

ARTICLE II. - TABLE OF PERMISSIBLE USES

Section 4B.03. - Applicability.

Permitted, limited, conditional, accessory and prohibited uses are established in the Table of Permissible Uses at Section 4B.09. The use of all new or existing structures and properties shall conform with the requirements of the Table of Permissible Uses and with all other applicable requirements of this Resolution. The uses listed in the Table of Permissible Uses are supplemented by, and subject to, other provisions of this Resolution, including, but not limited to, Chapter 23, "Supplementary Regulations," certain provisions of which are designated at the end of the rows containing the Use Categories they are pertinent to.

(Added by Res. of December 9, 2024(1))

Section 4B.04. - Types of uses.

- (a) *Permitted use (P)*. A "P" indicates a use that is permitted upon approval and issuance of a certificate of zoning compliance by the zoning enforcement officer in compliance with Section 27.10 of this Resolution.
- (b) *Limited use (L)*. An "L" indicates a use that is permitted in the same manner as a permitted use provided that the use meets any additional standards established in Chapter 23 or other applicable chapters of this Resolution.
- (c) *Conditional use (C)*. A "C" indicates a use that is permitted only where approved with a conditional use permit by the Commission in accordance with the procedures and requirements in Chapter 27 of this Resolution, including the criteria enumerated in Section 27.11, provided that the use meets any additional standards established in Chapter 23 or other applicable chapters of this Resolution.
- (d) *Accessory use (A)*. An "A" indicates a use that is permitted as an accessory to a principal use in the respective district. An accessory use is incidental and subordinate to a principal use and may be subject to additional standards established in this Resolution.
- (e) *Prohibited uses (blank cell)*. A blank cell in the Table of Permissible Uses indicates that a use is not permitted in the respective district. Uses not listed in the Table of Permissible Uses, or provided for elsewhere in this Resolution, are also not permitted, subject to Sections 4B.06, 4B.07 and 4B.08.

(Added by Res. of December 9, 2024(1))

Section 4B.05. - Standards for uses.

The "Standards" column on the Table of Permissible Uses contains cross-references to standards in Chapter 23 that are applicable to the limited or accessory use, or the use allowed by conditional use permit, which is listed in that row. Conditional uses are also subject to the criteria provided in Section 27.11, and all uses are subject to general or applicable standards or requirements in other provisions of this Resolution, including, but not limited to, Chapter 4, "General Provisions."

(Added by Res. of December 9, 2024(1))

Section 4B.06. - Similar uses.

A use not listed in the Table of Permissible Uses, but possessing similar characteristics, including but not limited to, size, intensity, density, operating hours, demands for public facilities such as water and sewer, traffic and environmental impacts, and business practices as a listed use, may be applied for as such listed use upon approval by the Executive Director. Such uses will be determined based on the Table of Permissible Uses in this chapter and the definitions in Chapter 1. Similar uses shall be subject to all requirements of the uses to which they are similar.

(Added by Res. of December 9, 2024(1))

Section 4B.07. - Accessory uses.

Whenever two activities or uses occur on the same lot and one use: (i) constitutes only an incidental or insubstantial part of the total activity that takes place on a lot, and (ii) is commonly associated with the principal use and integrally related to it, then that use which meets the criteria enumerated in (i) and (ii) may be regarded as accessory to the principal use and may be carried on underneath the umbrella of the permit issued for the principal use, provided that the accessory use is of equal or lesser zoning classification. For example, a swimming pool/tennis court complex is customarily associated with and integrally related to a residential lot, residential subdivision or multifamily development and would be regarded as accessory to such principal uses. Some accessory uses are additionally designated as limited or conditional uses. Such uses require permits applicable to that use, independently of the related principal use, and must meet the additional standards designated for such accessory use pursuant to the Table of Permissible Uses, Chapter 23 and any other applicable standards or requirements in this Resolution. All accessory uses must meet any applicable standards for such use pursuant to this Resolution regardless of whether a separate use permit is required for such use.

(Added by Res. of December 9, 2024(1))

Section 4B.08. - Temporary uses.

Temporary uses are permitted as provided in Chapter 23 of this Resolution.

(Added by Res. of December 9, 2024(1))

Section 4B.09. - Table of permissible uses.

