--	P	P	--	N/A
Parks and Open Areas	Campground, Private	--	--	--	--	--	--	--	S	140.04.06.E
	Cemeteries, Crematories, & Mausoleums	--	--	S	S	S	P	P	P	140.04.06.F
	Country Club	--	--	--	--	--	--	P	P	N/A
	Zoo	--	--	--	--	--	S	S	S	140.04.06.D
	All Other Parks and Open Areas	P	P	P	P	P	P	P	P	N/A
Passenger Terminals	Airport	--	--	--	--	--	--	--	S	140.04.06.D
	Park-and-Ride Facility/Transit Terminals	P	P	--	--	--	--	--	--	N/A
	All Other Passenger Terminals	P	P	--	P	S	P	P	P	N/A
Public Assembly	Club, Private	P(L)	P(L)	--	--	P	P	P(L)	--	140.04.04.C
	Convention Center / Visitors Bureau	--	P	P	--	P	P	P	--	N/A
	Religious Institution (up to 350 seats)	P(L)	P(L)	P(L)	P(L)	P(L)	P	--	P	140.04.04.D
	Religious Institution (more than 350 seats)	--	--	--	P(L)/S	P(L)	P	--	P	140.04.04.D 140.04.06
	All Public Assembly Uses	P(L)	P(L)	P	P(L)	P(L)	P	--	P	140.04.04.D
Social Service	All Social Service Uses	--	--	P	S	S	P	P	--	140.04.06.D
Utilities	Solar Energy Facilities (Level 1)	P	P	P	P	P	P	P	P	N/A
	Solar Energy Facilities (Level 2)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	P(L)	140.04.04.E
	Solar Energy Facilities (Level 3)	S	S	S	S	S	S	S	S	140.04.06.D 140.04.04.E
	Wireless Telecommunications Tower	S	S	S	S	S	S	S	S	140.04.06.D 140.04.04.F
	All Other Major Utilities	S	S	S	S	S	S	S	S	140.04.06.D
	All Minor Utilities	P	P	P	P	P	P	P	P	N/A
Commercial										

Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District

Key	TND - Traditional Neighborhood Development TOD - Transit-Oriented Development	P – Permitted by Right S – Permitted as Special Use					-- – Prohibited Use P(L) – Permitted with Limitations			
Use Category	Specific Use	Zoning Districts and Development Types								Standards
		MU		CC	O-I	NC	GC	CD	EC	
		TND	TOD							
Entertainment, Indoor	Amusement Arcade	P	P	--	--	--	P	--	--	N/A
	Brewpub / Microbrewery, Microwinery, Microdistillery, Microcidery	P(L)	P(L)	P(L)	--	--	P(L)	P(L)	P(L)	140.04.04.G
	Electronic Gaming Establishment	--	--	--	--	--	S	--	--	140.04.04.H
	Fortune Telling / Palm Reading	--	--	--	--	--	S	--	--	140.04.06.D
	Reception Facility	--	--	--	--	--	S	--	--	140.04.06.G
	Tattoo Parlor, Body Piercing	--	--	--	--	--	S	--	--	140.04.06.D
	All Other Indoor Entertainment	P	P	P	--	--	P	--	P	N/A
Entertainment, Outdoor	All Outdoor Entertainment	--	--	--	--	--	S	--	S	140.04.06.D
Offices	Bank or Credit Union	P(L)	P(L)	S	P	P	P	P	--	140.04.04.I
	All Other Office Uses	P(L)	P(L)	P	P	P	P	P	--	140.04.04.I
Overnight Accommodations	Bed & Breakfast Inn or Short-Term Rental	P(L)	P(L)	P(L)	--	P(L)	P(L)	--	--	140.04.04.J
	All Other Overnight Accommodations	P	P	P	--	--	P	P	--	N/A
Parking, Commercial	Truck, Tractor Trailer, or Bus Storage	--	--	--	--	--	--	S	P	140.04.06.D
	All Other Commercial Parking Uses	S	S	S	P	S	P	P	P	140.04.06.D
Retail Repair, Sales, and Service Uses	Auction House (General Merchandise)	--	--	--	--	--	P	--	--	N/A
	Cemetery Monument Sales	--	--	--	--	--	P	--	--	N/A
	Funeral Home	--	--	S	P	--	P	P	--	N/A
	Lawn and Garden Supply (without outdoor display or storage)	--	--	P	--	--	P	P	P	N/A
	Lawn and Garden Supply (with outdoor display or storage)	--	--	--	--	--	S	S	S	140.04.06.D
	Liquor Sales (ABC Store)	S	S	--	--	--	P	P	--	140.04.06.D
	Shopping Center	P(L)	P(L)	--	--	P(L)	P(L)	P(L)	--	140.04.04.K
	Pawnshop	--	--	S	--	--	P	--	--	140.04.06.D
	Tobacco Store or Vapor Shop	--	--	--	--	--	S	--	--	140.04.04.U
	CBD and Hemp Based Products	--	--	--	--	--	S	--	--	140.04.04.V
	All Other Retail Sales and Service	--	--	P	--	P	P	--	--	N/A
Restaurant	Restaurant, Limited-Service (delivery, carryout, drive-thru)	S	S	S	--	--	P	--	--	140.04.06.D
	All Other Restaurants Uses	P	P	P	--	P	P	P	--	N/A

Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District

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Table 140.02.02-2, Permitted Uses by Nonresidential and Mixed-Use Zoning District										
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Use Category	Specific Use	Zoning Districts and Development Types								Standards
		MU		CC	O-I	NC	GC	CD	EC	
		TND	TOD							
Wholesale Trade	Building Material Supply (with outdoor storage)	--	--	--	--	--	S	--	P	140.04.06.D
	Farm Supply Product Sales (with outdoor storage)	--	--	--	--	--	--	--	S	140.04.06.D
	Farm Supply Product Sales (without outdoor storage)	--	--	--	--	--	--	--	S	140.04.06.D
	Florist and Nursery Supply, (with outdoor storage)	--	--	--	--	--	S	--	P	140.04.06.D
	Florist and Nursery Supply, (without outdoor storage)	--	--	--	--	--	S	--	P	140.04.06.D
	All Other Wholesale Trade	--	--	P	--	--	P	P	P	N/A

D. Dimensional Standards.

1. *Nonresidential Uses.* The standards in Table 140.02.02-3, *Dimensional Standards by Zoning District*, establish the minimum dimensional standards of nonresidential development in the nonresidential zoning districts.
2. *Residential Uses.* Permitted residential uses shall comply with the standards for conventional development in Table [140.02.01-5](#), *RH Dimensional Standards*, except that in the CC district there shall be no maximum density.

Table 140.02.02-3, Dimensional Standards by Zoning District									
Development Standard		MU		CC	O-I	NC	GC	CD	EC
		TND	TOD						
Development Area (min. acres)		Refer to Subsec. 140.03.01	Refer to Subsec. 140.03.02	--	--	--	--	20 ¹	--
Lot Width (min. ft.)				--	--	50	50	100	50
Height (max. ft.)				72	35	50	48	72	72
Impervious Surface (max. %)				100	70	65	80	80	90
Building Setbacks (ft.)	front (min. / max.)			-- / 10	10 / --	10 / --	10 / --	20 / --	20 / --
	rear ²			--	8	8	8	8	15
	interior side ²	--	8	8	8	8	15		
	street side	--	10	10	10	30	30		
	adjacent to residential district	--	15	15	15	25	25		
Notes:									
1. <u>Parcels</u> which are less than 20 acres but are at least one acre shall require a Special Use Permit. Any such <u>property</u> less than 20 acres shall have been a lot of record at the time on or before [insert adoption date of previous UDO]. In reviewing such requests, the Planning and Zoning Board shall consider the project's relationship to adjacent CD- zoned properties, developed or undeveloped.									
2. Required <u>buffer yards</u> in Subsection 141.04.03 , <i>Buffer Yard Landscaping</i> , may require increased rear or interior <u>side setbacks</u> .									
3. Applies to permitted multi-family and single-family attached dwellings.									

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