

Article 8. District Use Requirements

30-8-1 Permitted Use Table

30-8-1.1 Use Table Key

Table 8-1 shows a listing of principal uses, what districts they are allowed in, and any special standards or approvals required. Accessory uses with use standards are also included.

A. Types of Uses

1. Permitted (P)

A "P" in the use table indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable requirements of this ordinance, including the general standards of the subject zoning district. They are not subject to the use standards found in [30-8-10](#), additional use standards.

2. Permitted Subject to Use Standards (U)

A "U" indicates that a use is allowed by right in the respective district, provided that the use meets the additional use standards set forth in [30-8-10](#). Such uses are subject to all other applicable requirements of this ordinance. The applicable use standards are cross-referenced in the last column of the use table.

3. Special Use Permit Required (S)

An "S" indicates that a use is only allowed if approved through the Special Use Permit procedures of [30-4-10](#). Special uses are subject to all other applicable requirements in this ordinance, including any use standards identified in [30-8-10](#), except where expressly modified by the City Council as part of the Special Use Permit approval.

4. Manufactured Housing Overlay District Required (Z)

A "Z" indicates that a use is only allowed within an approved Manufactured Housing Overlay District (see [30-7-8.7](#), -MHO, Manufactured Housing Overlay District). Such uses are subject to all other applicable requirements of this ordinance, including the general standards of the subject zoning district.

5. Not Permitted (Blank Cell)

A blank cell in the use table indicates that a use is not allowed in the respective district.

B. Use Categories

Characteristics and principal uses of the various use categories are found in [30-8-3](#), Use Categories.

C. Standards

The "Standards" column on the use table is a cross-reference to the applicable use standards in [30-8-10](#) or other supplemental regulations applicable to the subject use type.

D. Accessory Uses and Structures

Accessory uses are permitted in this ordinance if they meet the "use, accessory" definition. The following Table 8-1 does not show most permitted accessory uses. Accessory uses are allowed as indicated in the use table, subject to any additional standards found in [30-8-11](#), Accessory Uses and Structures.

E. Rental and Leasing

Rental and leasing of any commodity is permitted under the same classification and in the same districts as are sales of that commodity, unless rental or leasing of that commodity is listed separately in the Permitted Use Table.

F. Mixed Uses

Two or more permitted uses may occupy the same principal building.

(Amended by Ord. 10-156 on 10/19/10)

Table 8-1 Permitted Use (Residential Districts) (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)											
Use Category	Specific Use	R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
AGRICULTURAL USES											
Agriculture	Forestry and Crops	P	P	P	P	P	P	P	P	P	
	Community Gardens	U	U	U	U	U	U	U			30-8-10.6.C
	Urban Farms	S,U	S,U	S,U	S,U	S,U	S,U	S,U			30-8-10.6.D
RESIDENTIAL USES											
Household Living	Single-family Detached Dwellings	P	P	P	P	P	P	P	P		
	Single-family Detached Dwellings, Zero Lot Line	U	U	U	U	U	U	U	U		30-8-10.1.N
	Duplexes				P	P	P	P	P		
	Traditional Houses	U	U	U	U	U	U	U	U		30-8-10.1.L
	Townhouses				U	U	U	U	U	P	30-8-10.1.K
	Twin Homes				P	P	P	P	P		
	Multi-family Dwellings				U	U	U	U	U	P	30-8-10.1.H
	Multi-family (Elderly)				U	U	U	U	U	U	30-8-10.1.H
	Family Care Homes	U	U	U	U	U	U	U	U		30-8-10.1.B
	Chartered Home	U	U	U	U	U	U		U		30-8-10.1.O
	Manufactured Homes (Class AA)	Z,U	Z,U	Z,U	Z,U	Z,U	Z,U	Z,U	Z,U		30-8-10.1.E
	Manufactured Home Parks						S,U	S,U	S,U		30-8-10.1.F
	Upper Story Residential										
Group Living	All Group Living except as listed below							S	S	S	
	Assisted Living Facilities					U	U	U	U	U	30-8-10.1.A
	Fraternities and Sororities							U	U	U	30-8-10.1.C
	Life Care Communities					U	U	U	U		30-8-10.1.D
	Private Dormitories							S,U	S,U	S,U	30-8-10.1.I
	Rooming and Boarding Houses					S,U	S,U	S,U	S,U	S,U	30-8-10.1.J
PUBLIC AND CIVIC USES											
		R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
Animal Shelters	All animal shelters										30-8-10.2.A
Cemeteries	All cemeteries	U	U	U	U	U	U	U	U	U	30-8-10.2.C1)

Table 8–1 Permitted Use (Residential Districts)
(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
Cultural and Community	All neighborhood-scale cultural and community uses except as listed below	U	U	U	U	U	U	U	U	U	30-8-10.2.G
	All community-scale cultural and community uses except as listed below	U	U	U	U	U	U	U	U	U	30-8-10.2.G
	Auditoriums, Coliseums, and Stadiums										
	Libraries, Museums, and Art Galleries										
Day Care	Day Care Homes	U	U	U	U	U	U	U	U		30-8-10.2.D
	Day Care Centers					U	U	U	U	U	30-8-10.2.D
Educational Facilities	All educational uses except as listed below										
	Colleges and Universities										
	Elementary/Secondary Schools, neighborhood-scale	U	U	U	U	U	U	U	U	U	30-8-10.2.G
	Elementary/Secondary Schools, community-scale	U	U	U	U	U	U	U	U	U	30-8-10.2.G
	Retreat Centers										
Truck Driving Schools											
Government Facilities	All government uses, except as listed below	P	P	P	P	P	P	P	P	P	
	Correctional Institutions										
Medical Facilities	All medical uses, except as listed below										
	Hospitals										
	Medical, Dental, and Related Offices										
	Specialty Hospitals										
Passenger Terminals (all prohibited in WCA; See 30-12-4)	All passenger terminal uses, except as listed below										
	Bus and Rail Terminals										
Religious Assembly	Neighborhood-scale	U	U	U	U	U	U	U	U	U	30-8-10.2.G
	Community-scale	U	U	U	U	U	U	U	U	U	30-8-10.2.G
Social Service Facilities	All social service facilities, except as listed below										
	Group Care Facilities							S,U	S,U		30-8-10.2.E
	Shelters, Temporary and Emergency	U	U	U	U	U	U	U	U	U	30-8-10.2.I
Utilities	Minor Utilities	U	U	U	U	U	U	U	U	U	30-8-10.2.F
	TV/HDTV/AM/FM Broadcast Facilities										
	Utility Equipment and Storage Yards										
	Utility Lines and Related Appurtenances	P	P	P	P	P	P	P	P	P	

Table 8–1 Permitted Use (Residential Districts)
 (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
	Wastewater Treatment Plant and Water Reclamation Facility										
	Water Treatment Facilities										
	Wireless Telecommunication Facilities	U	U	U	U	U	U	U	U	U	30-8-10.2.K
RECREATION USES		R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
Common Elements Recreation and Service Facilities	All common elements recreation and service facilities	P	P	P	P	P	P	P	P	P	
Indoor Recreation	All indoor recreation, except as listed below										
	Clubs and Lodges	S,U	S,U	S,U	S,U	S,U	S,U	S,U	S,U	S,U	30-8-10.3.B and 30-8-13
	Movie and Other Theaters										
	Physical Fitness Centers, Sports Instructional Schools										
	Shooting Ranges										30-8-10.3.H
Outdoor Recreation	All outdoor recreation, except as listed below										30-8-10.3.D
	Amusement and Water Parks, Fairgrounds										30-8-10.3.A
	Campgrounds and Recreational Vehicle Parks										30-8-10.3.F
	Golf Course, Driving Ranges, Country Clubs	S,U	S,U	S,U	S,U	S,U	S,U	S,U	S,U		30-8-10.3.C
	Marina, Boating Facility										
	Riding Stables	S,U									30-8-10.3.G
	Shooting Ranges, Archery, Skeet										30-8-10.3.I
	Sporting and Recreational Camps	S,U									30-8-10.3.J
	Sports Instructional Schools										
	Swim and Tennis Clubs	S,U	S,U	S,U	S,U	S,U	S,U	S,U	S,U		30-8-10.3.K
Parks and Open Areas	All parks and open areas	U	U	U	U	U	U	U	U	U	30-8-10.3.E
OFFICE, RETAIL, AND COMMERCIAL USES		R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
Office	All office uses, except as listed below										
	Business Incubators										30-7-7.3(B)
	Residential Office Conversion						U	U	U	U	30-8-10.4.L
Overnight Accommodations	Hotels and Motels										
	Tourist Homes (Bed & Breakfast)	S,U	S,U	S,U	U	U	U	U	U	U	30-8-10.4.Q

Table 8–1 Permitted Use (Residential Districts)
 (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
	Single Room Occupancy Residences (conversion)										30-8-10.4.O
	Single Room Occupancy Residences (new)				S,U	S,U	S,U	S,U	S,U	S,U	30-8-10.4.O
Parking, commercial	All commercial parking										30-8-10.4.D
	Park and ride facilities	S,U	S,U	S,U	S,U	S,U	S,U	S,U	S,U	S,U	30-8-10.4.K
Eating and Drinking Establishments	All eating and drinking establishments without drive-through facilities, except as listed below										
	All eating and drinking establishments with drive-through facilities, except as listed below										30-8-10.4.I
	Bars, Nightclubs, and Brewpubs										30-8-10.4 and 30-8-13
	Special Events Facilities										30-8-10.4.P and 30-8-13
	Mobile Food Vendor, Motorized										30-8-10.4.T
	Mobile Food Vendor, Pushcart										30-8-10.4.T
Personal and Professional Services	All personal and professional services without drive-through facilities, except as listed below										
	Banks, Savings & Loans, and Credit Union with drive-through facilities										30-8-10.4.I
	Dry cleaning pick-up/drop-off with drive-through facilities										30-8-10.4.I
	Funeral Homes and Crematoriums										
	Taxi Dispatch Terminals										
	Taxidermists										
	Veterinary Services, Pet Grooming, Kennels										30-8-10.4.R
Retail sales and service	All retail sales and service without drive-through facilities, except as listed below										30-8-10.4.M
	Retail sales and service with drive-through facilities										30-8-10.4.I
	ABC Stores (liquor)										
	Advertising Services, Outdoor										30-8-10.4.A
	Artisans and Crafts										30-8-10.4.B
	Convenience Stores with fuel pumps										30-8-10.4.H
	Flea Markets										30-8-10.4.J
	Garden Center/Nursery, Outdoor										

Table 8–1 Permitted Use (Residential Districts)
 (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
	Manufactured and Modular home sales										
	Pawnshops										
	Sexually Oriented Businesses										30-8-10.4.N
	Truck Stops										30-8-10.4.N and 30-8-13
Self Storage Facilities	All self storage facilities										30-8-10.4.S
Vehicle Sales and Service	All vehicle sales and service, except as listed below										
	Automobile, Boat and Motorcycle Repair Services, Major										
	Automobile, Boat and Motorcycle Repair Services, Minor										
	Automobile Towing and Storage Services										30-8-10.4.C
	Car Washes										30-8-10.4.G
INDUSTRIAL AND MANUFACTURING USES		R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
Light Industrial	All light industrial, except as listed below										
	Craft Distillery										
	Equipment Repairs and Rental, Light										30-8-10.5.B
	Laundry and Dry Cleaning Plants										
	Maintenance Yard and Facilities										
	Medical and Dental Laboratories										
	Microbrewery										
	Pest and Termite Control Services										
	Printing and Publishing										
	Sheet Metal Shop										
	Truck Tractor & Semi Rental, Leasing & Service, Heavy										
Welding, Machine, and Tool Repair Shop											
Heavy Industrial	All heavy industrial, except as listed below										
	Asphalt Plants and other facilities for the manufacture and storage of Chemicals, Petroleum, Hazardous Materials, and Related Products										30-8-10.5.A
	Metal Coating and Engraving										
	Pulp and Paper Mills										
	Rubber and Plastics (raw)										
	Solvent Recovery										
	Tires and Inner tubes										

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(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
	Salvage yards, junk yards, and scrap processing										30-8-10.5.F
Research and Development	All Research and Development										
Resource Extraction (as a Principal Use)	All Resource Extraction (mining and quarrying)										30-8-10.5.D
Wholesale Trade	All wholesale trade, except as listed below										30-8-10.5.D
	Wholesaling of Chemicals, Petroleum, and allied products										
Warehousing, Storage, and Freight Handling	All warehousing, storage, and freight handling, except as listed below										30-8-10.5.G
	Trucking and Freight Terminals										
Waste Related Services	All waste related services, except as listed below										
	Recycling Processing Centers										30-8-10.5.E
	Refuse and Raw Materials Hauling										
	Land Clearing & Inert Debris Landfills, Major										30-8-10.5.C
ACCESSORY USES AND STRUCTURES		R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
Accessory Uses and Structures	Accessory Uses and Structures (customary)	U	U	U	U	U	U	U	U	U	30-8-11.1
	Accessory Dwelling Units	U	U	U	U	U	U	U	U	U	30-8-11.2
	Animals and Livestock (horses, cows, sheep, goats)	U									30-8-11.3
	Animals and Livestock (poultry and bees)	U	U	U	U	U	U	U			30-8-11.3
	Caretaker Dwellings										30-8-11.4
	Home Occupations (including renting of rooms)	U	U	U	U	U	U	U	U	U	30-8-11.5
	Junked Motor Vehicles	U	U	U	U	U	U	U	U	U	30-8-11.7
	Recycling Collection Points	P	P	P	P	P	P	P	P	P	
	Satellite Dishes/TV and Radio Antennae Towers	U	U	U	U	U	U	U	U	U	30-8-11.8
	Swimming Pools	U	U	U	U	U	U	U	U	U	30-8-11.9
Yard Sales (up to 2 per year)	P	P	P	P	P	P	P	P	P		
TEMPORARY USES AND STRUCTURES											
Temporary Uses and Structures	Arts and Crafts Shows										
	Carnivals and Fairs										
	Christmas Tree Sales										
	Concerts, Stage Shows										
	Conventions, Trade Shows										
	Craft Sales from Clubhouse or Community Center Bldg.		U	U	U	U	U	U	U	U	30-8-12.1
	Land Clearing & Inert Debris Landfills, Minor	U	U	U	U	U	U	U	U	U	30-8-12.2
	Outdoor Retail Sales										

Table 8–1 Permitted Use (Residential Districts)
(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	R-3	R-5	R-7	RM-5	RM-8	RM-12	RM-18	RM-26	RM-40	Standards
	Outdoor Religious Events										
	Portable Storage Units	U	U	U	U	U	U	U	U	U	30-8-12.3
	Temporary Construction Office, Construction Equipment Storage, Real Estate Sales and Rental Offices	U	U	U	U	U	U	U	U	U	30-8-12.4
	Temporary Wireless Telecommunication Facilities	U	U	U	U	U	U	U	U	U	30-8-12.5

(Amended by Ord. 11-76 on 5/3/2011, Ord. 11-144 on 7/19/11, Ord. 12-25 on 4/3/12, Ord. 13-44 on 4/2/13, Ord. 13-157 on 12/17/13, Ord. 14-48 on 4/15/14, and Ord. 15-154 on 12/15/15)