The Table of Permissible Uses is set out below:

Use Category	Agricultural District	Residential Districts										His
	A	RR	R-1AAAA	R-1AAA	R-1AA	R-1A	R-1	R-2A	R-2	R-3	MHR	HR-1
RESIDENTIAL USES												
<i>HOUSEHOLD LIVING</i>												
Additional single-family dwellings on a single lot	L	C	C	C	C	C	C	L	L	L		C
Dwelling Unit, Accessory/ Garage Apartment	C	C	C	C	C	C	C					C
Dwelling, single-family detached	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling, single-family attached (townhome)								P	P	P		P

Dwelling, tenant	L											
Dwelling, two-family attached (duplex)						C	C	P	P	P		
Dwelling, multifamily								C	C	P		
Home Occupations	L	L	L	L	L	L	L	L	L	L	L	L
Horses, ponies and poultry, Accessory to Residential uses	P	P	L	L	L	L	L					
Manufactured home	L										L	
Manufactured or mobile home park (or community)										C		
Manufactured or mobile home subdivision	L										L	
Residential over commercial (or live-work)												

Security quarters												
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GROUP HOUSING

Assisted living community	C									C		
Guest Quarters												
Dormitory	C									C		
Personal care home	C									C		
Independent Living Facility								C	C	P		
Intermediate Care Home										C		
Nursing Home	C									C		

PUBLIC AND CIVIC USES

COMMUNITY SERVICES

Adult day care facility										C		
Cemetery	C											
Childcare facility	C	C		C	C	C	C	C	C	C	C	C

Childcare, in home (aka Day care home)	L	L	L	L	L	L	L	L	L	L	L	L
Community center/civic club	C									C	C	
Community service facility												
Crematory	C											
Cultural facility	C	C		C	C	C	C	C	C	C	C	C
Funeral home												
Government buildings and facilities	C									C		
Post Office										C		
Places of worship	C	C	C	C	C	C	C	C	C	C	C	C
<i>EDUCATIONAL FACILITIES</i>												
School, higher education (college or university)	C	C		C	C	C	C	C	C	C	C	C

School, secondary (K—12)	C	C	C	C	C	C	C	C	C	C	C	C
School, vocational or trade	C											

HEALTH AND MEDICAL

Clinic or laboratory	C									C		
Hospital	C									C		

PARKS AND OPEN AREAS

Community Garden		P	P	P	P	P	P	P	P	P	P	
Park, community	C	C	C	C	C	C	C	C	C	C	C	C
Park, neighborhood		P	P	P	P	P	P	P	P	P	P	P

TRANSPORTATION AND TRANSPORTATION TERMINALS

Private landing strip	C											
Transportation terminal												

UTILITIES

Broadcasting or communications tower	L	C	C	C	C	C	C	C	C	C	C	C
Communication antenna	L	L	L	L	L	L	L	L	L	L	L	L
Major utilities	C	C	C	C	C	C	C	C	C	C	C	C
Minor utilities	P	P	P	P	P	P	P	P	P	P	P	P
Satellite Earth Station	A	A	A	A	A	A	A	A	A	A	A	A
Solar energy collection facility, large-scale	C											
Television and radio station	P											

COMMERCIAL USES

ACCESSORY USES THAT REQUIRE A CONDITIONAL USE PERMIT OR ARE LIMITED USES

Drive-through facility												
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Outdoor entertainment enhanced by electronic amplification												
Outdoor STORAGE in COMMERCIAL DISTRICTS												
Outdoor DISPLAY in COMMERCIAL DISTRICTS												
<i>ANIMAL USES</i>												
Animal kennel	L											
Veterinary hospital or clinic	L, C											
<i>DRINKING AND ENTERTAINMENT</i>												
Bars, taverns, and nightclubs												
Incidental food and beverage sales												
Microbrewery or microdistillery												

LODGING AND RECREATION

Arena, stadium, or amphitheater	C											
Hotel or Motel	L									C		
Recreation facility, indoor												
Recreation facility, outdoor	L	C	C	C	C	C	C	C	C	C	C	C
RV Park/ Campground	C	C										
Mainstream Theater												
Theater, drive-in	C											

OFFICE AND BUSINESS/PROFESSIONAL SERVICES

Business and professional services, except as listed below									L	P		
Bank or financial institution										L		
Call center												

Contractor's office (includes lawn care, pool and pest control services)												
Print shops, job printing, bindery, silk screening												

PERSONAL SERVICES

Personal services, except as listed below	P									P		
Gym or fitness center										C		

RESTAURANT AND EATING ESTABLISHMENTS

Drive-in Restaurant												
Mobile food sales												
Restaurant, with alcohol												
Restaurant, without alcohol												

RETAIL SALES AND SERVICE

Alcoholic beverage retail sales												
Flea Market	C											
Consumer goods establishment (5,000 square feet or less)	L								C			
Consumer goods establishment (more than 5,000 square feet)	L											
Grocery												
Neighborhood market												
Shopping center/Large-scale retail												

SELF-STORAGE (INDOOR ONLY)

