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## Sec. 215-305. Use categories.

This section defines the use categories and specific use types listed in section 215-304.

### C. Commercial uses.

1. *Agriculture*: Use of land for farming, ranching, dairying, pasturage, horticulture, animal and poultry husbandry, and associated uses. Ancillary uses such as harvesting, sorting, boxing, composting, etc., is expected if they are secondary to that of normal agricultural activities.
  - a. *Agriculture, animal raising (except hogs)*: The keeping of animals for commercial purposes or for personal use of the owner or occupant. Examples include, but are not limited to, beef ranches, chicken farms, dairy farms, sheep grazing, etc. Except the uses shall not include the commercial feeding of swine or other animals, stockyards or commercial feed lots.
  - b. *Agriculture, crops*: The cultivation of agricultural products such as wheat, forage, fruit trees, canes, annual or perennial vegetables or cut flowers grown for home consumption, or commercial sale.
  - c. *Confined feeding operations*: A nontraditional, noncustomary and intensive agricultural operation including commercial feed pens, poultry ranch, or other intensive agricultural activities where livestock is concentrated in enclosures of such limited size that the major portion of the necessary food supply for the livestock must be imported. Examples include commercial feedlots, concentrated animal feeding operation (CAFO), and stockyards.
  - d. *Horticulture*: The cultivation and storage of horticultural and floricultural specialties such as flowering plants, shrubs, trees, forbs, and annual bedding plants intended for ornamental or landscaping purposes.
  - e. *Retail, farm products sold on premises*: The operation of a retail stand for the display and sale of products produced on the premises or on other property owned or leased by the vendor. The stand must not be located in the right-of-way and shall not exceed 200 square feet in area.
2. *Animal sales and services*: Animal sales and services uses, not incidental to agricultural uses, that involve the selling, boarding, or care of animals on a commercial basis. Related ancillary uses may include confinement facilities for animals and storage areas. Specific use types include, but are not limited to:
  - a. *Animal care (indoor)*: Building or land uses, designed or arranged for the care of animals without outdoor activity. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, cattery, kennel, and doggy day care.
  - b. *Animal care (outdoor)*: Building or land used, designed, or arranged for the care of animals that includes overnight and outdoor activity. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, cattery, kennel, and doggy day care.
  - c. *Animal pet shop, retail*: A retail establishment offering small animals, fish, or birds for sale as pets and where all such creatures are housed within the building.
  - d. *Animal training school*: A facility that specializes in the training of household animals. Indoor runs only.

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3. *Food and beverage service:* Food and beverage service businesses serve prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and indoor storage. Specific use types include, but are not limited to:
    - a. *Bar/nightclub:* A structure or part of a structure used primarily for the sale or dispensing of alcoholic beverages or liquor by the drink. Dancing and musical entertainment are permitted.
    - b. *Catering service:* An establishment that prepares food for service at a remote site.
    - c. *Fruit and vegetable market:* A building, structure, or tract of land which may include open-air stands that is used for the primary purpose of retail sales of fresh fruits, vegetables, flowers, herbs, or plants. This definition can also include the accessory sales of other unprocessed foodstuffs, home processed food products, baked goods, and homemade handicrafts in accordance with state law.
    - d. *Restaurant (without drive-through):* An area or structure in which the principal use is the preparation and sale of food and beverages. Operations may or may not include outdoor seating areas or outdoor food service, but the operation does not include a drive-through or drive-in facility.
    - e. *Restaurant (with drive-through or drive in):* An eating/drinking establishment in which the principal business is the sale of foods or beverages to the customer in a ready-to-consume state and in which the design or method of operation of all or any portion of the business allows food or beverages to be served directly to the customer in a motor vehicle without the need for the customer to exit the motor vehicle.
    - f. *Micro food and beverage production:* An establishment that produces, bottles, and/or distributes limited quantities of food or beverages that are not part of a restaurant type use. Typical examples include, but are not limited to, microbreweries, cideries, brewpubs, wine blending, and limited food production.
  4. *Office:* These uses are characterized by activities generally focusing on business or professional services, but not medical or health care related. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building. Specific use types include, but are not limited to:
    - a. *Office, business or professional:* An establishment that provides executive, management, administrative, or professional services, but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include, but are not limited to, real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices.
    - b. *Research laboratory:* A facility for conducting medical or scientific research, investigation, testing, or experimentation; however, this does not include facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition includes electronic and telecommunications laboratories, including assembly.
  5. *Recreation and entertainment, outdoor:* Outdoor recreation and entertainment uses provide recreation or entertainment activities outside of an enclosed environment. Accessory uses may include, but are not limited to, concessions, snack bars, parking, and maintenance facilities. Specific use types include, but are not limited to:
    - a. *General outdoor recreation, lighted:* Intensely developed, and externally lit, recreational uses such as amusement parks, miniature golf courses, golf courses, commercial tennis courts, batting cages, skateboard or skate parks or courses, bicycle motocross courses,