Table 8–1 Permitted Use (Mixed Use & Commercial Districts)
(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	MU-L	MU-M	MU-H	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
AGRICULTURAL USES														
Agriculture	Forestry and Crops	P	P	P	P	P	P	P	P	P	P	P	P	
	Community Gardens	U	U	U										30-8-10.6.C
	Urban Farms	S,U	S,U	S,U					S,U	S,U				30-8-10.6.D
RESIDENTIAL USES														
Household Living	Single-family Detached Dwellings	P	P					P						
	Single-family Detached Dwellings, Zero Lot Line	U	U					U						30-8-10.1.N
	Duplexes	P	P		P	P	P	P						
	Traditional Houses	U	U					U						30-8-10.1.L
	Townhouses	U	U	P	U	U	U	U			U	U	P	30-8-10.1.K
	Twin Homes	P	P		P	P	P	P		P	P	P	P	
	Multi-family Dwellings	U	U	P	U	U	U	U			U	U	P	30-8-10.1.H
	Multi-family (Elderly)	U	U	U	U	U		U			U	U	U	30-8-10.1.H
	Family Care Homes	U	U					U						30-8-10.1.B
	Chartered Home	U	U	U				U						30-8-10.1.O
	Manufactured Homes (Class AA)													30-8-10.1.E
	Manufactured Home Parks													30-8-10.1.F
	Upper Story Residential	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.1.M

Table 8-1 Permitted Use (Mixed Use & Commercial Districts)
 (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
		-L	-M	-H										
Group Living	All Group Living except as listed below		P	P	P		P	P			P		P	
	Assisted Living Facilities		U	U	U	U	U	U			U	U	U	30-8-10.1.A
	Fraternities and Sororities		U	U	U	U	U	U					U	30-8-10.1.C
	Life Care Communities		U		U		U	U						30-8-10.1.D
	Private Dormitories		U	U			U	U	S,U					30-8-10.1.I
	Rooming and Boarding Houses	U	U					U						30-8-10.1.J
PUBLIC AND CIVIC USES		MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
Animal Shelters	All animal shelters										U	U		30-8-10.2.A
Cemeteries	All cemeteries	U	U	U				U	U	U	U	U	U	30-8-10.2.C1)
Cultural and Community	All neighborhood-scale cultural and community uses except as listed below	P	P	P	P	P	P	P	P	P	P	P	P	30-8-10.2.G
	All community-scale cultural and community uses except as listed below	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.2.G
	Auditoriums, Coliseums, and Stadiums			U	U	U					U	U	U	30-8-10.2.B
	Libraries, Museums, and Art Galleries	P	P	P	P	P	P	P	P	P	P	P	P	
Day Care	Day Care Homes	U	U					U						30-8-10.2.D
	Day Care Centers	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.2.D
Educational Facilities	All educational uses except as listed below	P	P	P	P	P	P	P	P	P	P	P	P	
	Colleges and Universities			P	P	P	P				P	P	P	
	Elementary/Secondary Schools, neighborhood-scale	P	P	P	P	P	P	P	P	P	P	P	P	30-8-10.2.G
	Elementary/Secondary Schools, community-scale	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.2.G
	Retreat Centers				P	P	P	P			P	P	P	
Truck Driving Schools				P										
Government Facilities	All government uses, except as listed below	P	P	P	P	P	P	P	P	P	P	P	P	
	Correctional Institutions												S	

Table 8–1 Permitted Use (Mixed Use & Commercial Districts)
 (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
		-L	-M	-H										
Medical Facilities	All medical uses, except as listed below	P	P	P	P	P	P	P		P	P	P	P	
	Hospitals			P										
	Medical, Dental, and Related Offices	P	P	P	P	P	P	P	P	P	P	P	P	
	Specialty Hospitals		P	P	P	P	P	P			P		P	
Passenger Terminals (all prohibited in WCA; See 30-12-4)	All passenger terminal uses, except as listed below													
	Bus and Rail Terminals		P	P	P	P	P				P	P	P	
Religious Assembly	Neighborhood-scale	P	P	P	P	P	P	P	P	P	P	P	P	30-8-10.2.G
	Community-scale	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.2.G
Social Service Facilities	All social service facilities, except as listed below										U		U	30-8-10.2.H
	Group Care Facilities	S,U	U	U				U					U	30-8-10.2.E
	Shelters, Temporary and Emergency	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.2.I
Utilities	Minor Utilities	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.2.F
	TV/HDTV/AM/FM Broadcast Facilities		U	U	U	U	U				U		U	30-8-10.2.J
	Utility Equipment and Storage Yards													
	Utility Lines and Related Appurtenances	P	P	P	P	P	P	P	P	P	P	P	P	
	Wastewater Treatment Plant and Water Reclamation Facility													
	Water Treatment Facilities													
	Wireless Telecommunication Facilities	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.2.K
RECREATION USES		MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
Common Elements Recreation and Service Facilities	All common elements recreation and service facilities	P	P	P	P	P	P	P				P	P	
Indoor Recreation	All indoor recreation, except as listed below				P	P				P	P	P	P	
	Clubs and Lodges	U	U	U	U	U		U		U	U	U	P	30-8-10.3.B and 30-8-13

Table 8-1 Permitted Use (Mixed Use & Commercial Districts)
 (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
		-L	-M	-H										
	Movie and Other Theaters		P	P	P	P					P	P	P	
	Physical Fitness Centers, Sports Instructional Schools	P	P	P	P	P	P	P	P	P	P	P	P	
	Shooting Ranges				U						U			30-8-10.3.H
Outdoor Recreation	All outdoor recreation, except as listed below				U	U	U			U	U	U	U	30-8-10.3.D
	Amusement and Water Parks, Fairgrounds				U						U			30-8-10.3.A
	Campgrounds and Recreational Vehicle Parks										U			30-8-10.3.F
	Golf Course, Driving Ranges, Country Clubs	U	U											30-8-10.3.C
	Marina, Boating Facility													
	Riding Stables													30-8-10.3.G
	Shooting Ranges, Archery, Skeet													30-8-10.3.I
	Sporting and Recreational Camps				U	U								30-8-10.3.J
	Sports Instructional Schools				P	P	P						P	
	Swim and Tennis Clubs	U	U		U	U	U	U						30-8-10.3.K
Parks and Open Areas	All parks and open areas	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.3.E
OFFICE, RETAIL, AND COMMERCIAL USES		MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
Office	All office uses, except as listed below	P	P	P	P	P	P	P	P	P	P	P	P	
	Business Incubators				P	P	P	P					P	30-7-7.3(B)
	Residential Office Conversion	U	U	U				U	U				U	30-8-10.4.L
Overnight Accommodations	Hotels and Motels		P	P	P	P	P	P			P	P	P	
	Tourist Homes (Bed & Breakfast)	U	U		P	P	U	U	U	U	P		P	30-8-10.4.Q
	Single Room Occupancy Residences (conversion)		U	U				U			U		U	30-8-10.4.O
	Single Room Occupancy Residences (new)		U	U				U					U	30-8-10.4.O
Parking, commercial	All commercial parking			U	U	U	U				U	U	U	30-8-10.4.D
	Park and ride facilities	U	U	U	U	U	U	U	U	U	U	U	U	30-8-10.4.K

Table 8–1 Permitted Use (Mixed Use & Commercial Districts)
(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
		-L	-M	-H										
Eating and Drinking Establishments	All eating and drinking establishments without drive-through facilities, except as listed below	P	P	P	P	P	P		P	P	P	P	P	
	All eating and drinking establishments with drive-through facilities, except as listed below				U	U	U				U	U		30-8-10.4.I
	Bars, Nightclubs, and Brewpubs	U	U	U	U	U			U	U	U	U	P	30-8-10.4.F and 30-8-13
	Special Events Facilities			U	U	U					U	U	P	30-8-10.4.P and 30-8-13
	Mobile Food Vendor, Motorized				U	U					U	U	U	30-8-10.4.T
	Mobile Food Vendor, Pushcart				U	U	U				U	U	U	30-8-10.4.T
Personal and Professional Services	All personal and professional services without drive-through facilities, except as listed below	P	P	P	P	P	P	P	P	P	P	P	P	
	Banks, Savings & Loans, and Credit Union with drive-through facilities		U		U	U	U	U		U	U	U	U	30-8-10.4.I
	Dry cleaning pick-up/drop-off with drive-through facilities		U		U	U	U			U	U	U	U	30-8-10.4.I
	Funeral Homes and Crematoriums		P		P			P			P		P	
	Taxi Dispatch Terminals										P		P	
	Taxidermists										P			
	Veterinary Services, Pet Grooming, Kennels		U	U	U	U	U			U	U	U	U	30-8-10.4.R
Retail sales and service	All retail sales and service without drive-through facilities, except as listed below	P	P	P	P	P	P		P	P	P	P	P	30-8-10.4.M
	Retail sales and service with drive-through facilities				U	U					U	U		30-8-10.4.I
	ABC Stores (liquor)				P	P					P	P	P	
	Advertising Services, Outdoor				U	U	U				U			30-8-10.4.A

Table 8–1 Permitted Use (Mixed Use & Commercial Districts)
 (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
		-L	-M	-H										
	Artisans and Crafts	U	U	P	P	P	P		P	P	P	P	U	30-8-10.4.B
	Convenience Stores with fuel pumps		U	U	P	P	P			U	P	P	P	30-8-10.4.H
	Flea Markets													30-8-10.4.J
	Garden Center/Nursery, Outdoor				P	P	P			P	P			
	Manufactured and Modular home sales													
	Pawnshops				P	P	P				P	P	P	
	Sexually Oriented Businesses										U			30-8-10.4.N and 30-8-13
	Truck Stops													
Self Storage Facilities	All self storage facilities				U	U					U			30-8-10.4.S
Vehicle Sales and Service	All vehicle sales and service, except as listed below				P	P	P				P		P	
	Automobile, Boat and Motorcycle Repair Services, Major				P	P	P				P		P	
	Automobile, Boat and Motorcycle Repair Services, Minor				P	P	P				P	P	P	
	Automobile Towing and Storage Services				U	U	U				U			30-8-10.4.C
	Car Washes				U	U	U				U	U	U	30-8-10.4.G
INDUSTRIAL AND MANUFACTURING USES		MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
Light Industrial	All light industrial, except as listed below				P		P							
	Craft Distillery	P	P	P					P	P	P	P	P	
	Equipment Repairs and Rental, Light										U		U	30-8-10.5.B
	Laundry and Dry Cleaning Plants				P						P			
	Maintenance Yard and Facilities													
	Medical and Dental Laboratories	P	P	P	P					P	P	P	P	
	Microbrewery	P	P	P	P	P			P	P	P	P	P	
	Pest and Termite Control Services				P						P			
	Printing and Publishing				P						P		P	
	Sheet Metal Shop													

Table 8–1 Permitted Use (Mixed Use & Commercial Districts)
 (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
		-L	-M	-H										
	Truck Tractor & Semi Rental, Leasing & Service, Heavy													
	Welding, Machine, and Tool Repair Shop													
Heavy Industrial	All heavy industrial, except as listed below													
	Asphalt Plants and other facilities for the manufacture and storage of Chemicals, Petroleum, Hazardous Materials, and Related Products													30-8-10.5.A
	Metal Coating and Engraving													
	Pulp and Paper Mills													
	Rubber and Plastics (raw)													
	Solvent Recovery													
	Tires and Inner tubes													
	Salvage yards, junk yards, and scrap processing													30-8-10.5.F
Research and Development	All Research and Development			P										
Resource Extraction (as a Principal Use)	All Resource Extraction (mining and quarrying)													30-8-10.5.D
Wholesale Trade	All wholesale trade, except as listed below				U						U			30-8-10.5.H
	Wholesaling of Chemicals, Petroleum, and allied products													
Warehousing, Storage, and Freight Handling	All warehousing, storage, and freight handling, except as listed below										U			30-8-10.5.G
	Trucking and Freight Terminals													
Waste Related Services	All waste related services, except as listed below													
	Recycling Processing Centers													30-8-10.5.E
	Refuse and Raw Materials Hauling													
	Land Clearing & Inert Debris Landfills, Major													30-8-10.5.C
ACCESSORY USES AND STRUCTURES		MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards
		-L	-M	-H										

Table 8–1 Permitted Use (Mixed Use & Commercial Districts)
(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	MU	MU	MU	AO	UMU	NS	O	C-N	C-L	C-M	C-H	C-B	Standards	
		-L	-M	-H											
Accessory Uses and Structures	Accessory Uses and Structures (customary)	U	U	U	U	U	U	U	U	U	U	U	U	30-8-11.1	
	Accessory Dwelling Units	U	U					U						30-8-11.2	
	Animals and Livestock (horses, cows, sheep, goats)													30-8-11.3	
	Animals and Livestock (poultry and bees)													30-8-11.3	
	Caretaker Dwellings	U	U	U	U	U	U	U	U	U	U	U	U	30-8-11.4	
	Home Occupations (including renting of rooms)	U	U	U				U					U	U	30-8-11.5
	Junked Motor Vehicles	U	U	U				U	U	U	U	U	U	U	30-8-11.7
	Recycling Collection Points	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Satellite Dishes/TV and Radio Antennae Towers	U	U	U	U	U	U	U	U	U	U	U	U	U	30-8-11.8
	Swimming Pools	U	U	U	U	U	U	U	U	U	U	U	U	U	30-8-11.9
	Yard Sales (up to 2 per year)	P	P					P							
TEMPORARY USES AND STRUCTURES															
Temporary Uses and Structures	Arts and Crafts Shows		P	P	P	P	P		P	P	P	P	P		
	Carnivals and Fairs				P	P	P				P	P	P		
	Christmas Tree Sales				P	P	P			P	P	P	P		
	Concerts, Stage Shows			P	P	P						P	P		
	Conventions, Trade Shows			P	P	P		P			P	P	P		
	Craft Sales from Clubhouse or Community Center Bldg.	U	U	U				U					U	U	30-8-12.1
	Land Clearing & Inert Debris Landfills, Minor	U	U	U				U	U	U	U	U	U	U	30-8-12.2
	Outdoor Retail Sales				P	P	P				P	P	P		
	Outdoor Religious Events			P	P	P	P						P	P	
	Portable Storage Units	U	U	U	U	U	U	U	U	U	U	U	U	U	30-8-12.3
	Temporary Construction Office, Construction Equipment Storage, Real Estate Sales and Rental Offices	U	U	U	U	U	U	U	U	U	U	U	U	U	30-8-12.4
	Temporary Wireless Telecommunication Facilities	U	U	U	U	U	U	U	U	U	U	U	U	U	30-8-12.5

(Amended by Ord. 11-76 on 5/3/2011, Ord. 11-144 on 7/19/11, Ord. 12-25 on 4/3/12, Ord. 12-130 on 11/7/12, Ord.13-44 on 4/2/13, Ord. 13-157 on 12/17/13, Ord. 14-13 on 1/21/14, Ord. 14-48 on 4/15/14, Ord. 14-4 on 1/7/14, Ord. 14-13 on 1/21/14, Ord. 14-24 on 2/18/14, Ord. 15-154 on 12/15/15, and Ord. 17-042 on 4/18/17)

