

Sec. 98-952. - Use classification.

- (a) *Purpose and intent.* The use regulations of the zoning districts are based on the use classification system of this section. The purpose of the provisions of this section is to classify uses of land into a number of specially defined land use categories on the basis of common functional characteristics and similar compatibility with other uses, thereby providing a basis for regulation of uses in accordance with criteria that are directly relevant to the public interest. The provisions of this section shall apply throughout this chapter.
- (b) *Classification of principal uses.* The use categories listed in the use regulations schedule in subsection (c) of this section shall be considered to be principal uses, with the exception of uses listed in the "accessory and temporary uses" category. A single lot, other than a lot used for residential dwelling purposes, may contain more than one principal use, or a single use that has the characteristics of more than one use category, unless otherwise prohibited by the provisions of this chapter. All existing and proposed uses shall be classified into the use category that most closely portrays the overall nature of such activity. Any use that cannot be so classified shall not be permitted in any district.
- (c) *Schedule of use regulations.* The following use regulations schedule summarizes the use regulations of the districts. In the event of any conflict between the use regulations schedule and the text of the zoning district regulations, the text shall control. Uses that were established prior to the adoption of this chapter or its predecessors, but that are now inconsistent with the requirements of this chapter, shall be permitted if such uses meet the requirements of article V, chapter 78 of this Code, nonconformities, for a valid nonconforming use. The use regulations schedule shall be interpreted as follows:
- (1) *Permitted uses.* Uses identified in a particular district column with a "P" shall be permitted in such district, subject to compliance with all applicable conditions and provisions of this chapter.
- (2) *Specific uses.* Uses identified in a particular district column with an "S" shall be permitted in such district only upon approval of a specific use permit by the town council in accordance with the procedures and standards of section 98-953, specific use permits.
- (3) *Temporary uses.* Uses identified in a particular district column with a "T" shall be permitted in such district only upon approval of a temporary use permit in accordance with the procedures and standards of [section] 78-87 of this Code, temporary use permits.
- (4) *Not permitted.* Uses not identified in a particular district column with a "P," "S" or "T" are not allowed in such district, unless otherwise expressly permitted in this chapter.
- (5) *Use conditions.* Numbers occurring in parenthesis after the names of selected use categories refer to conditions applicable to such use and set forth in subdivision III of this division, special use conditions.
- (6) *Circumstantial specific uses.* Uses identified in a particular district column with a "P/S" shall require a specific use permit in accordance with the procedures and standards of the relevant section from subdivision III, special use conditions, of this division.

SCHEDULE OF USE REGULATIONS

[illegible]

[illegible]

[illegible]

Educational, Institutional and Civic Uses	A	SFE	SF-5	SF30	SF15	SF10	SFA	2F	MF	MH	O	R1	R2	C1	C2	CC	CI	I1	I2	WR	REC	PD	CBD
Animal control facility	S												S	P	P			P	P			P	*
Cemetery or mausoleum	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			S	S	S	S	S	*
College or university	P	S	S	S	S	S	S	S	S	S	P		P	P	P	P	P	P	P			P	*
Community center, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P	*
Convent or monastery	P	P	S	S	S	S	P	P	P	P					P			P	P			P	*
Day care center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			S	*
Exhibition area or fairgrounds	S													S	S			S	P	S	S	P	*
Fire station/public safety	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	*
Fraternal club or lodge	S										S		P	P	P			P	P	S		P	*
Hospital	S	S		S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	*
Institution, drug or psychiatric treatment	S										S			S	S	S	S	S				P	*
Museum, library or art gallery, public	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	S	P	S	P	*
Nursing or congregate care facility									S		S			S	S			S		P		P	*

[illegible]