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- water parks or slides, drive-in movie theaters, courses for paramilitary games, and archery facilities.
- b. *General outdoor recreation, unlighted*: Same as above, except no lighting of fields or premises allowing operation and use at night.
  - c. *Major entertainment facility*: A large open or partially enclosed space used for games or major events, and partly or entirely surrounded by tiers of seats for spectators, includes arenas and stadiums.
  - d. *Racetrack (auto, dog, or horse)*: A delineated course where animals or vehicles are entered in competition against one another or against time, including tracks used only in the training of animals.
  - e. *RV campground/park*: Any plot or parcel of real estate upon which two or more recreational vehicles sites are located, established, maintained, or occupied for dwelling or sleeping purposes for the public as temporary (not to exceed 14 consecutive days) living quarters for recreation or vacation purposes regardless of whether a charge is made for such accommodation.
  - f. *Shooting range*: An outdoor facility wherein firearms are shot at targets under strict rules of conduct and safety.
  - g. *Zoo*: An area, building, or structures that contain wild or domesticated animals on exhibition for viewing by the public.
6. *Recreation and entertainment, indoor*: Indoor recreation and entertainment uses provide recreation or entertainment activities within an enclosed environment. Accessory uses may include concessions, snack bars, parking, and maintenance facilities. Specific use types include, but are not limited to:
- a. *Art gallery or museum, private*: Any permanent institution for the collection and display of objects of art or science, not operated by a public or quasi-public agency.
  - b. *Fitness and recreational sports center*: A facility primarily featuring equipment for exercise and other active physical fitness and/or recreational sports activities, such as swimming, skating, racquet sports, aerobic dance, gymnasium facilities, indoor soccer, yoga, and other kinds of sports and fitness facilities.
  - c. *General indoor recreation*: An establishment offering entertainment, game playing, or similar amusements to the public within an enclosed building. This shall include, but is not limited to, arcades, bowling alleys, billiard parlors, bingo parlors, laser tag parlors, and indoor shooting ranges.
  - d. *Major entertainment facility*: A space designed to accommodate activities that generally draw 1,000 persons or more to specific indoor events or shows. Activities are generally of a spectator nature. Examples include auditoriums, performing arts centers, arenas, and coliseums. Accessory uses may include restaurants, bars, concessions, parking, and maintenance facilities.
  - e. *Movie theatre*: An indoor theater for the showing of motion pictures.
  - f. *Sexually oriented business, include the following*:
    - i. *Adult amusement or entertainment*: Amusement or entertainment that is distinguished or characterized by an emphasis on acts or material depicting, describing, or relating to sexual conduct or specified anatomical areas,

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- including, but not limited to, topless or bottomless dancers, exotic dancers, strippers, or similar entertainment.
- ii. *Adult bookstore*: An establishment wherein ten percent or more of its display area consists of books, film, videos, magazines, periodicals, games, novelties, or other materials that are depicting or describing sexual conduct or specified anatomical areas.
  - iii. *Adult motion picture theater, picture arcade, or mini motion picture theater*: Any enclosed building presenting material (still or motion pictures) distinguished or characterized by an emphasis on depicting or describing sexual conduct or specified anatomical areas.
7. *Personal services*: Establishments that provide individual services related to personal needs directly to customers at the site of the business, or that receives goods from or returns goods to the customer, which have been treated or processed at that location or another location. Specific use types include, but are not limited to:
- a. *Dry cleaning and laundry service*: An establishment where laundry or dry cleaning is dropped off by customers or picked up by customers and that also includes on-site laundry and/or cleaning activities, including related operation of equipment and machinery.
  - b. *Financial institution, with drive-thru*: An establishment that provides banking services, lending, or similar financial services to individuals and businesses. This definition includes those institutions engaged in the on-site circulation of cash money and check-cashing facilities but shall not include bail bond brokers. The establishment has a drive-through facility.
  - c. *Financial institution, without drive-thru*: Same as the above use, but with no drive-through facility
  - d. *Funeral services*: An establishment for the preparation of the deceased for burial and rituals connected with, and conducted before, burial or cremation.
  - e. *General personal services*: An establishment that provides care, advice, aid, maintenance, repair, treatment, or similar semi-technical, technical, or experienced assistance, other than the practice of a profession and wholesale or retail sale of goods. Examples include, but are not limited to, shoe repair, beauty and barber shops, massage therapy, tanning salons, tattoo and/or piercing salons; and dry-cleaning pick-up and drop-off shops that do not conduct dry cleaning on the premises. This can also include domestic animal grooming facilities that do not provide on-site kenneling beyond what is necessary to provide the grooming service.
  - f. *Instructional services*: A specialized instructional establishment that provides on-site training of business, artistic, or commercial skills. Examples include, but are not limited to, fine arts schools, computer instructional services, and driving schools. This use does not include establishments that teach skills that prepare students for jobs in a trade which are classified under trade/technical schools.
  - g. *Personal storage*: A building or group of buildings in a controlled access compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customers' goods or wares.
8. *Retail (sales)*: Establishments engaged in the sale, lease, or rent of new or used products to the public. No outdoor display of merchandise is permitted unless specifically authorized by this UDC.