Table 8-1 Permitted Use (Industrial, PNR, and TN Districts) (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)								
Use Category	Specific Use	LI	HI	PI	BP	PNR	TN	Standards
AGRICULTURAL USES								
Agriculture	Forestry and Crops	P	P	P	P	P		
	Community Gardens						U	30-8-10.6.C
	Urban Farms						S,U	30-8-10.6.D
RESIDENTIAL USES								
Household Living	Single-family Detached Dwellings						P	
	Single-family Detached Dwellings, Zero Lot Line						P	30-8-10.1.N
	Duplexes						P	
	Traditional Houses						U	30-8-10.1.L
	Townhouses				U		P	30-8-10.1.K
	Twin Homes						P	
	Multi-family Dwellings				U		P	30-8-10.1.H
	Multi-family (Elderly)						U	30-8-10.1.H
	Family Care Homes						U	30-8-10.1.B
	Chartered Home						U	30-8-10.1.O
	Manufactured Homes (Class AA)							
	Manufactured Home Parks							
	Upper Story Residential			U	U		U	30-8-10.1.M
Group Living	All Group Living except as listed below			P				
	Assisted Living Facilities			U				30-8-10.1.A
	Fraternities and Sororities			U				30-8-10.1.C
	Life Care Communities			U				30-8-10.1.D
	Private Dormitories			U				30-8-10.1.I
	Rooming and Boarding Houses							
PUBLIC AND CIVIC USES								
Animal Shelters	All animal shelters	U	P					30-8-10.2.A
Cemeteries	All cemeteries	U	U	U	U			30-8-10.2.C
Cultural and Community	All neighborhood-scale cultural and community uses except as listed below	P	P	P	P		U	30-8-10.2.G

Table 8–1 Permitted Use (Industrial, PNR, and TN Districts)
(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	LI	HI	PI	BP	PNR	TN	Standards
	All community-scale cultural and community uses except as listed below	U	U	U	U		U	30-8-10.2.G
	Auditoriums, Coliseums, and Stadiums	U		U				30-8-10.2.B
	Libraries, Museums, and Art Galleries			P	P		P	
Day Care	Day Care Homes						U	30-8-10.2.D
	Day Care Centers	U		U	U		U	30-8-10.2.D
Educational Facilities	All educational uses except as listed below	P	P	P	P		P	
	Colleges and Universities			P				
	Elementary/Secondary Schools, neighborhood-scale	P	P	P	P		U	30-8-10.2.G
	Elementary/Secondary Schools, community-scale	U	U	U	U		U	30-8-10.2.G
	Retreat Centers			P	P			
	Truck Driving Schools	P	P					
Government Facilities	All government uses, except as listed below	P	P	P	P	P	P	
	Correctional Institutions		S	S				
Medical Facilities	All medical uses, except as listed below	P		P	P			
	Hospitals			P				
	Medical, Dental, and Related Offices	P	P	P	P		P	
	Specialty Hospitals			P				
Passenger Terminals (all prohibited in WCA; See 30-12-4)	All passenger terminal uses, except as listed below			S				
	Bus and Rail Terminals	P	P		P		P	
Religious Assembly	Neighborhood-scale	P	P	P	P		U	30-8-10.2.G
	Community-scale	U	U	U	U		U	30-8-10.2.G
Social Service Facilities	All social service facilities, except as listed below			U				30-8-10.2.H
	Group Care Facilities			U				30-8-10.2.E
	Shelters, Temporary and Emergency	U	U	U	U		U	30-8-10.2.I
Utilities	Minor Utilities	P	P	U	U	U	U	30-8-10.2.F
	TV/HDTV/AM/FM Broadcast Facilities	U	U	U	U			30-8-10.2.J
	Utility Equipment and Storage Yards	P	P					
	Utility Lines and Related Appurtenances	P	P	P	P	P	P	
	Wastewater Treatment Plant and Water Reclamation Facility		P					
	Water Treatment Facilities	P	P			P		
	Wireless Telecommunication Facilities	U	U	U	P	U	U	30-8-10.2.K
RECREATION USES		LI	HI	PI	BP	PNR	TND	Standards
Common Elements Recreation and Service Facilities	All common elements recreation and service facilities				P			

Table 8–1 Permitted Use (Industrial, PNR, and TN Districts)
(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	LI	HI	PI	BP	PNR	TN	Standards
Indoor Recreation	All indoor recreation, except as listed below	P			P		P	
	Clubs and Lodges			U	U		U	30-8-10.3.B and 30-8-13
	Movie and Other Theaters							
	Physical Fitness Centers, Sports Instructional Schools	P			P		P	
	Shooting Ranges	U	U					30-8-10.3.H
Outdoor Recreation	All outdoor recreation, except as listed below							30-8-10.3.D
	Amusement and Water Parks, Fairgrounds	U						30-8-10.3.A
	Campgrounds and Recreational Vehicle Parks							30-8-10.3.F
	Golf Course, Driving Ranges, Country Clubs			U	U			30-8-10.3.C
	Marina, Boating Facility					P		
	Riding Stables			S,U				30-8-10.3.G
	Shooting Ranges, Archery, Skeet			S,U				30-8-10.3.I
	Sporting and Recreational Camps			S,U				30-8-10.3.J
	Sports Instructional Schools	P			P			
	Swim and Tennis Clubs			U	U		U	30-8-10.3.K
Parks and Open Areas	All parks and open areas	U	U	U	U	U	U	30-8-10.3.E
OFFICE, RETAIL, AND COMMERCIAL USES		LI	HI	PI	BP	PNR	TND	Standards
Office	All office uses, except as listed below	P	P	P	P		U	
	Business Incubators	P	P	P	P		U	30-7-7.3(B)
	Residential Office Conversion							30-8-10.4.L
Overnight Accommodations	Hotels and Motels	P			P			
	Tourist Homes (Bed & Breakfast)						U	30-8-10.4.Q
	Single Room Occupancy Residences (conversion)	U		U				30-8-10.4.O
	Single Room Occupancy Residences (new)			U				30-8-10.4.O
Parking, commercial	All commercial parking	U	U	S,U	U			30-8-10.4.D
	Park and ride facilities	U	U	U	U			30-8-10.4.K
Eating and Drinking Establishments	All eating and drinking establishments without drive-through facilities, except as listed below	P	P		P		P	
	All eating and drinking establishments with drive-through facilities, except as listed below							30-8-10.4.I

Table 8–1 Permitted Use (Industrial, PNR, and TN Districts)
(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	LI	HI	PI	BP	PNR	TN	Standards
	Bars, Nightclubs, and Brewpubs		P					30-8-10.4(F) and 30-8-13
	Special Events Facilities		P					30-8-10.4.P and 30-8-13
	Mobile Food Vendor, Motorized	U	U	U				30-8-10.4.T
	Mobile Food Vendor, Pushcart	U	U	U				30-8-10.4.T
Personal and Professional Services	All personal and professional services without drive-through facilities, except as listed below	P			P		U	30-7-7.3(A)
	Banks, Savings & Loans, and Credit Union with drive-through facilities	P			U			30-8-10.4.I
	Dry cleaning pick-up/drop-off with drive-through facilities	P			U			30-8-10.4.I
	Funeral Homes and Crematoriums	P		S				
	Taxi Dispatch Terminals	P	P					
	Taxidermists							
	Veterinary Services, Pet Grooming, Kennels	P	P		U			30-8-10.4.R
Retail sales and service	All retail sales and service without drive-through facilities, except as listed below				U		U	30-8-10.4.M
	Retail sales and service with drive-through facilities							30-8-10.4.I
	ABC Stores (liquor)							
	Advertising Services, Outdoor	P	P		P			30-8-10.4.A
	Artisans and Crafts	P	P		P		U	30-8-10.4.B
	Convenience Stores with fuel pumps	P	P		U			30-8-10.4.H
	Flea Markets	U						30-8-10.4.J
	Garden Center/Nursery, Outdoor	P						
	Manufactured and Modular home sales	P	P					
	Pawnshops							
	Sexually Oriented Businesses		U					30-8-10.4.N and 30-8-13
	Truck Stops	P	P					
Self Storage Facilities	All self storage facilities	P	P					30-8-10.4.S
Vehicle Sales and Service	All vehicle sales and service, except as listed below	P	P					
	Automobile, Boat and Motorcycle Repair Services, Major	P	P					
	Automobile, Boat and Motorcycle Repair Services, Minor	P	P					

Table 8–1 Permitted Use (Industrial, PNR, and TN Districts)
(See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	LI	HI	PI	BP	PNR	TN	Standards
	Automobile Towing and Storage Services	U	P					30-8-10.4.C
	Car Washes	P	P					30-8-10.4.G
INDUSTRIAL AND MANUFACTURING USES		LI	HI	PI	BP	PNR	TND	Standards
Light Industrial	All light industrial, except as listed below	P	P		P			
	Craft Distillery							
	Equipment Repairs and Rental, Light	P	P				P	30-8-10.5.B
	Laundry and Dry Cleaning Plants	P	P		P			
	Maintenance Yard and Facilities	P	P					
	Medical and Dental Laboratories	P	P	P	P			
	Microbrewery	P	P					
	Pest and Termite Control Services	P	P					
	Printing and Publishing	P	P		P			
	Sheet Metal Shop	P	P					
	Truck Tractor & Semi Rental, Leasing & Service, Heavy	P	P					
Welding, Machine, and Tool Repair Shop	P	P						
Heavy Industrial	All heavy industrial, except as listed below		P					
	Asphalt Plants and other facilities for the manufacture and storage of Chemicals, Petroleum, Hazardous Materials, and Related Products		S,U					30-8-10.5.A
	Metal Coating and Engraving		S					
	Pulp and Paper Mills		S					
	Rubber and Plastics (raw)		S					
	Solvent Recovery		S					
	Tires and Inner tubes		S					
Salvage yards, junk yards, and scrap processing		S,U					30-8-10.5.F	
Research and Development	All Research and Development	P	P		P			
Resource Extraction (as a Principal Use)	All Resource Extraction (mining and quarrying)		S,U					30-8-10.5.D
Wholesale Trade	All wholesale trade, except as listed below	P	P		P			30-8-10.5.H
	Wholesaling of Chemicals, Petroleum, and allied products		P					
Warehousing, Storage, and Freight Handling	All warehousing, storage, and freight handling, except as listed below	P	P		U			30-8-10.5.G
	Trucking and Freight Terminals	P	P					
Waste Related Services	All waste related services, except as listed below		S					
	Recycling Processing Centers	U	P					30-8-10.5.E
	Refuse and Raw Materials Hauling		P					
	Land Clearing & Inert Debris Landfills, Major		S,U					30-8-10.5.C

Table 8–1 Permitted Use (Industrial, PNR, and TN Districts)
 (See 30-7-7.1 for AG district uses and 30-7-7.3 for TN district uses)

Use Category	Specific Use	LI	HI	PI	BP	PNR	TN	Standards
ACCESSORY USES AND STRUCTURES		LI	HI	PI	BP	PNR	TND	Standards
Accessory Uses and Structures	Accessory Uses and Structures (customary)	U	U	U	U		U	30-8-11.1
	Accessory Dwelling Units						U	30-8-11.2
	Animals and Livestock (horses, cows, sheep, goats)							30-8-11.3
	Animals and Livestock (poultry and bees)							30-8-11.3
	Caretaker Dwellings	U	U	U	U			30-8-11.4
	Home Occupations (including renting of rooms)				U		U	30-8-11.5
	Junked Motor Vehicles	U	U	U	U		U	30-8-11.7
	Recycling Collection Points	P	P	P	P		P	
	Satellite Dishes/TV and Radio Antennae Towers	U	U	U	U		U	30-8-11.8
	Swimming Pools	U	U	U	U		U	30-8-11.9
	Yard Sales (up to 2 per year)						P	
TEMPORARY USES AND STRUCTURES								
Temporary Uses and Structures	Arts and Crafts Shows	P	P	P	P		P	
	Carnivals and Fairs	P	P	P	P			
	Christmas Tree Sales	P	P	P	P			
	Concerts, Stage Shows	P	P	P	P		P	
	Conventions, Trade Shows	P	P	P	P			
	Craft Sales from Clubhouse or Community Center Bldg.				U		U	30-8-12.1
	Land Clearing & Inert Debris Landfills, Minor	U	U	U	U		U	30-8-12.2
	Outdoor Retail Sales							
	Outdoor Religious Events	P	P	P	P		P	
	Portable Storage Units	U	U	U	U		U	30-8-12.3
	Temporary Construction Office, Construction Equipment Storage, Real Estate Sales and Rental Offices	U	U	U	U		U	30-8-12.4
	Temporary Wireless Telecommunication Facilities	U	U	U	U		U	30-8-12.5

(Amended by Ord. 11-76 on 5/3/2011, Ord. 11-144 on 7/19/11, Ord. 12-25 on 4/3/12, Ord. 12-130 on 11/7/12, Ord.13-44 on 4/2/13, Ord. 13-101 on 7/16/13, Ord. 13-157 on 12/17/13, Ord. 14-48 on 4/15/14, and Ord. 15-154 on 12/15/15)

Effective on: 9/16/2014

30-8-2 Prohibited Uses

The following uses are prohibited throughout the city:

- A. Explosives manufacturing;
- B. Leather and leather products manufacturing involving tanning;
- C. All agricultural uses not otherwise permitted in the Permitted Use table, except those expressly allowed in the AG (special district); and

- D. Manufactured dwellings placed, parked, or stored on residentially zoned lots except as provided in:
1. [30-7-8.7](#) (Manufactured Housing Overlay Districts);
 2. [30-8-10.1\(F\)](#) (Manufactured Dwelling (Mobile Home) Parks);
 3. [30-8-12.4](#) as temporary construction offices, temporary construction equipment storage, or temporary real estate sales or rental offices; or
 4. [30-2-3](#) (Nonconforming Uses) when the manufactured dwelling is a legally existing principal building.
 5. Manufactured dwellings which do not comply with the provisions of this subsection on the effective date of this ordinance shall be removed within 12 months of the effective date of the ordinance.
- E. Uses deemed likely to have adverse impacts on water quality are prohibited within the WCA district. Such prohibited uses are identified (by a parenthetical note) in the use category descriptions. See also the WCA provisions of [30-12-4](#).

30-8-3 Use Categories Generally

30-8-3.1 Approach to Categorizing Uses

- A. The use categories found in the use table in [30-8-1](#), Permitted Use Table, are set forth in this section. Specific uses may be further defined in [Article 15](#).
- B. Any use not specifically listed in the use category in this section is prohibited, unless the Planning and Community Development Director determines that the use is similar to a permitted use in that district. Where any similar permitted use is subject to additional use standards or special use permit approval, the proposed use is also subject to those standards or approval.

30-8-3.2 Basis for Classifications

Use categories classify land uses and activities based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions. The use categories provide a systematic basis for assigning land uses to appropriate zoning districts.