Private franchise utility (not listed)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	*
Sewage pump station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	*
Sewage treatment plant	S																S	S	P	S	P	P	*
Telephone equipment station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	*
Transmission pipeline (98-997)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	*
Water well, storage or pump station	P	P	P	P	P	P	P	P	P	P	S	S	S	S	S	S	S	S	S	S	P	P	*
Transportation-Related Uses	A	SFE	SF- 5	SF30	SF15	SF10	SFA	2F	MF	MH	O	R1	R2	C1	C2	CC	CI	I1	I2	WR	REC	PD	*
Airport or landing field	S																		P		P	S	*
Bus station or terminal											S				P		P	P	P	P		P	*
Heliport	S															P	P	S	S		S	P	*
Helistop	S										S				S	P	P	S	S	S		S	*
Parking lot, trucks or trailers (transport)																	S	S	P			P	*
Railroad freight or passenger station																	P	P	P			P	*
Railroad team track	S																P	P	P		S	P	*

Railroad track	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	*
Retail Uses	A	SFE	SF-5	SF30	SF15	SF10	SFA	2F	MF	MH	O	R1	R2	C1	C2	CC	CI	I1	I2	WR	REC	PD	*
Alcoholic beverage establishment (98-1009)												P	P	P	P	P	S	S	S	P	P	P	*
Alcoholic beverage establishment with production area greater than 6,000 square feet (98-1009)												S	S	S	S	S	P	P	P	S	P	P	*
Antique shop												P	P	P	P							P	*
Art gallery or handicraft sales												P	P	P	P	P						P	*
Art supply store											P	P	P	P	P	P						P	*
Bait and sporting goods sales													P	P	P			P		P	S	P	*
Bakery or confectionery shop, retail												P	P	P	P	P						P	*
Book or stationary store or newsstand											P	P	P	P	P	P				P		P	*
Boutique vendor market, indoor (98-1006)												P	P	P	P	S	S	S	S		P	P	*

Boutique vendor market, outdoor (98-1006)	S											S	S	S	P	S					P	P	*
CBD store (98-1011)														S	S			P				S	*
Convenience store													P	P	P	S				P		P	*
Convenience store with gasoline sales													S	S	S	S				S		S	*
Drugstore or pharmacy											S	P	P	P	P	S				P		P	*
Farmers' market (98-980)	S																			P	P	*	
Florist											P	P	P	P	P	P	P	P	P			P	*
Fruit and vegetable stand (98-981)	P																					P	*
Hardware store													P	P	P			P				P	*
Optical sales											P	P	P	P	P	P						P	*
Pet store (98-988)													P	P	P							P	*
Plant nursery or garden shop													P	P	P			P				P	*
Restaurant, fast food												S	P	P	P	S	S	P				P	*
Restaurant, general											P	P	P	P	P	P	P	P	P	P	P	P	*
Retail general (indoors)												P	P	P	P	P						P	*

Retail, general (outdoors)															S			S	S			P	*
Retail, large tenant (between 25,000 and 49,999 square feet) (98- 1010)												P/S	P/S	P	P	P/S	P	P	P			P	*
Retail, large tenant (between 50,000 and 74,999 square feet) (98- 1010)													P/S	P	P	P/S	P	P	P			P	*
Retail, large tenant (between 75,000 and 99,999 square feet) (98- 1010)														P/S	P	P/S	P/S	P	P			P	*
Retail, large tenant (100,000 square feet or more) (98-1010)															P/S	P/S	P/S	P/S	P/S			P/S	*
Secondhand store												S	P	P	P	S						P	*
Smoking related business (98-1008)														S	S							P	*
Personal Service Uses	A	SFE	SF- 5	SF30	SF15	SF10	SFA	2F	MF	MH	O	R1	R2	C1	C2	CC	CI	I1	I2	WR	REC	PD	CBD
Alternative financial establishment (98-1007)																		P				P	*
Assembly hall												S	S	S	S							S	*

Bank or savings and loan											P	P	P	P	P	P	P	P				P	*
Boardinghouse or rooming house									P													P	*
Cleaning/laundry shop with pickup station											P	P	P	P	P	P	P	P	P			P	*
Cleaning/laundry shop with on-site plant												S	S	P	P			P	P			P	*
Custom personal service											P	P	P	P	P	P				P		P	*
Dancing, drama, or music school or studio											S	P	P	P	P	P						P	*
Extended stay hotel (98-1004)											S				S	S	S	S	S	S	S	P	*
Hotel or motel (98-1003)											S		S		P	P	P	P	P	P	S	P	*
Laboratory, medical and dental											S	P	P	P	P	P	P	P	P			P	*
Laundry, self-service												P	P	P	P							P	*
Mailing and shipping service											P	P	P	P	P	P	P	P	P			P	*
Mortuary or funeral home											S	S	P	P	P							P	*
Office, general business and professional											P	P	P	P	P	P	P	P	P			P	*