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Accessory uses may include offices, parking, storage of goods, and assembly, repackaging, or repair of goods for onsite sale. Specific use types include, but are not limited to:

- a. *Alcoholic beverages, retail sales.* A retail establishment, such as a liquor store, licensed to sell alcoholic beverages such as beer, wine, and liquor. No on-site consumption is allowed.
  - b. *Convenience store with gas sales:* An establishment engaged in the sale of convenience goods, such as, but not limited to, pre-packaged food items, tobacco, over-the-counter drugs, periodicals, and other household goods; and which also provides the retail sale of petroleum products that are dispensed through gasoline pumps and other supplies for motor vehicles.
  - c. *Horticulture nursery sales:* Land or buildings used to raise flowers, shrubs, trees, and other plants for retail sale.
  - d. *Open-air or street market:* Premises intended for individual vendors who display and sale merchandise in small quantities including, but not limited to, household goods, appliances, tools, food, and arts and crafts. The display and sale of merchandise may be indoor or outdoor in facilities including, but not limited to, building, open air, or partially enclosed booths or stalls. This definition does not include retail sidewalk sales or garage sales.
  - e. *Retail, minor:* Retail establishments not elsewhere classified that provide goods directly to the consumer, under 15,000 square feet in gross floor area, including, but are not limited to: Apparel shops, appliance sales, auto parts store, bait shop, bakeries, bookstores, camera shops, clothing stores, convenience stores without gas pumps, department stores, electronic stores, factory outlet stores, florists, grocery stores, furniture stores, hardware and building.
  - f. *Retail, major:* Retail establishments not elsewhere classified that provide goods directly to the consumer, over 15,000 square feet in gross floor area, and/or has a drive through, including, but are not limited to: Apparel shops, appliance sales, auto parts store, bait shop, bakeries, bookstores, camera shops, clothing stores, convenience stores without gas pumps, department stores, electronic stores, factory outlet stores, florists, grocery stores, furniture stores, hardware and building.
9. *Vehicles and equipment:* Includes a broad range of uses for the maintenance, sale, or rental of vehicles and related equipment. Specific use types include, but are not limited to:
- a. *Boat and/or RV storage:* A location where boats and/or recreational vehicles are stored for 72 hours or more.
  - b. *Car wash:* A facility for the cleaning of automobiles, either self-serve facilities or employees to perform washing operations.
  - c. *Parking structure:* A structure designed with one (1) or more levels partially or fully enclosed, used for the parking of motor vehicles. The facility may be above, below, or partially below ground. This use does not include private carports or garages for household use.
  - d. *Vehicle sales and rental:* An establishment engaged in the display, sale, leasing, or rental of new or used motor vehicles. Vehicles include, but are not limited to, automobiles, light trucks, vans, trailers, recreational vehicles, motorcycles, boats, personal watercraft, utility trailers, all-terrain vehicles, and mobile homes.
  - e. *Vehicle service and repair, heavy:* An establishment engaged in the major repair and maintenance of automobiles, motorcycles, trucks, vans, trailers, recreational vehicles, boats, mobile homes, or snowmobiles. Services include engine, transmission, or differential repair or replacement; body, fender, or upholstery work; and painting.

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- f. *Vehicle service and repair, light*: An establishment engaged in light maintenance activities such as engine tune-ups; oil change or lubrication; carburetor cleaning; muffler replacement; brake repair; tire shops; and detailing and polishing. Vehicle parts are sold and are ordinarily installed on the premises. No overnight, outside storage of vehicles or materials is allowed.
10. *Visitor accommodation*: facilities engaged in the for-profit provision of lodging to transient visitors for a defined period.
- a. *Bed and breakfast*: A small lodging establishment that provides overnight accommodation and meal(s) to travelers.
  - b. *Hotel or motel*: Lodging services that provide room accommodations for travelers and may include food, drink, and other sales and services intended for the convenience of guests and the broader public.
  - c. *Short-term rental*: Lodging services where the property owner rents short term (no more than 30 consecutive days) either entire units or rooms of a residential home or unit. This does not permit by the hour rental of pools or other outdoor features (pergolas, cabanas, hot tubs, etc.), exclusive of the rental of the residential home or unit.

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