30-8-3.3 Uses Not Specifically Listed

When a specific use type cannot be readily classified into a use category or appears to fit into 2 or more use categories, the Planning and Community Development Director is authorized to determine the most similar, thus most appropriate, use category based on the following considerations:

- A. The actual or projected characteristics of the activity in relationship to the stated characteristics of each use category;
- B. The relative amount of site area or floor space and equipment devoted to the activity;
- C. Relative amounts of sales from each activity;
- D. The customer type for each activity;
- E. The relative number of employees in each activity;
- F. Hours of operation;
- G. Building and site arrangement;
- H. Types of vehicles used and their parking requirements;

- I. The relative number of vehicle trips generated;
- J. Signs;
- K. How the use is advertised;
- L. The anticipated impact on surrounding properties; and
- M. Whether the activity is likely to be found independent of the other activities on the site.

30-8-3.4 Developments with Multiple Principal Uses

Developments with multiple principal uses must conform to the following:

- A. When all principal uses of a development fall within one Use Category, the entire development is assigned to that Use Category;
- B. When the principal uses of a development fall within different Use Categories, each principal use must be classified in the applicable Use Category and each use is subject to all applicable regulations for that Use Category; and
- C. A development comprised of uses regulated by separate rows on the Use Table must be reviewed using the most restrictive process from among the proposed uses.

Commentary: *For example, if a development includes a convenience store, fuel sales and a restaurant, and one of those uses is only permitted by special use permit in the district, then the entire development requires a special use permit.*

30-8-3.5 Typical Uses

The "Typical Use Types" portion of each use category lists principal uses common to that use category. The names of these sample uses are generic and are based on common meanings, not on what a specific use may call itself. Many accessory uses that are often found with such principal uses are not shown on these lists.

Commentary: *For example, a use that calls itself "Wholesale Warehouse," but sells mostly to retail consumers, is included in the Retail Sales and Service category rather than the Wholesale Trade category.*

30-8-3.6 Excluded Use Types

The "Excluded Uses Types" portion of each use category lists uses that may appear to be part of a particular category, but that are expressly included in a different use category.

30-8-4 Agricultural Use Group

30-8-4.1 Agriculture

A. Typical Use Types

The following are examples of typical agricultural uses:

1. Forestry and Crops
2. Community Gardens
3. Urban Farms

B. Excluded Use Types

The following are examples of uses that are not included under the agricultural use category:

1. Animal waste processing (see Waste-Related Service)
2. Commercial feed lot (see Heavy Industrial)
3. Livestock slaughtering (see Heavy Industrial)
4. Lumber mill, timber processing (see Heavy Industrial)
5. Processing of food and related products (see Heavy Industrial)
6. Resource Extraction (see Resource Extraction)
7. Riding Stable (see Outdoor Recreation)
8. Solid and liquid waste transfer and composting (see Waste-Related Service)
9. Veterinary Services (see Personal and Professional Service)
10. University agricultural farms and facilities for research and training (See College and University)

(Amended By Ord. 13-157 on 12/17/13)

30-8-5 Residential Use Group

30-8-5.1 Household Living

Residential occupancy of a dwelling unit by a household on a month-to-month or longer basis.

A. Typical Use Types

1. Single-family detached
2. Twin home
3. Duplex
4. Traditional house
5. Townhouse, row house
6. Multi-family, apartment, condominium
7. Multi-family designed for the elderly
8. Family care home, including maternal care home
9. Chartered home
10. Manufactured home (Class AA)
11. Manufactured home park
12. Manufactured home subdivision
13. Upper story residential

B. Excluded Use Types

The following are examples of uses that are not included under the household living use category:

1. Assisted living facility (see Group Living)
2. Tourist Home (Bed and breakfast), hotel, motel, inn, extended-stay lodging (see Overnight Accommodations)
3. Rooming and Boarding House (see Group Living)
4. Group care facility (see Social Service Facilities)

5. Nursing and convalescent home (see Group Living)

(Amended by Ord. 11-144 on 7/19/11)

30-8-5.2 Group Living

Residential occupancy of a structure by a group of people that does not meet the definition of Household Living. Tenancy is usually arranged on a monthly or longer basis. Generally, Group Living structures have a common eating area for residents, and the residents may receive care, training, or treatment.

A. Typical Use Types

1. Assisted living facility
2. Fraternity, sorority
3. Hospice
4. Life care community
5. Monastery, convent
6. Nursing and convalescent home
7. Private dormitory
8. Rooming and boarding house

B. Excluded Use Types

1. Alternative and post-incarceration facility (see Social Service Institutions)
2. Tourist Home (Bed and breakfast), hotel, motel, inn, extended-stay lodging (see Overnight Accommodations)
3. Group care facility (see Social Service Facilities)
4. Membership club and lodge (see Indoor Recreation)
5. Orphanage, shelter (see Social Service Facility)

30-8-6 Public and Civic Use Group

30-8-6.1 Animal Shelters

A facility used to house stray, abandoned, and unwanted animals.

A. Typical Use Types

1. Animal rescue
2. Animal shelter

B. Excluded Use Types

1. Kennel (see Personal and Professional Services)
2. Pet grooming (see Personal and Professional Services)
3. Veterinary service (see Personal and Professional Services)

30-8-6.2 Cemeteries

A tract of land used for burials, usually in a park-like setting. May be public or private.

A. Typical Use Types

1. Cemeteries, including mausoleums, columbarium's, and memorial parks

B. Excluded Use Types

1. Crematorium (see Personal and Professional Services)
2. Funeral home (see Personal and Professional Services)
3. Religious assembly

30-8-6.3 Cultural and Community

Uses providing ongoing entertainment, education, training, or counseling to the general public on a regular basis, without a residential component.

A. Typical Use Types

1. Art gallery
2. Auditoriums, coliseums, and stadiums
3. Library
4. Museum
5. Neighborhood-scale cultural and community facility (public)
6. Community-scale cultural and community facility (public)
7. Senior center

B. Excluded Use Types

1. Athletic, tennis, swim and health club (see Recreation)
2. Church, mosque, synagogue, temple (see Religious Assembly)
3. Club and lodge (see Indoor Recreation)
4. Counseling in an office setting (see Office)
5. Park (see Parks and Open Areas)
6. Philanthropic institution (see Office)
7. Soup kitchen (see Social Service Facilities)
8. Treatment center, transient lodging, and shelter for the homeless (see Social Service Facilities)

30-8-6.4 Day Care

Uses providing care, protection, and supervision for children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 18 hours each day, although the facility may be open 24 hours each day.

A. Typical Use Types

1. Day care home, including: adult day care home with 5 or fewer adults, or child day care home with 15 or fewer children
2. Day care center, including: adult center with 6 or more adults, or child center with 16 or more children
3. Preschool and nursery school

B. Excluded Use Types

1. Counseling in an office setting (see Office)

30-8-6.5 Educational Facilities

Public and private (including charter and religious) schools at the primary, elementary, middle, junior high, and high school level that provide basic academic education. Also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree usually in a campus setting.

A. Typical Use Types

1. College, community college, university
2. Educational facility, including school administration office
3. Nursing and medical school
4. Public, private, and charter elementary and secondary school
5. Retreat center
6. Seminary
7. Technical and vocational school
8. Training center
9. Truck driving school (prohibited in WCA; See [30-12-4](#))

B. Excluded Use Types

1. Dance School (see Indoor Recreation)
2. Art, music and photography instruction (see Personal and Professional Services)
3. Driving school (see Retail Sales and Service)
4. Preschool and nursery school (see Day Care)
5. Sports instructional school, martial arts (see Indoor Recreation)

30-8-6.6 Government Facilities

Offices, storage, and other facilities for the operation of local, state, or federal government.

A. Typical Use Types

1. City, county, regional, state, and federal or other government office
2. Correctional facility, including jail and prison
3. Emergency service, including EMS facility, fire station, and police station
4. Post office

B. Excluded Use Types

1. Educational facility (see Educational Uses)
2. Maintenance facility (see Light Industrial)
3. Park (see Parks and Open Areas)
4. Solid and liquid waste transfer and composting (see Waste-Related Service)
5. Utility (see Utilities)

30-8-6.7 Medical Facilities

Uses providing medical or surgical care to patients. Some uses may offer overnight care.

A. Typical Use Types

1. Hospital, general
2. Medical, dental or related office
3. Medical facility, including: blood donation center, medical clinic, rehabilitation clinic, kidney center
4. Specialty hospital, including cardiac, orthopedic, surgical, psychiatric, alcohol and drug addiction, and other similar facility
5. Urgent care and emergency medical office

B. Excluded Use Types

1. Counseling in an office setting (see Office)
2. Family care home (see Residential Uses)
3. Group care facility (see Social Services)
4. Nursing and medical school (see Educational Facilities)

30-8-6.8 Passenger Terminals

Facilities for the takeoff and landing of airplanes and helicopters, services to passengers and terminals for taxi, rail and bus service. All passenger terminals are prohibited in WCA. (See [30-12-4](#))

A. Typical Use Types

1. Airport and related facilities
2. Bus Terminal
3. Heliport (as a principal use)
4. Rail Passenger Terminal

B. Excluded Use Types

1. Park-and-ride facility (see Parking, Commercial)
2. Railroad freight yard (see Heavy Industrial)
3. Taxi dispatch center (see Personal and Professional Services)

30-8-6.9 Religious Assembly

Uses that provide meeting space for people to assemble for the purpose of engaging in religious exercise.

A. **Typical Use Types**

1. Church, mosque, synagogue, temple, and similar places of religious assembly

B. **Excluded Use Types**

1. Cemetery, columbarium, mausoleum, memorial park (see Cemeteries)
2. Educational facility (see Educational Facilities)
3. Outdoor religious event (see Temporary Uses)
4. Public and private community center (see Cultural and Community)
5. Senior center (see Cultural and Community)
6. Soup kitchen (see Social Service Facilities)
7. Treatment center, transient lodging, shelter for the homeless (see Social Service Facilities)

30-8-6.10 Social Service Facilities

Uses that primarily provide treatment of or services to those with psychiatric, alcohol, drug, or other conditions; orphanages, and transient housing related to social service programs.

A. **Typical Use Types**

1. Group care (more than alternative and post-incarceration) for more than 9 residents; and care and treatment for psychiatric, alcohol, drug and other conditions, where patients are residents and more than 9 patients are housed
2. Orphanage
3. Shelter for the homeless and transient lodging
4. Shelter, temporary or emergency
5. Soup kitchen and food bank

B. **Excluded Use Types**

1. Assisted living facility (see Group Living)
2. Cemetery, columbarium, mausoleum, memorial park (see Cemeteries)
3. Educational facility (see Educational Facilities)
4. Family care home (see Household living)
5. Philanthropic institution (see Cultural and Community)

30-8-6.11 Utilities

Public and private infrastructure serving a limited area with no on-site personnel (Minor Utility) or the general community and possibly having on-site personnel (Major Utility).

A. **Typical Use Types**

1. **Major Utilities**

- a. TV/HDTV/AM/FM broadcast facility
- b. Utility equipment and storage yard (prohibited in WCA; See [30-12-4](#))

- c. Utility line, natural gas pipeline, pipelines, and related appurtenance (pipelines except natural gas prohibited in WCA; see 30-12-4)
- d. Wastewater treatment plant and water reclamation facility (prohibited in WCA; See 30-12-4)
- e. Water treatment facility (prohibited in WCA; See 30-12-4)
- f. Wireless telecommunication facilities

2. **Minor Utilities**

- a. Electrical substation
- b. Gas meter and regulator station
- c. Telephone exchange
- d. Water and wastewater pump station
- e. Water towers and tanks

B. **Excluded Use Types**

1. Maintenance yard and buildings (see Light Industrial Service)
2. TV and radio studio (see Office)
3. Utility office (see Office)

30-8-7 Recreational Use Group

30-8-7.1 Common Elements Recreational Service Facilities

Facilities that are located in common elements provided in subdivisions for use by residents.

A. **Typical Use Types**

1. Common elements recreational service facility

B. **Excluded Use Types**

1. Club and Lodge (see Indoor Recreation)
2. Physical fitness center (see Indoor Recreation)
3. Swim and tennis club (see Outdoor Recreation)

30-8-7.2 Indoor Recreation

Generally commercial uses, varying in size, providing daily or regularly scheduled entertainment-oriented activities in an indoor setting.

A. **Typical Use Types**

1. Bingo hall, billiard parlor, bowling alley, game arcade, skating rink
2. Club and lodge
3. Coin operated amusement
4. Dance school

5. Fortune teller, palm reader, astrologer
6. Movie and other theaters
7. Physical fitness center
8. Shooting range
9. Sports instructional school, gymnastic facility, martial arts academy

B. Excluded Use Types

1. Auditorium, coliseum, and arena (see Cultural and Community)
2. Bar and nightclub (see Eating and Drinking Establishments)
3. Outdoor entertainment (see Outdoor Recreation)
4. Sexually oriented business (see Retail Sales and Services)

30-8-7.3 Outdoor Recreation

Commercial uses, varying in size, providing daily or regularly scheduled recreation or entertainment-oriented activities. Such activities may take place outdoors or within a number of structures.

A. Typical Use Types

1. Amusement and water parks, fairgrounds
2. Batting cage, miniature golf facility, swimming pool and other similar outdoor entertainment activity
3. Campground and recreational vehicle (RV) park
4. Commercial amphitheater
5. Go-cart raceway
6. Golf course, golf driving range, country clubs
7. Marina, boating facility
8. Riding stable
9. Shooting range such as rifle range, archery range, handgun, skeet shooting, and paintball facilities
10. Skateboard and BMX bicycle park
11. Sporting and recreational camp (Sporting and recreational camps include boys and girls camps, fishing camps, dude ranches and summer camps; but do not include hunting camps or nudist camps. Establishments primarily engaged in operating sports instructional camps such as basketball, baseball, football, karate camps, etc. are classified as "Sports Instructional Schools" and are not considered sporting and recreational camps)
12. Sports instructional school (e.g. baseball, basketball, football, karate camps, etc.)
13. Swim and/or tennis clubs

B. Excluded Use Types

1. Athletic field, park, playground, botanical garden, nature and game preserves, zoo (see Parks and Open Areas)
2. Indoor recreation (see Indoor Recreation)
3. Stadium (see Cultural and Community)

30-8-7.4 Parks and Open Areas

Uses focusing on natural areas consisting mostly of vegetation, passive and active outdoor recreation areas, and having few structures.

A. Typical Use Types

1. Athletic field
2. Botanical garden, nature preserve, recreational trail
3. Game preserve, wildlife management area, refuge, wild animal sanctuary, water conservation area
4. Park
5. Playground
6. Riding stable
7. Zoo

B. Excluded Use Types

1. Campground (see Outdoor Recreation)
2. Firing range (see Indoor and Outdoor Recreation)
3. Golf course, country club (see Outdoor Recreation)
4. Membership club, lodge (see Indoor Recreation)
5. Public recreation facility and center (see Cultural and Community)
6. Water park (see Outdoor Recreation)

(Amended by Ord. 13-157 on 12/17/13)

30-8-8 Commercial Use Group

30-8-8.1 Eating and Drinking Establishments

Establishments that prepare and sell food for on- or off-premise consumption.

