

Sec. 9-8-7-6. - Prohibited and permitted uses.

- (a) All uses permitted by right or as special uses within the underlying zoning district shall be similarly permitted within the Midtown Overlay Zone, except the following uses shall not be permitted on any property within the Midtown Overlay Zone:
- (1) Automated or non-automated car washes.
 - (2) Coin-laundry facilities.
 - (3) Dollar-type stores or thrift stores.
 - (4) Community donation boxes.
 - (5) Gas stations (located on lots less than two acres in size).
 - (6) Group homes, homeless shelters, roominghouses or crisis centers.
 - (7) Hookah, e-cigarette, and/or vapor lounge/bars.
 - (8) Industrial uses causing the emission of noise, vibration, smoke, dust, gas, fumes and odors.
 - (9) Industrial uses with outdoor storage.
 - (10) Jails/correctional facilities.
 - (11) Kennels.
 - (12) Liquor stores.
 - (13) Marine sales or repair stores.
 - (14) Massage parlors.
 - (15) Miniwarehouses, including climate-controlled self-service storage facilities.
 - (16) Motels or extended stay lodging.
 - (17) Motor vehicle sales or service.
 - (18) Pawnshops.
 - (19) Psychics, fortune tellers, clairvoyants and the like.
 - (20) Retail sales of alternative nicotine products.
 - (21) Salvage yards.
 - (22) Sanitation uses, including the storage of trash cans, dumpsters and porta-potties.
 - (23) Sawmills.
 - (24) Sexually oriented adult uses.
 - (25) Tattoo parlors.
 - (26) Taxicab or limousine services.
 - (27) Tobacco or vaping stores.
 - (28) Truck stops.

(29) Vehicle emission testing facilities.

(30) Veterinarian or animal hospitals with outdoor kennels.

(31) Wireless telecommunication facilities or cell towers excluding co-location.

(32) Wrecked motor vehicle compounds.

(b) In addition, loft dwellings, single-family homes, condominiums and townhouses shall be permitted by right in any nonresidential district in the overlay zone, and shall not exceed a density of 12 dwelling units per acre unless approved as part of a planned unit development.

(ULDC 2005, § 9-8-7-6; Ord. No. 2018-25, §§ I, II, 11-6-2018; Ord. No. 2019-35, § III, 12-17-2019)

Editor's note— Ord. No. 2018-25, §§ I, II, adopted Nov. 6, 2018, amended § 9-8-7-6 in its entirety to read as herein set out. Former § 9-8-7-6 pertained to permitted uses.