Self-Storage facility										C		
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VEHICLE SALES, RENTAL, SERVICE AND REPAIR

Automobile repair garage												
Automobile service and maintenance												
Automobile parts store												
Car wash												
Commercial Parking Facility												
Fueling Center	C											
Park-and-Ride Lot												
Personal vehicle rentals												
Personal vehicle sales												
Recreational vehicle/Mobile home sales												

ADULT ENTERTAINMENT

Adult Entertainment												
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INDUSTRIAL USES

LIGHT INDUSTRIAL

Light industrial, except as listed below												
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Heavy machinery and equipment sales and repair												
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Newspaper/ Periodical Publishing Establishment												
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HEAVY INDUSTRIAL

Heavy industrial, except as listed below												
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Aboveground storage tank												
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Asphalt or concrete batching plant												
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MINING, EXCAVATION AND FILL

Mining, excavation, and fill operations	C											
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WHOLESALE, WAREHOUSE, STORAGE AND DISTRIBUTION

Wholesaling, warehousing, storage, and distribution, except as listed below												
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Building supply and lumber sales/ contractors' yard												
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WASTE-RELATED

Waste-related uses (including sanitary landfills), except as listed below	C											
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Junk, salvage, or recycled metal yard	C											
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Storage, transfer, or treatment of hazardous waste												
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OPEN USES

AGRICULTURE

Agriculture/ General, includes livestock, and poultry production	L	L										L
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Agriculture/ Limited, excludes livestock or poultry raising	P	P		C								
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Commercial Greenhouse Operation	P											
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Farm Winery	P											
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Open-air farmers' market	C											
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Road side Produce Stand	L											
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Sawmill	L											
Stone cutting and splitting	C											
<i>RESOURCE BASED RECREATION</i>												
Resource-based recreation	P	P	P	P	P	P	P	P	P	P	P	

(Added by Res. of December 9, 2024(1))

Chapter 16 - M-1—WHOLESALE AND LIGHT INDUSTRIAL DISTRICT

Footnotes:

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Editor's note— Res. of December 9, 2024(1), amended Ch. 16 in its entirety to read as herein set out. Former Ch. 16, §§ 16.01—16.08, pertained to similar subject matter. See Code Comparative Table for full derivative history.

Section 16.01. - Intent.

The M-1 district is intended for wholesale and light industrial uses where resultant noise, odors, pollution, and congestion are minimized. Residential development is prohibited. This district is not suitable for heavy industrial uses.

(Amended by Res. of December 9, 2024(1))

Section 16.02. - Permitted and limited uses.

Permitted and limited uses are established in Chapter 4B.

(Amended by Res. of December 9, 2024(1))

Section 16.03. - Conditional uses.

Conditional uses are established in Chapter 4B.

(Amended by Res. of December 9, 2024(1))

Section 16.04. - Lot and area requirements.

No development or construction shall be located on a tract containing less than ten thousand (10,000) square feet.

(Amended by Res. of December 9, 2024(1))

Section 16.05. - Yard requirements (building setback distance).

The following minimum setback requirements shall be provided for all buildings or structures, as measured from:

[1] *Arterial and collector street right-of-way lines:*

- (a) Front yard50 feet
- (b) Rear yard50 feet
- (c) Side yard50 feet

[2] *Minor street right-of-way lines:*

- (a) Front yard30 feet
- (b) Rear yard30 feet
- (c) Side yard30 feet

[3] *Interior lot lines:*

(a)	Front yard	None, except when abutting a residential district, in which case it shall be twenty (20) feet (where applicable)
(b)	Rear yard	None, except when abutting a residential district, in which case it shall be twenty (20) feet
(c)	Side yard	None, except when abutting a residential district, in which case it shall be ten (10) feet

[4] *Special setbacks* shall be as required in Section 32.05.

(Amended by Res. of December 9, 2024(1))

Section 16.06. - Building height requirements.

The maximum permitted height for buildings and structures shall be forty-five (45) feet, except as otherwise provided in Section 4.03. The Commission may, however, allow construction and erection of buildings or structures exceeding forty-five (45) feet in height, except that any application to exceed the maximum permitted height shall be treated as an application for a conditional use.

(Amended by Res. of December 9, 2024(1))

Section 16.07. - Off-street parking and loading space regulations.

Spaces for off-street parking and provisions for loading and unloading spaces shall be provided in accordance with the provisions of Chapter 26.

(Amended by Res. of December 9, 2024(1))

Section 16.08. - Signs.

Signs as allowed in this zoning district shall comply with the provisions of Chapter 25.

(Amended by Res. of December 9, 2024(1))