A. Typical Use Types

1. Bar, nightclub, and brewpub
2. Coffee shop, bagel shop, donut shop
3. Restaurant, fast-food, pizza delivery facility, yogurt and ice cream shop
4. Small-scale catering establishment
5. Special event facility
6. Mobile food vendor, motorized
7. Mobile food vendor, pushcart

B. Excluded Use Types

1. Large-scale catering facility (see Light Industrial Uses)
2. Microbrewery (see Light Industrial Uses)

30-8-8.2 Office Uses

Activities conducted in an office setting and focusing on business, government, professional, medical and financial services.

A. Typical Use Types

1. Advertising office; auditor; business management consulting; data processing; economic, sociologic, and educational research; financial business such as lender, investment and brokerage house, collection agency, real estate and insurance agent; noncommercial research; professional service such as lawyer, accountant, bookkeeper, engineer, and architect; sales office; travel agency; utility company office
2. Business association, labor union, professional membership organization
3. Business incubator
4. Communications and broadcasting office
5. Conference center
6. Philanthropic institution
7. Rehabilitation and counseling service in an office setting
8. Residential office conversion

B. Excluded Use Types

1. Bank branch (see Personal and Professional Services)
2. Contractors and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site (see Light Industrial Service)
3. Medical, dental, and related office (see Medical Facilities)
4. Office/warehouse (see Warehouse and Freight Movement)
5. Research, testing, and development laboratory (see Research and Development)
6. Retreat center (see Educational Facilities)
7. Urgent care and emergency medical office (see Medical Facilities)

30-8-8.3 Overnight Accommodations

Residential units arranged for short-term stays for rent or lease.

A. Typical Use Types

1. Hotel, motel, inn, extended-stay lodging
2. Single Room Occupancy Hotel (new and conversion)
3. Tourist home (bed and breakfast establishment)

B. Excluded Use Types

1. Campground, recreational vehicle park (see Outdoor Recreation)
2. Conference center (see Office Uses)

3. Patient overnight accommodations (see Medical Facilities)
4. Retreat center (see Educational Facilities)
5. Transient lodging, shelter for the homeless (see Social Service Facilities)

30-8-8.4 Parking, Commercial

Facilities that provide parking not accessory to a specific use for which a fee may or may not be charged.

A. Typical Use Types

1. Park and Ride Facility
2. Short- and long-term stand-alone parking facility

B. Excluded Use Types

1. Bus barn (see Warehouse and Freight Movement)
2. Parking as accessory to other uses
3. Sale and servicing of vehicles (see Vehicle Sales and Service)

30-8-8.5 Personal and Professional Services

Companies or individuals providing personal or professional services to the general public.

A. Typical Use Types

1. Personal Service

- a. Art, music and photography instruction
- b. Barber shop, beauty shop, massage therapist, tanning salon
- c. Bulk mailing service
- d. Dry cleaning pick-up/drop-off station
- e. Funeral home, mortuary, crematorium
- f. Kennel
- g. Laundromat (prohibited in WCA; See [30-12-4](#))
- h. Pet grooming
- i. Photography studio
- j. Shoe repair and shoeshine shop
- k. Tailor, milliner, upholsterer
- l. Taxidermist
- m. Veterinary service and animal hospital

2. Professional Services

- a. Bank, savings & loan, credit union, stock, security, commodity broker (branches), finance and loan office
- b. Commercial photography
- c. Computer service

- d. Courier service, satellite office
- e. Employment agency, personnel agency
- f. Music production and recording
- g. Photocopying, blueprint, and duplicating service, quick sign service
- h. Security service
- i. Taxi dispatch center

B. Excluded Use Types

- 1. Bank administrative office (see Office)
- 2. Medical, dental, and related office (see Medical Facilities)
- 3. Travel agency (see Office)
- 4. Urgent care and emergency medical office (see Medical Facilities)
(Amended by Ord. 15-102 on 7/21/15)

30-8-8.6 Retail Sales and Services

Companies or individuals involved in the sale, lease or rental of new or used products or repair to the general public.

A. Typical Use Types

1. Sales-Oriented

- a. Advertising service, outdoor
- b. Artisans and crafts, including musical instruments, jewelry, and silverware (no plating), leather and leather products (no tanning), and other fine arts
- c. Building supply sales
- d. Convenience store (with fuel pumps) (prohibited in WCA; See [30-12-4](#))
- e. Convenience store (without fuel pumps)
- f. Drug store
- g. Flea market (indoor and outdoor)
- h. Food products
- i. Garden center, garden supplies, nursery
- j. Manufactured and modular home sales
- k. Retail sales of bulk merchandise (i.e. sales of related and/or unrelated products frequently in a warehouse setting), including membership warehouse clubs, that is differentiated from general retail sales by any of the following characteristics:
 - i. many items for sale are not divided into parts or packaged in separate units;
 - ii. many items are large and heavy such as appliances and building materials;
 - iii. many items are stored or stacked in large containers in the retail sales area; and
 - iv. many items may require delivery by the retail establishment.
- l. Pawn shop

- m. Sexually oriented business
- n. Stores selling, leasing, or renting consumer, house, and business goods including alcoholic beverages, antiques, appliances, art supplies, auto parts and supplies, baked goods, bicycles, books and periodicals, cameras, candles, candies, carpet and floor coverings, cellular telephones, collectables, cosmetics, crafts, clothing and shoes, computers, dairy products, dry goods, electronic equipment, fabric, flowers, furniture, gasoline (prohibited in WCA; See 30-12-4), general stores, gifts, groceries, hardware and tools, home furnishings, home improvement equipment and products, household products, jewelry, luggage and leather goods, medical supplies, musical instruments, optical goods, outdoor farmers market, pets, pet supplies, pharmaceuticals, photo finishing, picture frames, plants, printed materials, produce, sporting goods, stationery, tires, tobacco and related products, and videos
- o. Truck stop (prohibited in WCA; See 30-12-4)

2. Repair-Oriented

- a. Appliance, bicycle, canvas product, clock, computer, furniture (except stripping and refinishing), gun, jewelry, musical instrument, office equipment, radio, shoe, television and watch repair
- b. Furniture stripping and refinishing (prohibited in WCA; See 30-12-4)
- c. Locksmith

B. Excluded Use Types

- 1. Small-scale catering establishment (see Eating and Drinking Establishments)
- 2. Large-scale catering facility (see Light Industrial Uses)

30-8-8.7 Self Storage Facilities

Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property.

A. Typical Use Types

- 1. Mini-warehouse
- 2. Multi-story enclosed storage facility
- 3. Storage garage

B. Excluded Use Types

- 1. Rental of light or medium trucks (see Vehicle Sales and Service)
- 2. Storage area used as manufacturing use (see Light Industrial Services)
- 3. Storage area used for sales, service, and repair operations (see Retail Sales and Service)
- 4. Transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred (see Warehouse, Storage, and Freight Handling)

30-8-8.8 Vehicle Sales and Service

Direct sales of and service to passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles. All vehicle sales and service uses are prohibited in WCA. (See 30-12-4)

A. Typical Use Types

1. Automobile, boat, and motorcycle repair service, major
2. Automobile, boat and motorcycle repair services, minor
3. Automobile towing and storage service
4. Boat sales, leasing, and rental
5. Car wash
6. Motor vehicle sales (new and used), leasing, and rental; light truck and utility trailer rental and leasing, motorcycle sales, leasing, and rental
7. RV sales, leasing, and rental
8. Service station (fuel)

B. Excluded Use Types

1. Manufactured and modular home sales (see Retail Sales and Service)
2. Truck tractor & semi rental & leasing, heavy, (see Light Industrial Uses)
3. Truck wash (see Heavy Industrial)

(Amended by Ord. 12-25 on 4/3/12)

30-8-9 Industrial Use Group

30-8-9.1 Light Industrial Uses

Firms engaged in the sale, manufacturing, assembly, repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

A. Typical Use Types

1. Aircraft engines, parts, and auxiliary equipment
2. Arms and weapons (prohibited in WCA; See [30-12-4](#))
3. Beverage products
4. Bicycle assembly, parts, and accessories
5. Brewery
6. Brooms and brushes
7. Building, heating, plumbing, and electrical contractors, carpenters and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site (prohibited in WCA; See [30-12-4](#))
8. Burial caskets
9. Catering facility, large-scale
10. Clothing and textile manufacturing (no dyeing or finishing) (prohibited in WCA; See [30-12-4](#))
11. Coffee products
12. Commercial bakery

13. Craft Distillery
14. Dairy products (prohibited in WCA; See [30-12-4](#))
15. Distillery
16. Drugs
17. Equipment repairs and rental, light
18. Exterminator, pest control (prohibited in WCA; See [30-12-4](#))
19. Food and related products
20. Fuel oil sales (prohibited in WCA; See [30-12-4](#))
21. Furniture manufacturing, assembly, and woodworking, including cabinet makers (prohibited in WCA; See [30-12-4](#))
22. Grain mill products
23. Janitorial and building maintenance service
24. Jewelry and notions
25. Laundry, dry-cleaning, and carpet cleaning plant (prohibited in WCA; See [30-12-4](#))
26. Landscaping and horticultural service (prohibited in WCA; See [30-12-4](#))
27. Leather and leather products (no tanning)
28. Maintenance yard and facilities, machinery and equipment repair area (prohibited in WCA; See [30-12-4](#))
29. Manufacture or assembly of appliances, equipment, instruments (including musical instruments), precision items or electrical items, sporting goods, and toys
30. Medical and dental laboratories
31. Microbrewery
32. Motor vehicle parts
33. Movie production facility
34. Paper products (no coating or laminating) (prohibited in WCA; See [30-12-4](#))
35. Pens and art supplies
36. Pest or termite control
37. Photo-finishing laboratory
38. Photographic equipment and supplies
39. Printing, publishing, and lithography
40. Production of artwork, pottery
41. Repair of scientific and professional instruments, electric motors
42. Rubber and plastics (miscellaneous) (prohibited in WCA; See [30-12-4](#))
43. Service vacuum coating using physical vapor deposition
44. Sheet metal shop
45. Sign-making
46. Soaps and cosmetics

47. Soft drink bottling
48. Stone cutting, shaping, and finishing (for interior use only)
49. Storage area used for manufacturing
50. Truck tractor & semi sales, rental & leasing, and service, heavy (prohibited in WCA; See [30-12-4](#))
51. Welding, machine, tool repair shop
52. Wood products

B. Excluded Use Types

1. Aircraft assembly (see Heavy Industrial)
2. Brewpub (see Eating and Drinking Establishments)
3. Heavy construction contractors (see Heavy Industrial)
4. Heavy equipment sales and rental (see Heavy Industrial)
5. Manufacture and production of goods from composting organic material (see Waste-Related Service)
6. Outdoor storage yard (see Warehouse, Storage, and Freight Handling)
7. Sale or rental of building materials, electrical supplies, equipment, janitorial supplies, machine parts, machinery, restaurant equipment, special trade tools, store fixtures, and welding supplies (see Wholesale Trade)
8. Small-scale catering establishment (see Restaurants)
9. Trucking and freight terminals (see Warehouse, Storage, and Freight Handling)
(Amended by Ord. 15-154 on 12/15/15)

30-8-9.2 Heavy Industrial Uses

Firms involved in industrial and manufacturing-related activities that often have significant environmental impacts or require special measures to ensure compatibility with adjoining properties. All heavy industrial uses are prohibited in WCA (See [30-12-4](#))

A. Typical Use Types

1. Aircraft assembly
2. Ammunition (small arms)
3. Animal and plant fats and oils
4. Animal processing, packing, treating, and storage, livestock slaughtering, processing of food and related products
5. Asbestos, abrasives, and related products
6. Asphalt plant
7. Batteries
8. Boat and ship building
9. Bone, chemical, clay, concrete, glass, paint, plastic, rubber, and stone materials production
10. Clothing and textile manufacturing (with dyeing and finishing)
11. Concrete manufacturing plant
12. Commercial feedlot

13. Floor coverings
14. Heavy equipment sales and rental
15. Industrial and commercial machinery
16. Manufactured housing production
17. Metals or metal production or fabrication including coating, enameling, galvanizing, and plating
18. Motor vehicle production
19. Motorcycle production
20. Paper products (coating or laminating)
21. Petroleum and related products, tank farms
22. Pulp and paper mills
23. Railroad freight yard
24. Rubber and plastics (raw)
25. Sale of farm equipment and machinery and earth moving and heavy construction equipment
26. Salvage yards, junk yards, or scrap processing
27. Sawmill
28. Septic tank services
29. Solvent recovery
30. Surface active agents
31. Tire recapping
32. Tires and inner tubes
33. Tobacco products manufacture and production
34. Truck Washes
35. Wood products miscellaneous

B. Excluded Use Types

1. Animal waste processing (see Waste-Related Service)
2. Hazardous and low-level nuclear material disposal (see Waste-Related Service)
3. Repair and service of boats, light and medium trucks, motorcycles, motor vehicles, and RVs (see Vehicle Sales and Service)

30-8-9.3 Research and Development

Firms engaged in the fields of research and development. Few customers, especially the general public, come to the site.

A. Typical Use Types

1. Commercial chemical and biological research (prohibited in WCA; See [30-12-4](#))
2. Research, testing, and development laboratory, pilot plant, prototyping
3. Research-related manufacturing

30-8-9.4 Resource Extraction

Characterized by uses that extract minerals and other solids and liquids from land

A. Typical Use Types

1. Drilling for oil and natural gases
2. Extraction of sand, gravel and minerals, borrow pit (prohibited in WCA; See [30-12-4](#))
3. Quarry (prohibited in WCA; See [30-12-4](#))

B. Excluded Use Types

1. Sale and bulk storage of petroleum and related products (see Wholesale Trade)
2. Solid and liquid waste transfer and composting (see Waste-Related Service)
3. Stockpiling of sand, gravel, and other aggregate materials (See Warehouse, Storage, and Freight Handling)

30-8-9.5 Wholesale Trade

Firms involved in the sale, lease, or rent of products primarily intended for industrial, institutional, and commercial businesses. The uses emphasize on-site sales or order-taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

A. Typical Use Types

1. Auto parts, building hardware, clothing, and food
2. Auto, truck and boat (prohibited in WCA; See [30-12-4](#))
3. Chemicals and allied products (prohibited in WCA; See [30-12-4](#))
4. Garden center and nursery (prohibited in WCA; See [30-12-4](#))
5. Mail-order house
6. Market showrooms, furniture, apparel, textiles
7. Petroleum and allied products (prohibited in WCA; See [30-12-4](#))
8. Sale of building materials, electrical supplies, janitorial supplies, machine parts, restaurant equipment, special trade tools, store fixtures, and welding supplies

B. Excluded Use Types

1. Store selling, leasing, and renting consumer, house and business goods, wholesale club (see Retail Sales and Service)
2. Warehouse, freight movement (see Warehouse, Storage, and Freight Handling)
3. Warehouse and wholesale club (see Retail Sales and Service)

30-8-9.6 Warehouse, Storage, and Freight Handling

Firms involved in the storage or movement of goods for themselves or other firms. Goods are delivered to other firms or the final consumer with little on-site sales activity to customers.