Office, medical and dental											P	P	P	P	P	P						P	*
Personal improvement services											P	P	P	P	P	P	P	P	P	S		P	*
Repair services, limited													P	P	P			P				P	*
School, business											P			P	P	P	P	P				P	*
School, commercial trade	S													S	S	S	P	S	P			P	*
Sexually oriented business (98-994)																		S	S			S	*
Studio, television or radio											S			S	S	P	P	S	S			S	*
Tool rental (domestic equipment)															P		P	P				P	*
Travel bureau or consultant											P	P	P	P	P	P				P		P	*
Veterinary hospital (inside pens) (98-998)	S										S	S	S	P	P			P	P			P	*
Veterinary hospital (outside pens) (98-999)	S																	P	P			P	*
Recreational and Entertainment Uses	A	SFE	SF-5	SF30	SF15	SF10	SFA	2F	MF	MH	O	R1	R2	C1	C2	CC	CI	I1	I2	WR	REC	PD	CBD

Amusement and recreation (indoors) (98-973)	S										S	S	S	S	P	P	P	P		P	P	P	*
Amusement and recreation (outdoors)	S													S	P	S	P	P		P	P	P	*
Boat storage and service	S																	P	P	P	S	P	*
Country club, private (98-978)	P	P	S	S	S	S	S	S	S	S								P	P	P	S	P	*
Day camp for children	P	S												S	S			S	S	P	P	P	*
Drag strip or commercial racing																			S			S	*
Dude ranch	S																				P	P	*
Golf course, private	S																	S	S	S		P	*
Golf course, public	P	P	P	P	P	P	P	P	P	P	P			P	P			P	P	P	S	P	*
Health club or athletic club											S	S	P	P	P	S	S					P	*
Marina	S																	S	S	P	S	P	*
Park or playground, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	*
Recreation center, public	P	P	P	P	P	P	P	P	P	P				P	P	P		P		P		P	*
Rodeo grounds	S																	S	S		S	S	*

Shooting range, commercial																			S		S	S	*
Stable, commercial boarding or rental (98-995)	S																				S	S	*
Stadium or playfield, public	P	S	S	S	S	S	S	S	S					S	S			S	P	S		P	*
Swimming pool, commercial (outdoors)	S													P	P	P	P	P		S	P	P	*
Swimming pool, public	P	P	P	P	P	P	P	P	P	P	P	P	S	P	P			P	P	P	P	P	*
Theater											S		P	P	P	P	P	P		P	S	P	*
Theater, drive-in																		S	P		S	S	*
Automobile and Related Service Uses	A	SFE	SF-5	SF30	SF15	SF10	SFA	2F	MF	MH	O	R1	R2	C1	C2	CC	CI	I1	I2	WR	REC	PD	CBD
Auto leasing or rental														S	P			P				P	*
Auto painting or body shop																		P	P			P	*
Auto parts and accessory sales (indoors)													P	P	P			P				P	*
Auto parts and accessory sales (outdoor display)																		P				P	*
Auto service center													S	S	P			P	P			P	*

Auto storage or auction																		P	P			P	*
Car sales, new or used															P			P				P	*
Car wash, automatic													S	S	P	S	S	P	P	P		P	*
Car wash, full service													S	S	P	S		P	P	P		P	*
Car wash, self-service													S	S	S			S	S	S		P	*
Tire retreading or recapping																		S	P			P	*
Wrecking or salvage yard																			S			S	*
Heavy Commercial Uses	A	SFE	SF-5	SF30	SF15	SF10	SFA	2F	MF	MH	O	R1	R2	C1	C2	CC	CI	I1	I2	WR	REC	PD	CBD
Building material sales or storage (indoors)															P		P	P	P			P	*
Building material sales and storage (outdoors)																		S	P			S	*
Cabinet and upholstery shop														P	P		P	P	P			P	*
Cleaning, dyeing or laundry plant															P		P	P				P	*
Laboratory, manufacturing																		S	S			S	*

