

**Sec. 12-102. Principal uses and use regulations.**

- (a) Purpose and intent. Principal uses are the uses permitted in each zoning district. These are shown in table 3A in subsection (c) of this section, authorized uses in zoning districts. The intent is to allow and regulate uses which are deemed compatible with the purpose of that district, with or without conditions; or to restrict uses.
- (b) Use regulations are conditions of use. These conditions are requirements which must be met to comply with this article.
- (c) The following three classifications of use are permitted, conditional and special exception as defined in this subsection and as listed in table 3A in this subsection (where no classification of use is shown (blank cell), that use is prohibited in the zoning district):
  - (1) *Permitted use (P)*. Permitted use is the principal use allowed in a zoning district. It is a use of right. By way of example, single-family detached dwelling units are permitted in all residential zoning districts, R-1, R-2 and R-3. However, multifamily residential units are only permitted in the R-3 zoning district. The letter P indicates that a use type is a permitted use.
  - (2) *Conditional use (C)*. Conditional uses are uses that are permitted within a zoning district only when the identified conditions for that particular use have been met and the zoning permit application approved by the Planning Director. Conditions for each use are specified in section 12-103, conditions of use. The letter C indicates that a use type is a conditional use.
  - (3) *Special exception (S)*. Special exceptions may only be granted by the Board of Zoning Appeals. These are uses which are generally compatible with the permitted land uses in a zoning district, but which require specific review of the location of the site and the design, configuration and operation of the proposed use, as well as the possibility of imposition of conditions in order to ensure the compatibility of the use at a particular location within the zoning district. Section 12-161 provides a complete description and requirements for special exceptions. The letter S indicates that a use type requires a special exception.

**DRAFT**

Table 3A. Authorized Uses in Zoning Districts																		
P=Permitted Use				C=Conditional Use				S=Special Exception				Blank Cell=Prohibited Use						
Use Category				Zoning Districts												Conditional Use Reference	PR-OC	
Principal Uses				R-1	R-2	R-3	BW-1	BW-2	C	RST-1	RST-2	CS	CS-2	PR	PD	KC		
<b>Residential</b>																		
Single-family detached <sup>1</sup>				P	P	P	P	P					P		C		(a)	P
Single-family attached, also known as townhouses or patio homes <sup>1</sup>					P	P	P	P					P		C		(a)	P
Duplex <sup>1</sup>					P	P	P	P					P		C		(a)	P
Multifamily (including townhouses and apartments) <sup>1</sup>						P	P	P					P		C		(a)	P
<b>Civic/institutional</b>																		
<b>Courts and public safety</b>																		
Court of law												P	P					
Safety services, including emergency medical or ambulance service, fire protection or police protection												P	P					
<b>Educational services</b>																		
Day care															C		(a)	
Preschool or educational nursery									C						C		(b)	C
Personal improvement education, including golf or fine arts schools										C	C			C			(b)	C
<b>Health care services</b>																		
Physicians' and dentists' offices									P						C		(c)	
Medical clinics-outpatient services									C								(c)	
<b>Museums, historical sites and similar institutions</b>																		
Historical sites				C	C	C	C	C	P	C	C	C	P	P	C		(d)	P
Libraries or archives									P	C	C	C	P		C		(d)	
Museums or art galleries									P	C	C	C	P		C		(d)	
Nature exhibitions										C	C			P	C		(d)	P
Botanical gardens or arboretums									P	C	C			P	C		(d)	P
<b>Postal service</b>																		
United States Postal Service									P						C		(e)	
<b>Recreation and entertainment</b>																		

**DRAFT**

	Community recreation, including sports activities, playgrounds and athletic areas or swimming areas (beaches and pools)				C	C	C	C	C		P	C			(f)	C
	Golf courses or country clubs											C			(f)	C
	Parks	P	P	P	P	P	P	C	C	C	P	P	C	P	(f)	P
	Motion picture and live theaters						C	C	C						(f)	
	Recreation or vacation camps						C					C			(f)	C
	Recreational equipment storage						C	C	C	C	C	C			(f)	C
	Religious, civic, professional and similar organizations															
	Business and professional organizations							P				P				
	Social or civic organizations, including youth organizations, sororities or fraternities							P				P				
	Church, synagogue, temple or religious assembly							P	P		P	P				
	Utilities and waste-related uses															
	Utility service, major															
	Electric substation							S	S	S	S		C		(a)	
	Electrical or telephone switching facilities										C				(g)	
	Electricity or water maintenance facilities										P	.				
	Sewage pumping control stations	S	S	S	S	S	C	C	C	P		C	C		(g)	C
	Sewage sludge drying beds										P	.				
	Water pressure control stations						C	C	C	P		C			(g)	C
	Water or sewage treatment facilities										P	.				
	Water storage tanks										P		C		(a)	
	Utility service, minor															
	Electric or gas power distribution	C	C	C	C	C	C	C	C	P		C	C		(g)	C
	Sewage collection service lines	C	C	C	C	C	C	C	C	P		C	C		(g)	C
	Commercial accommodations															
	Hotels or inns							C/S	C/S						(h)	
	Financial services															
	Banks							C							(i)	
	Financial services, including loan or lending services, savings and loan institutions or stock and bond brokers							C							(i)	