A. Typical Use Types

1. Bulk mail and packaging, courier service (central facility)
2. Bulk storage, including cold storage plants, including frozen food lockers, feed and grain storage, household moving and general freight storage, nonflammable liquids, and separate warehouse used by retail store such as furniture or appliance store
3. Moving and storage service (except self-storage)
4. Outdoor storage yard
5. Stockpiling of sand, gravel, and other aggregate materials
6. Trucking and freight terminal (prohibited in WCA; See [30-12-4](#))
7. Warehouse (general storage/enclosed)

B. Excluded Use Types

1. Courier service, satellite office (see Personal and Professional Service)
2. Self-storage facility (see Self-Storage Facilities)

30-8-9.7 Waste Related Services

Characterized by uses that receive solid or liquid wastes from others for transfer to another location and uses that collect sanitary wastes or that manufacture or produce goods or energy from the composting of organic material. All waste-related uses are prohibited in WCA (See [30-12-4](#)).

A. Typical Use Types

1. Animal waste processing
2. Construction debris landfill, major and minor
3. Hazardous and radioactive waste transfer, storage, and disposal
4. Land clearing and inert debris landfill, major
5. Landfill, incinerator
6. Manufacture and production of goods from composting organic material
7. Recyclable processing center
8. Refuse and raw material hauling
9. Regional recycling center
10. Waste transfer station

B. Excluded Use Types

1. Stockpiling of sand, gravel, and other aggregate materials (see Warehouse, Storage, and Freight Handling)

(Amended by Ord. 14-24 on 2/18/14)

30-8-10 Additional Use Standards

These standards only apply to those districts and uses where a "U" or "S" is designated on the Permitted Use Table (Table 8-1) of [30-8-1](#) and in those instances when the provisions of this ordinance expressly state that compliance with these standards is required.

30-8-10.1 Residential Use Standards

A. Assisted Living Facilities

1. Operation

- a. The facility must provide centrally located, shared food preparation service and major dining areas.
- b. At least 30 square feet of common facilities (recreation, social, and service) must be provided for each dwelling or rooming unit.
- c. All facilities must be solely for the use of residents and their guests.
- d. Assisted Living Facilities in the C-M and C-H districts
 - i. The facility is integrated into an existing commercial development and includes interconnectivity (vehicular and pedestrian) between the residential and nonresidential components. Travelways for emergency vehicles shall be adequately sized and sufficient for access at all times. The Technical Review Committee may grant a Type 2 Modification to this standard in accordance with [30-4-11](#);
 - ii. Buildings shall meet the dimensional standards of Table 7-14;
 - iii. Buildings and any improvements may not encroach into the buffer planting yard; and
 - iv. Buildings shall have an architectural design that is integrated with the existing commercial building(s).

2. Density Requirements

a. Conversions

Conversions of existing hotels or motels to an assisted living facility are exempt from the lot area per dwelling unit requirements of the base district.

b. New Construction in MU, CB, and PI- Districts

Newly constructed assisted living facilities in the MU, CB, and PI districts are exempt from the lot area per dwelling unit requirements.

3. For the purposes of calculating density, 2 bedrooms will be considered to count as one dwelling unit, except for the following circumstances:

a. Conversions

Conversions of existing hotels or motels to an assisted living facility are exempt from the lot area per dwelling unit requirements of the base district.

b. New Construction in MU, CB, and PI- Districts

Newly constructed assisted living facilities in the MU, CB, and PI districts are exempt from the lot area per dwelling unit requirements.

(Amended by Ord. 11-32 on 2/15/11 and Ord. 17-042 on 4/18/17)

B. Family Care Homes

1. To increase housing alternatives available to resident persons and fully integrate them into the community mainstream by allowing them to live in typical homes in typical neighborhoods, no new family care home may be located within one-half mile of an existing family care home (property separation as defined in [30-7-1.2](#)), unless a Special Exception is granted by the Board of Adjustment for reduced separation. To approve a Special Exception (see [30-4-14](#)), the Board of Adjustment must

find that a reduced separation will not promote the clustering of homes which could lead the resident persons to cloister themselves and not interact with other members of the community.

2. In R- Residential Single-family Districts, a family care home may have up to 6 resident persons.
3. In O, RM-, MU- and TN districts, a family care home may have up to 9 resident persons.

C. Fraternities and Sororities (University or College)

1. The fraternity or sorority must be officially recognized by the institution in which the members are enrolled.
2. The university or college and fraternity or sorority must adopt rules governing social events at houses operated by the fraternity or sorority. The university or college is responsible for enforcing these rules.

D. Life Care Community

1. Life care communities may incorporate accessory office, retail, or commercial uses solely for the use and patronage by residents of the life care facility and their guests. Office, retail, or commercial uses may not be located in portions of the project that directly abut R, Single-family Residential districts or RM-5, Residential Multi-family districts.
2. Usable open space must be provided at the rates specified in [30-12-8.2](#). In addition to the general requirements of [30-12-8.2](#), the following standards apply:
 - a. All paths and trails must have a hard, all-weather surface such as concrete, asphalt, or other approved surfacing that allows easy mobility to residents using wheel chairs, walkers, or other similar assistance devices. Steps and steep slopes are strongly discouraged.
 - b. Requirements for a minimum amount of active recreational space are waived.
 - c. No more than 25% of the minimum required open space may be characterized by slopes over 20%.

E. Manufactured Home

1. The manufactured home must be located within a Manufactured Home Overlay (See [30-7-8.7](#)); or
2. The manufactured home must be located within a Manufactured Home Park (see below).

F. Manufactured Home Park

1. Minimum Park Size

A proposed park must be at least 5 acres in area.

2. Site Plan Required

A site plan must be approved for any new park or modification to an existing park.

3. Access

- a. No individual space may have direct vehicular access to a public street. Instead, access must be provided by a private driveway constructed to minimum width of 20 feet with at least 30 feet of right-of-way unless more is deemed necessary because of topographical conditions or street curvature. This right-of-way is not dedicated but must be free of obstructions. The stopping sight distance must be at least 150 feet. The centerline radius must be at least 150 feet. The cul-de-sac right-of-way radius must be at least 50 feet with a pavement radius of at least 45 feet.
- b. Access points must be separated from a public intersection by at least 300 feet. If a park has more than one direct access to a public street, at least 200 feet must separate each access.

4. Parking

- a. Two parking spaces must be provided within each manufactured dwelling space.
- b. All parking spaces must be paved or covered with 4 inches of crushed stone or other all-weather parking surface.
- c. No parking is allowed on private driveways less than 26 feet in pavement width.

5. Number of Spaces

A park may have between 15 and 300 spaces.

6. Number of Dwellings per Space

No more than one manufactured dwelling may be parked or set up on any space.

7. Setback

All spaces must be set back at least 50 feet from all public street rights of way and property lines.

8. Landscaping

Landscaping must be provided in accordance with [30-10-2](#) and throughout the park with ample trees and shrubs to provide shade and break up open areas. All banks and open areas must be grassed.

9. Recreational Areas and Facilities

At minimum, the park must have the following recreational areas and facilities:

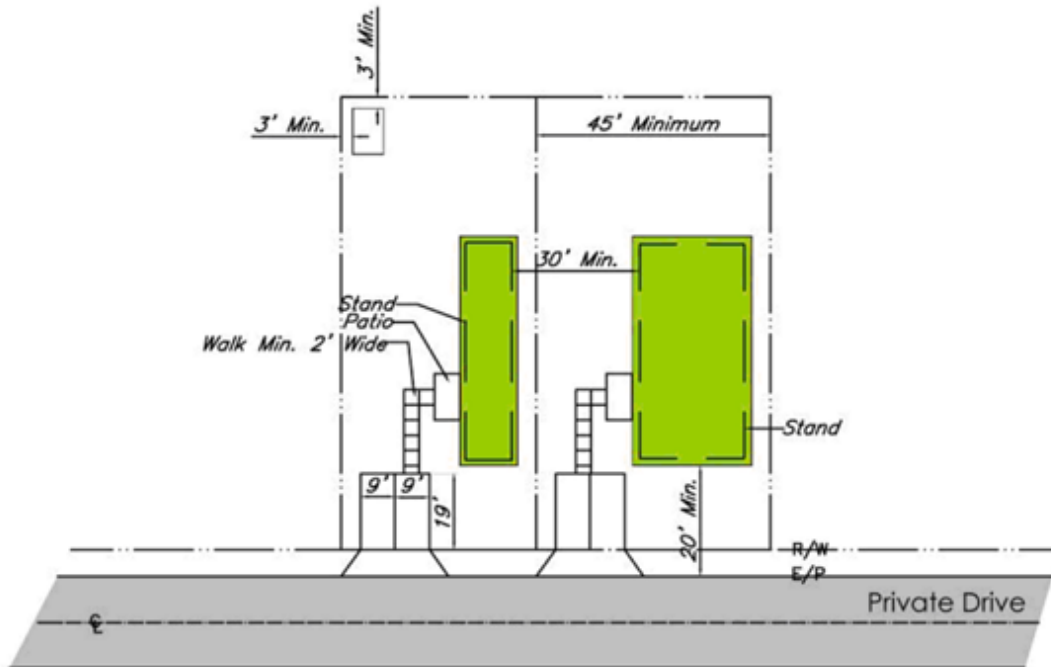
- a. A play lot for pre-school children that is at least 1,200 square feet must be located within 500 feet of every space.
- b. One or more playgrounds for school-age children and adults. These playgrounds must be at least one acre in size for each 100 spaces (or fraction of 100 spaces)
- c. These recreation areas may not be in areas utilized for septic tank fields.

10. Manufactured Dwelling Space Requirements

- a. A manufactured dwelling space must be at least 5,000 square feet in area and at least 45 feet wide at the location of the manufactured dwelling stand. Every manufactured dwelling space must be clearly established on the ground by permanent monuments or markers.
- b. All spaces must be located on ground above the base flood elevation and graded to prevent water from ponding.
- c. Each space must be graded and grassed to prevent erosion and provide adequate storm drainage away from the manufactured dwelling or recreational vehicle pad.
- d. The slope of the surface of the stand or pad may not exceed 3%.
- e. Each space must have a manufactured dwelling stand that is properly graded and compacted surface that is at least 13 feet by 60 feet.
- f. Each space must have a patio that is constructed of concrete, brick, flagstone, or other hard surface material at least 240 square feet in area.
- g. A walkway at least 2 feet wide, constructed of a dustless all weather surface must connect the patio to the parking area.

Figure 8-1, Typical Manufactured Dwelling Space

Typical Manufactured Dwelling Space



11. Dwelling Setup

- Each manufactured dwelling must be set up in accordance with the standards established by the NC Department of Insurance and a Certificate of Occupancy shall be obtained.
- The manufactured dwelling must be set back at least 20 feet from the edge of private driveway pavement.
- Individual dwelling stands must be at least 30 feet apart. For purposes of measuring separation and setbacks, a foundation is deemed equivalent to a stand.
- No manufactured dwelling may extend beyond its own space.
- Accessory buildings must be set back from the street at least as far as the manufactured dwelling (on the same space) and must be at least 3 feet from the boundary of the space. In addition, accessory buildings must be separated from any manufactured dwelling by at least 5 feet.

12. Manufactured Dwelling Additions

Prefabricated structures specifically designed by the manufacturer as extensions and any other additions meeting the NC Building Code may be added to any manufactured dwelling, provided that the setback within the space and the 30 foot separation between stands can be met and a building permit is obtained from the city.

13. Utilities

- All utilities must be installed underground except where extreme physical conditions make this requirement unreasonable.
- Each manufactured dwelling that requires the use of fuel oil must be furnished with an oil drum (minimum capacity of 150 gallons) set upon a painted, prefabricated metal stand.

14. Registration

The park operator must maintain a register containing a record of all occupants. The register must contain the following information:

- a. Name, address, and space number of each occupant;
- b. The date the manufactured dwelling or recreational vehicle entered the park; and
- c. The license number of each recreational vehicle and/or car, truck, etc. with state of issuance, make, and type of vehicle.

15. Park Manager Residence

A single-family detached dwelling may be constructed for the manager of the park.

16. Pre-existing Dwellings

Pre-existing dwellings on the site may remain provided that they occupy approved spaces.

17. Recreational Vehicles

Recreational vehicles may not be used for residential purposes.

18. The Technical Review Committee is authorized to approve Type 2 Modifications of the manufactured home park standards of this section in accordance with [30-4-11](#).

(Amended by Ord. 10-156 on 10/19/10)

G. Migrant Labor Housing

1. The regulations of this section apply in the AG district.
2. Each site shall contain a minimum of 2 acres of land. An additional 2,000 square feet of land shall be required for each worker in excess of 20 people.
3. The minimum street setback shall be 100 feet.
4. The minimum interior setback shall be 50 feet.
5. Not more than 10 people shall be housed in any one room or compartment for sleeping purposes. Rooms or compartments for sleeping shall contain a minimum of 39 square feet of floor space for each person.
6. Separate toilet and shower facilities shall be provided for male and female workers. A minimum of one toilet and one shower shall be provided for each 10 workers.
7. A laundry room shall be required with one wash sink of at least 10 gallons capacity for each 10 workers. Adequate clothes lines shall be provided.
8. Dining and food service facilities shall be provided and shall contain at least 12 square feet of floor space per worker and shall be approved by the County Health Department.
9. All water, sewer, and sanitary facilities shall be approved by the County Health Department.
10. All garbage and refuse shall be stored in water-tight and fly-tight receptacles. It shall be the responsibility of the title holder of the property to insure that all garbage and refuse is regularly disposed of in a sanitary manner acceptable to the County Health Department.

H. Multi-family Dwellings

1. General

- a. Each dwelling unit must be connected to municipal water and sewer systems.
- b. A minimum separation of 10 feet must be maintained between buildings.

