

## § 23-421. Permitted and special exception uses allowed in zoning districts.

The types of uses allowed in the various standard zoning districts shall be as set forth in Table 23-421. Uses not listed on the table or not shown as permitted (P), special exception (S), or planned development project (PDP) are prohibited. No variances shall be granted to allow uses not otherwise allowed in a zoning district, except that housing types other than single-family may be allowed in a planned development project (PDP) approved pursuant to section 23-224.

- a. *Permitted uses.* Permitted uses require approval by the administrative official in accordance with section 23-212, verification of zoning compliance.
- b. *Conditional uses.* Uses marked with an asterisk (\*) are conditional uses that require approval by the administrative official subject to the conditions for the specific use set forth in article III, division 2, conditional use regulations.
- c. *Special exception uses.* Special exception uses may be approved by the planning board in accordance with the procedures in section 23-216, special exception use permit.

**TABLE 23-421**

### PERMITTED USES AND SPECIAL EXCEPTION USES IN STANDARD ZONING DISTRICTS

P - Permitted Use S - Special Exception Use PDP - Planned Development Project MDP - Master Development Plan																					
	R-1A	R-1B	R-1C	R-1D	R-2	R-3	PF	PDMU	D-MU	C-1/ C-1A	C-2	C-2R	C-3	C-4	C-5 <sup>1</sup>	LCI	BP	I-1	I-2	CN	R
RESIDENTIAL																					
Dwelling: Single-family	P	P	P	P	P	P	P	MDP				P			P						
Dwelling: Single-family attached					P	P	P	MDP	S			P			P						
Dwelling: Two-family					P	P	P	MDP	S			P			P						
Dwelling: Multi-family (up to 12 units on one parcel)						P	P	MDP	P	P	P	P	P		P						
Dwelling: Multi-family (more than 12 units/parcel)						PDP	PDP	MDP	PDP	PDP	PDP	PDP	PDP		PDP						

Dwelling unit for caretaker employed on premises							S	MDP	P	S	S	S	S	S	S	S	S	S	S	S	
Dwelling, accessory to single-family house*	S	S	S	S	S	S	S	MDP	P	P	S	S	S	S	S						
Live / Work Unit							S	MDP	P	P	P	S									
Mixed-use - residential and nonresidential	PDP	PDP	PDP	PDP	PDP	PDP	S	MDP	P	P	P	S	PDP2		PDP						
Manufactured and Modular Homes (individual lots)																					
Manufactured Home and Modular Home Parks	PDP	PDP	PDP	PDP	PDP	PDP															
Modular Home Subdivisions	PDP	PDP	PDP	PDP	PDP	PDP															
Manufactured Home Subdivisions																					
AMUSEMENT ESTABLISHMENTS																					
Amusement establishment —Indoor								MDP	S	S	S	S	P	S	S				S		
Amusement establishment —Outdoor								MDP	S		S		S		S				S		
Indoor shooting ranges								MDP					P			P	P	P	P		
Movie theater— Indoor								MDP	P	P	P	P	P		P				P		
AUTOMOTIVE USES*																					
Auto and truck rental								MDP	S	S	P	S	P		S	P			P		
Auto and truck repair								MDP	S	S	S	S	S		S	S		S	S		
Auto, truck, or motor cycle dealer								MDP	S	S	S	S	P		S	P	P		P		
Auto parking establishments (principal use)							S		S	P	P	S	P		S	P	P	P	P		
Auto service station								MDP	S	S	S	S	P		S				S		
Car wash								MDP			S	S	P	S	S	S			S		
Recreational vehicle, mobile home, or boat								MDP			S	S	P		S	P	S	P	P		

dealers																				
EDUCATIONAL AND CULTURAL																				
Club7							S	MDP	P	P	P	S	P	S	S	P				
Cultural facilities	S	S	S	S	S	S	S	MDP	P	P	P	P	P	P	P	P	P		P	P
Day care center3*	P	P	P	P	P	P	P	MDP	P	P	P	P	P	P	P					
Religious establishment	P	P	P	P	P	P	P	MDP	P	P	P	P	P		P				P	
Schools, athletic or music							S	MDP	S	S	P	S	P		S	S	P		S	
Schools, post secondary	S	S	S	S	S	S	S	MDP	P	S	S	S	S		S		S		S	
Schools, primary-secondary	P	P	P	P	P	P	P	MDP	S	P	P	P	P		P					
Schools, training (other than athletic or music)							S	MDP	P	P	P	P	P		P	S	P		P	
FARMING/OTHER AGRICULTURAL																				
Farming, crop4 or nursery without retail sales	P	P	P	P	P	P	P	MDP	S	P	P	P	P		P	P	P	P	P	P
Nursery, plant with retail sales								MDP			P	S	P		S	S	S	P	P	
FOOD AND BEVERAGE BUSINESSES (See section 23-342 and chapter 5 for regulations on alcoholic beverages.)																				
Bar, wine and beer7								MDP	P / S (see note 7)	P - C1-A only										
Bar									P / S (see note 7)											
Catering facility								MDP	P	S	P	S	P		S	P	S	P	P	
Food processing								MDP								P	S	P	P	
Mobile Food Vending/Mobile Food Dispensing Vehicles *								MDP	P	P		P	P	P		P	P	P		
Restaurants, eat-in5, 7							S	MDP	P	P	P	S	P	P	P	P	P		P	
Restaurants, drive-up								MDP			S		P		S					
Restaurant, outdoor cafe7							S	MDP	P	P	P	S	P	P	P					