DRAFT

	Food and beverage services																		
	Bar or lounge (alcoholic beverages), including taverns, cocktail lounges or member exclusive bars or lounges					S	S	S	S		.								
	Catering services					C	C	C	C									(j)	
	Restaurant, general, including cafeterias, diners, delicatessens, or full-service restaurants or accessory uses to a golf course, clubhouse or recreational area (without alcoholic beverages)				S	S	P	C	C		C	S	C					(j)	
	Restaurant, general, including cafeterias, diners, delicatessens, full-service restaurants or accessory uses to a golf course, club house, or recreational area (with alcoholic beverages)				S	S	C	C	C		C	C/S	C					(j)	S
	Information industries																		
	Advertising services (not including advertising signs)									C								(k)	C/S
	News syndicate services									P									
	Radio and television broadcasting studios (only)									C	C	C						(k)	
	Data processing services									P									
	Offices																		
	Real estate sales and services					P	P	P	P	P							C		(a)
	Administrative or business office, including bookkeeping services, couriers, insurance offices, personnel offices, real estate services, secretarial services or travel arrangement or ticketing services					P	P	P				P							
	Government offices									P			C	C			C		(a)
	Legal and other professional services, including accounting, tax preparation, architectural or engineering									P			.						
	Other nonresidential development																		
	Communications towers												C	C	C	C		(m)	C
	Convention center, visitors bureaus or conference center									C		P	C	P				(n)	
	Repair and maintenance services																		
	Repair service, consumer, including appliance, shoe, watch, furniture, jewelry or musical instrument repair shops									C								(o)	

DRAFT

	Vehicle service, limited, including automotive oil change or lubrication shops or carwashes (enclosed area only)							C													C								(o)		
	Retail sales																														
	Nonstore retailers																														
	Direct selling establishments							C																						(p)	
	Electronic shopping or mail order houses							C																						(p)	
	Building materials or garden equipment and supplies retailers																														
	Hardware stores							C																						(p)	
	Home improvement centers							C																							
	Garden supplies centers or nursery and greenhouse retail centers							C																						(p)	
	Paint, varnish, glass or wallpaper stores							C																						(p)	
	Food sales, including grocery stores, meat markets or butchers, retail bakeries or candy shops							C																						(p)	
	Liquor, beer, or wine sales							C																						(p)	
	Retail sales or services, general																														
	Antique stores							C																						(p)	
	Department store or limited price variety stores							C																						(p)	
	Art, hobby, musical instrument, toy, or related products stores							C	C	C																				(p)	
	Sporting goods or bicycle retail and rental							C	C	C																				(p)	
	Book, stationary, newspaper, or magazine retail							C	C	C																				(p)	
	Cameras or photographic supplies stores							C	C	C																				(p)	
	Clothing, piece goods, shoes, jewelry, luggage, leather goods or related products stores, florists							C	C	C												C								(p)	C
	Convenience stores (less than 5,000 square feet gross floor area per establishment)							C	C	C																				(p)	
	Drug stores or pharmacies (less than 5,000 square feet gross floor area per establishment)							C	C	C																				(p)	
	Electronics, appliance, electrical supplies or related products stores							C																						(p)	

DRAFT

	Furniture, cabinet, home furnishings, or related products stores							C									(p)
	Gifts, novelties and souvenir stores							C	C	C							(p)
	Optical goods							C									(p)
	Private postal or mailing services							C									(p)
	Tobacconists							C	C	C							(p)
	Service stations, gasoline (with or without convenience stores)							C									(p)
	Retail or personal services																
	Consumer convenience services																
	Locksmiths							C									(p)
	Tailors or seamstresses							C	C	C							(p)
	Hair, nail, or skin care services, including barbershops or beauty salons							C	C	C							(p)
	Personal improvement services, including health or physical fitness studios, reducing studios and spas							C	C	C							(p)
	Photographic services, including one-hour photofinishing							C	C	C							(p)
	Construction services																
	Construction services												C				(q)
	Warehouse and storage facilities																
	Warehouse and storage facilities												C				(r)
	Vehicle storage																
	Vehicle storage, including boat or RV storage												C				(s)
	Recycling services																
	Recycling collection, dropoff												C	C			(t)
	Transportation																
	Taxistands							C	C	.	C						
	Bus passenger stands							C	C	C							(u)

<sup>1</sup> Dwelling units may be attached to and integrated with non-residential buildings, but shall be no more than four dwelling units in any building with the PR-OC district.

(Code 1993, § 12A-301; Ord. No. 94-12, § 2(12A-301), 9-26-1994; Ord. No. 2005-08, § 12A-301, 10-12-2005; Ord. No. 2006-08, § 2.1(12A-301), 11-7-2006; Ord. No. 2016-04, § 1, 9-6-2016; Ord. No. 2017-10, § 1(Exh. A), 7-11-2017; Ord. No. 2017-14, § 1(Exh. A), 7-11-2017; Ord. No. 2018-05, § 1(att. A), 5-1-2018)