Commentary: The building code or fire code may require greater building separation.

c. Mixed-use context in the C-M, C-H and BP districts

- i. In the C-M, C-H and BP districts, no more than 33% of the gross floor area contained in a development may be devoted to multi-family dwelling units, and at no point in the build-out of a development may multi-family dwelling units exceed 33% of the gross floor area contained in the development. Floor area in multi-family units located above a ground floor nonresidential use will not be counted in calculating the amount of multi-family floor area contained on a site.
- ii. In C-M, C-H and BP districts, more than 33% of the gross floor area contained in a development may be devoted to multi-family dwelling units if the following standards are met:
 - a. The residential component is integrated into an existing commercial development and includes interconnectivity (vehicular and pedestrian) between the residential and non-residential components;
 - b. The residential component has an architectural design that is integrated with the existing commercial building(s);
 - c. The development is organized as an integrated multiple use development (See Sec. 30-9-2) if development includes more than one lot;
 - d. The development is directly accessible from a thoroughfare and is either:
 - 1. Located within an activity center or reinvestment corridor as defined by the Comprehensive Plan; or
 - 2. Directly accessible to an existing or planned greenway shown on the adopted BiPed Plan; or
 - 3. Is located within 1,320 feet of a usable portion of a public park as measured along a system of public sidewalks and crosswalks.
 - e. All residential buildings shall meet the dimensional standards of Table 7-14 (for C-M and C-H zoning) or Table 7-15 (if BP zoning);
 - f. The residential building and any improvements may not encroach into the buffer planting yard;
 - g. Open space for residential component must be provided in accordance with the standards for the PUD district (See 30-7-7.2); and
 - h. A development that does not comply with the requirements of subsection d) above may be allowed with the approval of a Special Use Permit (See Sec. 30-4-10) if it is determined that it will not have an adverse impact on adjacent properties.

d. Mixed-use Context in the C-M District

- i. In the C-M District, up to 100% of the nonresidential component requirement of subsection c) i) above may be satisfied by existing nonresidential development located within 1/8 mile (convenient, safe walking distance) of the proposed building. Off-site nonresidential uses are credited using the gross enclosed floor area of the off-site use. To be considered, the following conditions must be met:
 - a. Clearly defined pedestrian connections must be provided between the nonresidential and the proposed development;
 - b. The off-site nonresidential use being counted must be a permitted use in the C-M district; and
 - c. Uses or activities located outside of an enclosed structure and parking facilities may not be credited toward the requirement.
- ii. Developments in the C-M district that are entirely residential must comply with the following standards:

- a. The perimeter of the project boundary must abut nonresidential uses or residential uses in a zoning district other than C-M, except for that portion of the development located along a public street or railroad right-of-way.
 - b. Buildings fronting on a street must have a prominent entrance oriented to the street.
 - c. A minimum 10% of the ground-level façade must contain fenestration consisting of transparent windows or doors and other architectural features, in modules not to exceed 40 feet in length.
 - d. The long sides of the building must be oriented parallel to the prominent street to reinforce or maintain the existing street patterns.
 - e. The size of the zone lot may not exceed 1 acre and the minimum lot dimensions must comply with the standards of the RM-26 district (See [30-7-3.2\(H\)](#)).
 - f. No minimum street setback is required, except for thoroughfares where the minimum required street setback is 20 feet.
 - g. No minimum rear or side setback is required. If setback is provided it must be a minimum of 5 feet.
 - h. The maximum building height is 50 feet or 3 stories, whichever is less.
 - i. Open space must be provided in accordance with the standards for the PUD district (See [30-7-7.2](#)).
- e. The maximum building length is 250 feet.
 - f. Drainageway and open space dedicated to the city on the Final Plat may be included in lot area calculations for the purpose of determining the maximum number of dwelling units permitted.
 - g. When the developer dedicates and builds a new public street in or alongside a multi-family development, the street right-of-way may be included in lot area for the purpose of determining the maximum number of dwelling units permitted.
 - h. When a multi-family development occupies both sides of a street for a minimum centerline distance of 400 feet, the entire development may be treated as a single zone lot for purposes of calculation of the maximum number of dwelling units permitted and placement of buildings, provided that a plat is recorded with a prominent note specifying that the property must remain in one ownership (except for individual units in townhouse and condominium developments). This note on a plat is not required if the number of dwelling units and the placement of buildings on each side of the street independently meet all requirements of this ordinance.
 - i. Active recreation facilities must be set back 50 feet from adjacent land used for single-family residential purposes.
 - j. All electric, communications, water, and sewer utility lines must be installed underground.
 - k. Building setbacks must safely accommodate vehicular movements on private drives, private driveways and pedestrian movements on sidewalks. Buildings must also be setback from the travelway and sidewalk in a manner that accommodates parking. The required building setbacks are as follows:
 - i. When a sidewalk is not provided along a private drive or private driveway, and the garage is front-loaded, the garage door must be set back at least 20 feet from the back of curb or, if no curb and gutter is provided, from the edge of the travelway.
 - ii. When a sidewalk is provided along a private drive or private driveway, and the garage is front-loaded, the garage door must be set back at least 24 feet from the back of curb or, if no curb and gutter is provided, from the edge of the travelway.

- iii. Except as provided in (i) and (ii) above, or stated elsewhere in this ordinance, buildings must be set back from private drives, private driveways and parking lots by a distance of at least 10 feet, as measured from the back of curb or, if no curb and gutter is provided, from the edge of the pavement.

- i. The Technical Review Committee is authorized to approve Type 2 Modifications of the standards of this section in accordance with [30-4-11](#).

(Amended by Ord. 10-156 on 10/19/10, Ord. 11-12 on 1/18/11, and Ord. 16-019 on 2/16/16)

2. **Multi-family Designed for the Elderly**

Projects designed for use and occupancy by the elderly must conform to the general standards for all multi-family, except as specifically modified below.

- a. In C-H districts, no more than 33% of the gross floor area contained in a development may be devoted to multi-family dwelling units, and at no point in the build-out of a development may multi-family dwelling units exceed 33% of the gross floor area contained in the development. Floor area in multi-family units located above a ground floor nonresidential use will not be counted in calculating the amount of multi-family floor area contained on a site.
- b. The minimum parking requirement may be reduced to one parking space per 2 dwelling or rooming units.
- c. The maximum building length may be increased above 250 feet in length if the building has central facilities for dining and recreation.

I. **Private Dormitories**

1. **Property Separation**

Private dormitories must be located within ½ mile of a college, business college, trade school, or university.

2. **Density Requirements**

a. **Conversions**

- i. Conversions of existing hotels or motels to private dormitories are exempt from the lot area per dwelling unit requirements of the base district.
- ii. For the purpose of calculating density for private dormitories, 2 bedrooms shall be equivalent to one dwelling unit.

b. **New Construction in MU- Districts**

Newly constructed private dormitories in the MU-Districts are exempt from the lot area per dwelling unit requirements of the base district. The residential capacity of a facility will be determined by provisions of the NC Building Code in conjunction with the applicable setbacks, landscaping, and minimum off-street parking requirements of this ordinance.

3. **Occupants Served**

Occupants of a private dormitory must be students registered and attending colleges, business colleges, trade schools, or universities.

J. **Rooming and Boarding House**

A rooming house or boarding house may be occupied by up to 9 residents.

K. **Townhouse**

1. The multi-family standards of [30-8-10.1.H](#), apply to all townhouse developments.

2. When located adjacent to an alley, all townhouse garages and parking areas must take access from the alley. In this case, no parking is permitted in the required street setback.
3. Townhouses may be served by private streets, drives or driveways in accordance with 30-9-3.4.
4. Regulations governing the maximum number of units per building in townhouse developments apply only to developments approved after June 30, 2010. All townhouse developments in existence on or approved by June 30, 2010 are deemed conforming in regard to such regulations.

L. Traditional House

1. A maintained alley or other vehicular access must be provided along the side or rear of a traditional house.
2. No vehicle parking is permitted in the required street setback.
3. A minimum separation of 10 feet must be maintained between a traditional house and principal structures on any adjoining lots.
4. Front porches may encroach up to 5 feet into required front setbacks.

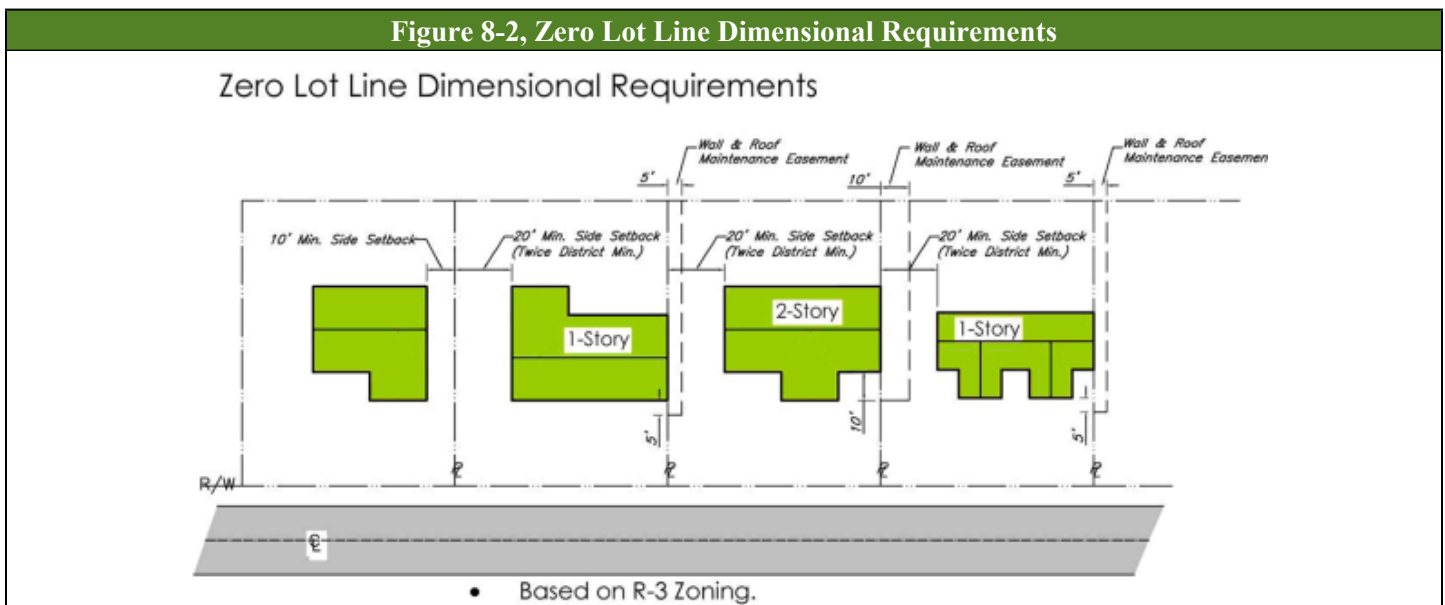
M. Upper-Story Residential

To be considered upper story residential, the building may not have any dwelling units on the ground floor.

N. Zero Lot Line

1. Dimensional Requirements

- a. Zero lot line dwellings are allowed in any district that permits single-family dwellings.
- b. A wall and roof maintenance easement (5 feet along one-story walls, 10 feet along 2-story walls) must be provided on the opposite side of the zero setback lot line.
- c. Every lot must provide one side setback of at least twice the minimum side setback required by the zoning district.



- d. In no case may the separation between dwellings be less than 10 feet.
- e. Where a zero lot line project abuts a non-zero lot line dwelling on an adjoining lot, a setback equal to the district minimum for side setback must be provided.

2. Plat Requirements

- a. The Preliminary Plat must indicate the proposed single-family dwelling footprint on each lot to show which side lot line will have a zero side setback and to show that all other required setbacks and maintenance easements are provided.
- b. The Final Plat for a zero lot line subdivision must indicate the side lot with the zero setbacks for each lot.

O. Chartered Homes

1. To increase housing alternatives available to resident persons and fully integrate them into the community mainstream by allowing them to live in typical homes in typical neighborhoods, no new chartered home may be located within one-half mile of an existing chartered home (property separation), unless a Special Exception is granted by the Board of Adjustment for reduced separation. Any chartered home established and in continuous operation prior to adoption of this ordinance is exempt from this spacing requirement. To approve a Special Exception (see [30-4-14](#)), the Board of Adjustment must find that a reduced separation:
 - a. will not promote the cloistering of resident persons and/or homes which could result in reduced interaction with members of the community who are not residents of a chartered, family or group care home,
 - b. will not otherwise result in impairment to the therapeutic benefit resident persons seek by residing in the community, and
 - c. does not present an unreasonable risk of harm to the health and safety of the persons who will reside at the chartered home seeking the Special Exception.
2. In R- Residential Single-family districts, a chartered home may have up to 6 resident persons, unless a Special Exception is granted by the Board of Adjustment. To approve a Special Exception (see [30-4-14](#)), The Board of Adjustment must find that an increased number of persons:
 - a. Is reasonably necessary and directly related to meeting the therapeutic needs of the resident persons and will not otherwise result in impairment to the resident persons by residing in the community,
 - b. Does not present an unreasonable risk of harm to the health and safety of the resident persons residing at the chartered home seeking the Special Exception by ensuring the housing structure meets the minimum code requirements necessary to support the total number of proposed residents, and
 - c. Does not result in significant adverse impacts to adjacent properties or the neighborhood where the chartered home is located.
3. In the O, RM-, MU- and TN districts, a chartered home may have up to 9 resident persons, unless a Special Exception is granted by the Board of Adjustment. To approve a Special Exception (see [30-4-14](#)), The Board of Adjustment must find that an increased number of persons:
 - a. Is reasonably necessary and directly related to meeting the therapeutic needs of the resident persons and will not otherwise result in impairment to the resident persons by residing in the community,
 - b. Does not present an unreasonable risk of harm to the health and safety of the resident persons residing at the chartered home seeking the Special Exception by ensuring the housing structure meets the minimum code requirements necessary to support the total number of proposed residents, and
 - c. Does not result in significant adverse impacts to adjacent properties or the neighborhood where the chartered home is located.

30-8-10.2 Public and Civic Use Standards

A. Animal Shelters

1. In the C-M and C-H zoning districts, pens or runs must be located within an enclosed building.
2. In the LI zoning district, outdoor pens or runs may not be located within 100 feet of property in a residential zoning district.

B. Auditoriums, Stadiums and Coliseums

1. Purpose

Large sports and entertainment facilities handle major events and large crowds that merit larger and less restricted signage than other less intensive uses in order to be able to provide appropriate promotion and way-finding for events. Such venues also often include similar large signage interior to those sites that make nearby large exterior signage more appropriate.

2. General

- a. The provisions of this section apply to auditoriums, stadiums and coliseums with a seating capacity of 5,000 or more.
- b. Such facilities and signage must be located along and oriented to major thoroughfares and protect nearby residential areas from the impacts of such signage.
- c. The standards do not apply to auditoriums, stadiums and coliseums located on the campus of a college or university.

3. Wall Signs

Wall signs may exceed the maximum permitted sign area (as a % of wall area) by an additional 10% (e.g. maximum of 10% becomes 20%), but only on walls facing major thoroughfares and only in locations that are not visible from R- zoning districts.

4. Freestanding Signs

Freestanding signs may exceed sign area and height limits by up to 50% with issuance of a Special Use Permit, to ensure compatibility with the site and adjoining properties. Such area and height increases may be approved only in locations that are not visible from R- zoning districts.

5. Electronic Message Board Signs

Electronic message boards on the site of large (5,000 seating capacity+) auditoriums, stadiums and coliseums are subject to the regulations of 30-14-8 except as expressly modified by the following standards:

- a. Electronic message boards may use continuous video streaming; no message hold limits apply.
- b. Electronic message boards are not subject to message transition restrictions or limitations.
- c. Electronic message boards may use white/bright colors on up to 50% of the display.
- d. Electronic message boards are not subject to limits on hours of operation.

C. Cemeteries/Mausoleums

1. A minimum of 3 contiguous acres is required to establish a cemetery or mausoleum not located on the same tract of land as a religious assembly use. This minimum area does not apply to a family cemetery or family mausoleum.
2. Primary access must be taken from a thoroughfare or collector street.