Restaurant, take-out5								MDP	P	P	P	S	P	P	P	S	S	S	P		
HEALTH CARE																					
Health service							P	MDP	S	S	P	S	P		P	P	P		P		
Hospitals							P	MDP			S		P			P	S				
Medical Marijuana Dispensaries and Treatment Centers *							P	MDP					P								
Medical office (one practitioner)							P	MDP	P	P	P	P	P	P	P	P	P				
Nursing care homes*	S	S	S	S	S	S	P	MDP	S	S	S	S	P		S				S		
Veterinarian or small animal hospital							S	MDP	S		P	S	P		P	P	P		P		
Animal hospital								MDP			S		P			P	P		S		
LODGINGS																					
Bed and breakfast (accessory to single- family)*	S	S	S	S	S	S	S	MDP	P	S		S			S						
Boarding house					S	S	S	MDP	S	S		S			S						
Dormitory						S	S	MDP	S	S	S	S	S		S						
Hotel								MDP	P	P	P/S	S	P		P/S	S	P		S		
Motel								MDP			S	S			S	S			S		
INDUSTRIAL USES																					
Assembly and fabrication								MDP					S			P	P	P	P		
Laundry and dry cleaning plants								MDP								P	S	P	P		
Manufacturing—Light								MDP					S			P	P	P	P		
Manufacturing—Heavy																		P	S		
Warehouse/Distribution								MDP					S			P	P	P	P		
PROFESSIONAL AND COMMERCIAL USES**																					
<i>Artisan Production, small scale</i>								MDP	S	S	S		P	S	S	P	P				
<i>Artisan Production, large scale</i>								MDP					P			P	P				

[illegible]

Airports, heliports and related aviation facilities																		S	S	S		
Public facilities and offices**	P	P	P	P	P	P	P	MDP	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public transportation terminals								MDP	S	S	S	S	P	S	S			S	P	P		
Solar Power Generation Facility*	S																					

\* See special conditions for this use in article III, division 2 Conditional Use Regulations.

For conditions for a dwelling unit accessory to a single-family dwelling, see Table 23-521, Accessory Uses - Residential Properties.

\*\* Public facilities and offices are permitted uses in all districts with the approval by the city commission and a courtesy review and recommendation from the planning board.

1 A development in a C-5 zoning district requires approval as a Planned Development Project. (See section 23-224.)

2 Mixed-use and multi-family development may be approved through the PDP process only if consistent with the policies of the Comprehensive Plan for the Future Land Use classification of the property. Standards in section 23-445 apply to all mixed-use planned developments and those in section 23-443 apply to all residential planned developments.

3 A "day care home," a day care facility with 4 or fewer clients (See definition in article VIII) is a permitted use accessory to a single-family house pursuant to section 23-521.

4 A farm stand is permitted as accessory to an agricultural use.

5 A restaurant may be permitted as accessory to a nonresidential use pursuant to section 23-541.

6 For exceptions, see section 23-343 "Auctions, sales, and events, temporary" and section 23-355 "Yard sales."

7 See also section 23-353, Conditional use regulations for "outdoor seating areas" and section 23-342 for Conditional use regulations on alcoholic beverages.

8 C-2 zoning districts in the RAC land use category only.

9 Planned Development Mixed Use development may be approved through the MDP process only if consistent with Policy 2.18 of the Comprehensive Plan and Section 23-450.

10 Single-family attached in the C-1/C1A zoning districts not permitted on the ground floor.

#### NOTES:

- Conversion of a dwelling unit to a non-residential use requires a special exception use permit, regardless of whether the new use is a permitted (P) or special exception use (S).
- Outdoor storage in BP, I-1, and I-2 is allowed with site plan approval.

- Outdoor display and sales at an otherwise permitted business or enterprise are subject to conditions in Sec. 23-343.

- Planned Development Projects may be approved in any district per the procedure set forth in section 23-224 and per the regulations set forth in section 23-443.

- The addition of an accessory use to a property where the principal use is a special exception use requires is considered an expansion of the special exception use requiring a new special exception use permit prior to construction or commencement of the use. (See also section 23-501, accessory uses and structures).

- Outdoor seating for any establishment must meet conditional use regulations in section 23-353.

- Non-residential uses are permitted as a subordinate part of a residential Planned Development Project and are limited to those uses permitted in the C-4 Neighborhood Commercial zoning district.

(Ord. No. 2005-47, § 1, 10-18-05; Ord. No. 2007-02, § 12, 3-6-07; Ord. No. 2007-33, § 3, 9-4-07; [Ord. No. 2008-04](#), § 9, 2-19-08; [Ord. No. 2008-45](#), §§ 15, 16, 12-16-08; Ord. No. 2009-174, § 2, 10-20-09; [Ord. No. 2010-11](#), § 3, 6-15-10; [Ord. No. 2011-04](#), § 3, 3-1-11; [Ord. No. 2012-02](#), § 1, 2-21-12; [Ord. No. 2015-04](#), § 9, 7-7-15; Ord. No. 2017-05, § 2, 4-18-17; Ord. No. 2017-19, § 1, 10-17-17; Ord. No. 2018-07, § 4, 09-19-18; Ord. No. 2019-12, § 1, 09-24-19; Ord. No. 2020-06, § 2, 06-02-20; Ord. No. 2020-27, § 1, 10-20-20; Ord. No. 2020-30, § 1, 12-02-20; Ord. No. 2021-09, § 1, 6-02-21; Ord. No. 2021-20, § 1, 9-20-21; Ord. No. 2021-25, § 1, 11-02-21; Ord. No. 2022-06, § 1, 3-01-22; Ord. No. 2022-30, § 1, 8-02-22; Ord. No. 2022-37, § 1, 9-07-22; Ord. No. 2022-45, § 1, 10-04-22)