Laboratory, scientific and research											S	S	P	P	P	P	P	P			P	*	
Lithographic or print shop														P	P	P	P	P			P	*	
Maintenance service															P		P	P	P			P	*
Mini-warehouse														S	S			S	P			P	*
Office—showroom/warehouse															S	S	P	P	P			P	*
Private shop, yard or building	S																S	S	P			P	*
Repair services, general																	S	S	P			S	*
Vehicle and equipment sales or rental															P			P	P			P	*
Warehousing and wholesale, general																	P	P	P			P	*
Welding or machine shop																			P			P	*
Industrial Uses	A	SFE	SF-5	SF30	SF15	SF10	SFA	2F	MF	MH	O	R1	R2	C1	C2	CC	CI	I1	I2	WR	REC	PD	CBD
Asphalt/concrete batching plant (permanent)																			S			S	*

Bakery or confectionery, wholesale															P		P	P	P			P	*
Bottling works																	P	P	P			P	*
Food processing															P		P	P	P			P	*
Manufacturing, general																			P			P	*
Manufacturing hazardous/objectionable																			S			S	*
Manufacturing, light																	P	P	P			P	*
Agriculture and Extractive Uses	A	SFE	SF-5	SF30	SF15	SF10	SFA	2F	MF	MH	O	R1	R2	C1	C2	CC	CI	I1	I2	WR	REC	PD	CBD
Crop agriculture	P	P																		P		P	*
Feed store														S	P			P	P			P	*
Greenhouse, wholesale	P														P			P	P			P	*
Keeping of livestock or poultry (Keeping animals <u>98-985</u>)	P	P																				P	*
Kennel (In enclosed building only) (98-986)	S												S	P	P			P	P			P	*
Kennel (with outside runs or pens) (98-986)	S																	P	P			P	*
Livestock auction or feed lot	S																		S			S	*

Mining and quarrying	S																		S			S	*
Petroleum storage/collection facilities	S																		S		S	S	*

* The uses allowed in the CBD are specified in the zoning ordinance as approved and adopted by the town council, establishing a CBD on a particular land use area and such zoning ordinance shall specify what uses are permitted uses, what uses are specific uses requiring a specific use permit, and what uses are temporary uses. A list of such category of uses shall be maintained by the executive director of development services for each CBD approved by the town council.

(d) Reserved.

(Code 1989, ch. 12, § 3.05(b), (c); Ord. No. 27-99, § 1, 4-5-1999; Ord. No. 75-99, § 2(3.05), 12-6-1999; Ord. No. 14-00, § 2, 2-17-2000; Ord. No. 32-00, § 2(3.05), 4-3-2000; Ord. No. 50-00, § 1, 7-17-2000; Ord. No. 08-01, § 1, 2-5-2001; Ord. No. 09-01, § 1, 2-5-2001; Ord. No. 49-01, § 1, 7-16-2001; Ord. No. 48-03, § 9, 8-18-2003; Ord. No. 75-03, § 2, 11-3-2003; Ord. No. 76-03, § 24, 11-3-2003; Ord. No. 72-05, § 8, 9-6-2005; Ord. No. 02-07, §§ 2(Exh. 1), 16, 1-18-2007; Ord. No. 47-07, § 2(Exh. 1), 6-18-2007; Ord. No. 80-07, § 17, 10-1-2007; Ord. No. 17-08, § 3, 2-18-2008; Ord. No. 45-08, § 3, 8-4-2008; Ord. No. 05-10, § 4, 1-21-2010; Ord. No. 33-11, § 4, 7-18-2011; Ord. No. 06-12, § 35, 2-20-2012; Ord. No. 61-19, § 5, 10-7-2019; Ord. No. 08-20, § 6, 4-20-2020; Ord. No. 17-21, §§ 9—11, 4-5-2021; Ord. No. 13-24, § 9, 4-1-2024; Ord. No. 04-26, § 7, 3-2-2026)