D. Day Care Facilities

1. Day Care Homes

a. Child Day Care Home

- i. Child day care homes (15 or fewer attendees) must be operated as a home occupation subject to the development standards for a home occupation (see [30-8-11.5](#)).
- ii. Child day care homes must meet the minimum requirements of the North Carolina Department of Human Resources, Child Development Division.

b. Adult Day Care Home

Adult day care homes (5 or fewer attendees) must be operated as a home occupation subject to the development standards for a home occupation.

2. Day Care Centers

a. Child Day Care Centers

- i. Child day care centers (16 or more attendees) must meet the minimum requirements of the North Carolina Department of Human Resources, Child Development Division.
- ii. Child day care centers on a site greater than 3 acres must take primary access from a thoroughfare or collector street.

b. Adult Day Care Center

- i. Adult day care centers (6 or more attendees) must provide an indoor activity area equivalent to at least 25 square feet per attendee.
- ii. Adult day care centers on a site greater than 3 acres must take primary access from a thoroughfare or collector street.

E. Group Care Facilities

1. A group care facility may not be located within one-half mile (property separation as defined in [30-7-1.2](#)) of an existing group care facility or a social service facility.
2. A group care facility is limited to a maximum of 30 residents in the RM-18, RM-26, O, and any MU district, and 40 residents in a CBD or PI District.

F. Minor Utilities

1. Utility facilities in residential areas or adjoining residential uses must maintain residential setbacks or the district setback, whichever is greater, be fenced (unless totally enclosed with a structure), and either be screened from view or designed to have a residential appearance. When a fence is used, at least 2 understory trees and 18 evergreen shrubs must be provided per 100 linear feet along the exterior of the fence.
2. Equipment producing noise or sound in excess of 70 decibels may not be closer than 100 feet to the nearest residence.

G. Public Assembly Uses

1. General

All public assembly uses (i.e., cultural and community uses, educational facilities and religious assembly uses) are subject to the following general public assembly use standards of this section.

- a. All buildings are subject to the setback and building height standards of the underlying zoning district, except that buildings may exceed otherwise applicable building height limits if rear and side building setbacks are increased at least one foot for each foot of building height by which the subject building exceeds the subject zoning district's maximum height limit.
- b. Off-site parking lots serving public assembly uses may be located only in RM-12 and higher districts. Vehicular access to the off-site parking lot must come from a thoroughfare or collector street, unless alternative access is approved as a Type 2 Modification. Pedestrian connections between the off-site parking lot and the main building entrance must be clearly marked. The closest parking space within the off-site parking lot must be located within 1,000 feet of a public building entrance, measured along the shortest legal, practical walking route.

2. Community-scale Public Assembly Uses

- a. In the R-, RM-5 and RM-8 districts, vehicular access to the lot on which the community-scale public assembly use is located must come from a thoroughfare or collector street, unless alternative access is approved as a Type 2 Modification.
- b. The building and any improvements may not encroach into the buffer planting yard.

H. Social Service Facilities

1. At least 50 square feet of floor area must be provided for each individual sheltered.
2. No such facility may be located within ¼ mile of an existing social service facility or a group care facility.
3. The facility must provide continuous on-site supervision during the hours of operation.

I. Shelters, Temporary or Emergency

1. Emergency shelters are exempt from the additional use standards in this section.
2. At least 50 square feet of floor area must be provided for each individual sheltered.
3. The facility must be contained within the building of and operated by a non-profit organization or government agency containing at least 5,000 square feet of floor space.
4. The facility must provide continuous on-site supervision during the hours of operation.

J. TV/HDTV/AM/FM Broadcast Facilities

1. Towers must be set back a minimum of 100 feet from any residentially zoned property.
2. All supporting cables and anchors must be contained within the property.
3. The tower may exceed the maximum height of the zoning district with approval of a Special Use Permit (see [30-4-10](#)).

K. Wireless Telecommunication Facilities (WTFs)

1. Co-Location

The applicant is encouraged to lease space on a planned or existing WTF. The Technical Review Committee may require the applicant to co-locate or provide evidence that reasonable efforts have been made to co-locate on such a planned or existing WTF, or that no planned or existing WTFs will technically satisfy the applicant's needs.

2. Dimensions

a. Setback and Height of Attached Concealed WTFs

Any WTF that is to be attached to a building devoted to another use in such a manner that the Technical Review Committee finds that the tower will be effectively concealed or disguised must observe the minimum setbacks and maximum height of that building.

b. Setback of Other WTFs

- i. At a minimum, Wireless Telecommunication Towers (that are not attached concealed WTFs) must be setback a distance equal to the height of the tower from all property lines.
- ii. Wireless Telecommunication Towers (that are not attached concealed WTFs) must be setback from a property line abutting residentially zoned property a distance equal to the height of the tower or 100 feet, whichever is greater; and be setback from a building containing a residential use a distance equal to two-times (2X) the height of the tower.
- iii. All related WTF appurtenances including any other structures on the site and the limits of the associated compound must meet the minimum district setback requirements.
- iv. All supporting cables and anchors must be contained within the site.

c. Height of Other WTFs

In all residential, O, PUD, TN, mixed use districts, and commercial districts that are within 1,500 feet of a residential use the maximum Wireless Telecommunication Tower (other than attached concealed WTFs) height permitted is 100 feet. The maximum permitted height may be increased to 150 feet with approval of a Special Use Permit (see 30-4-10).

d. Minimum Lot Size

A lot of at least two acres is required for a WTF that is not an attached concealed WTF in all residential, TN, O, NS, and CN districts. In all other districts, the minimum lot size requirement applies.

3. Principal Use of Land

- a. In all residential, TN, O, NS and C-N districts the property upon which a WTF is located must be primarily developed with governmental, institutional and recreational uses or right-of-way for a cross-country utility transmission distribution structure. Examples include: fire stations, schools, religious assembly uses, parks with recreational facilities, libraries, water tanks, 911 facilities, athletic fields, golf courses, clubs or lodges, swim and tennis clubs and cemeteries/mausoleums. WTFs are not permitted on vacant land in these districts.
- b. In all RM- districts the property upon which a WTF is located must have a minimum of 100 dwelling units, or the property must be primarily used for a land use listed in a) above. WTFs are not permitted on vacant land in these RM districts.

4. Aesthetics

New WTFs in residential, O, PUD, mixed use districts (including AO, UMU, and NS), and new WTFs in commercial districts that are within 1,500 feet of a residential use, must be made unobtrusive in accordance with the following.

a. Concealment

To the maximum extent possible, antennas and poles must be camouflaged in an effort to conceal them from public view. Concealment may be in the form of building antennas into lighting fixtures, blending antennas into hidden rooftop mounts, or locating antennas inside wall-mounted signs,. Examples include flagpoles; steeples; monopoles and/or lattice towers disguised as clock and/or bell towers, trees, signs, public art and/or other camouflaged structures available to the industry.

b. Placement

In order to fulfill the requirements of subsection 4, Aesthetics, WTFs may be required to be located on top of or behind the principal building unless a different location is approved by the Technical Review Committee.

c. **Roof Mounting**

Roof-mounted antennas extending less than 5 feet above the principal building must be painted to match the color of the façade of the principal building. Roof-mounted antennas extending 5 feet or more above the principal building must be located behind a façade or parapet wall that blends with the principal building.

d. **Equipment Building or Shelter**

A pitched roof is required for any such building or shelter that extends more than one foot above the height of fencing required by subsection 5)c), below.

e. **Application Information**

In addition to any other application requirements, the applicant must submit photographs of a similar WTF and use photo imagery to superimpose the WTF onto the existing site for review and approval by the Technical Review Committee. Once the site plan and photographs or photo renderings of the facility are approved, the WTF must be constructed in compliance with the approved application. If not so constructed, the Planning Director shall order that the facility be altered to achieve compliance with the approved application. If the applicant fails to achieve compliance within 60 days, the Planning Director shall issue a Notice of Violation directing that the WTF be removed within 60 days of the date of notification.

5. **Buffers and Screening**

- a. A landscaped buffer is required around the base of the WTF equipment compound. Existing trees and shrubs on the site should be preserved and may be used in lieu of required landscaping where approved by the Planning and Community Development Director. Grading must be minimized and limited only to the area necessary for the new WTF.
- b. If the proposed WTF is the principal use of the property then landscaping is required in accordance with [Article 10](#). Additionally a Type C landscape buffer (See [30-10-2.3](#)) must be provided around the WTF equipment compound for freestanding nonconcealed WTFs.
- c. A 6-foot tall, opaque fence is required around the WTF compound in conformance with [30-9-4](#). In the industrial districts, this fence may be chain link with slats inserted.
- d. When located within or adjacent to property that is residentially zoned or used for residential purposes, a 6-foot high brick wall must be provided around the compound if the façade of the principal building is brick. If the façade of the principal building is not brick or if there is no principal building, shadowbox fencing 6-foot high may be substituted.

6. **Access**

Access to the compound must be from the interior of the site and not from a separate driveway connection to a public or private street. For all facilities within or adjacent to residentially zoned or residentially occupied property, the gated drive to the compound must be located to minimize the effect on adjoining property and the gate may not face any lot line that is within 100 feet of the gate. Access may be constructed with gravel or other comparable all-weather surface.

7. **Termination of Use**

A WTF that is no longer used for communication purposes must be removed within 90 days of the date it is taken out of service.

(Amended by Ord. 14-13 on 1/21/14 and Ord. 14-056 on 5/20/14)

30-8-10.3 Recreational Uses

A. Amusement or Water Parks, Fairgrounds

1. The park or fairground must be at least 5 acres in area.
2. Principal buildings or structures must be set back at least 50 feet from any lot line.
3. Amusement equipment, machinery, and mechanical devices may not be operated within 200 feet of any residentially or PI zoned property.
4. A security fence at least 8 feet in height must be provided around the boundary of park activities (see 30-9-4).

B. Clubs or Lodges

1. Operations

Clubs or lodges may not be open after 12:00 midnight when located adjacent to residentially zoned property.

2. Access

- a. Except in the TN district, all clubs or lodges must have primary access to a thoroughfare or collector street.

- b. **TN Districts**

(see 30-7-7.3)

(Amended by Ord. 13-101 on 7/16/13)

C. Golf Courses, Driving Ranges, Country Clubs

1. Setbacks

Clubhouses, maintenance facilities, and other buildings, swimming pools, and lighted tennis courts must be set back at least 50 feet from any abutting residentially zoned property.

2. Minimum Dimensions

- a. **Area for Country Club with Golf Course**

The site must be at least 2 acres in area in addition to any golf course areas.

- b. **Driving Ranges**

Tees must have at least 1,000 feet to the end of any open-air driving area. The Planning and Community Development Director may reduce this requirement if the end of the driving area is controlled by netting or other measures to control golf balls.

3. Fencing

Fencing, netting, trees, berms, or other control measures must be provided around the perimeter of the driving area to prevent golf balls from leaving the property.

D. Outdoor Recreation

Where the use involves flying objects that may be a hazard to adjacent areas or property (such as batting cages or driving ranges), the Planning and Community Development Director may require that fencing, netting, or other control measures must be provided around the perimeter of the area or property to prevent balls from leaving the designated area. In cases where fencing is required, the applicant may be required to submit a plan showing fencing locations.

E. Parks and Open Areas

1. Parking and Access

- a. Unless located in the TN district, all facilities greater than 10 acres must take primary access from a thoroughfare or collector street. This requirement may be waived with the approval of a Type 2 Modification (see 30-4-11, Modifications).
- b. The site plan must show all parking facilities (required and non-required). All parking must be kept available to handle all traffic from special events such as softball tournaments and outdoor concerts.

2. Setbacks

A 50-foot setback must be maintained for all structures, picnic areas, playgrounds, basketball courts, and athletic fields from property lines adjacent to residentially zoned or used property; however, the Planning and Community Development Director may reduce setback requirements to no less than 10 feet at the time of site plan approval when conditions warrant a reduction. Possible conditions include building orientation, topography, distance to off-site improvements, physical obstructions, developability of the park site or developability of the adjacent site, or natural features.

F. Recreational Vehicle Park and Campground

1. Minimum Size

A proposed park or campground must be at least 5 acres in area.

2. Number of Spaces

A park or campground may have between 15 and 300 spaces.

3. Setbacks

- a. All spaces must be set back at least 50 feet from all public street rights of way and property lines.
- b. Buildings, structures, and utility facilities must meet the district setback requirements.

4. Minimum Space Requirements

- a. Spaces must be at least 2,000 square feet.
- b. Spaces must be designated on the ground by permanent markers or monuments.
- c. All spaces must be located on ground above the base flood elevation and graded to prevent water from ponding.

5. Driveways and Parking

Driveways meeting all applicable city standards, must be provided for each space. Additionally, each space must have an all-weather surface that is at least 10 feet wide by 30 feet long.

6. Utilities

- a. A public water supply is required.
- b. Areas around faucets and drinking fountains must be properly drained.

7. Retail Sales

- a. The park may contain a retail sales counter or coin operated machines for the park residents' use only. Any retail sales must be conducted within an enclosed structure and no exterior advertising is allowed.
- b. The sale of recreational vehicles within the park is prohibited.

8. Permanent Sleeping Quarters

Permanent sleeping quarters for guests shall not be permitted within the park, however, one permanent dwelling (may be a Class AA manufactured dwelling) may be allowed for the park manager or operator. The dwelling site must be designated on the site plan application.

9. **Modification**

The Technical Review Committee is authorized to approve Type 2 Modifications of the recreational vehicle park and campground standards of this Section in accordance with [30-4-11](#).

(Amended by Ord. 10-156 on 10/19/10)

G. **Riding Stables**

1. The minimum lot size is 15 acres.
2. Barns, stables, manure storage areas, and other associated facilities must be set back 100 feet from any adjacent residential zoned property.
3. Unpaved areas must be maintained to prevent dust from impacting adjacent properties.

H. **Shooting Ranges, Indoor**

1. The range must be located at least 200 feet from the property line of any of the following uses: existing residential, school, day care, or religious assembly use.
2. The range must be located within a fully enclosed and soundproofed building.
3. Gunfire associated with the range must not be audible from any property line.

I. **Shooting Ranges - Outdoor**

1. The range must be set back at least 300 feet from any property line.
2. Access to the firing area must be controlled to prevent unregulated entry.
3. A security fence at least 8 feet in height must be provided around the perimeter of the range (see [30-9-4](#)).
4. Berms of sufficient height and thickness to stop all rounds must be provided downrange. Elevation control is required along the shooting stands to prevent rounds from being fired over the berm.

J. **Sporting and Recreational Camps**

1. Ten acres is required to establish a camp.
2. All buildings and other structures, lighted athletic fields and courts, and swimming pools must be set back at least 50 feet from residentially zoned property.

K. **Swim and Tennis Clubs**

1. **Setbacks**

Clubhouses, maintenance facilities, and other buildings, swimming pools (including decking and equipment associated with the pool), and lighted tennis courts must be set back at least 50 feet from any abutting residentially zoned property.

2. **Minimum Area**

The site must be at least 2 acres in area. When located in the TN district or included as part of a common area within a development, the minimum size is one acre.

3. **Fencing**

Outdoor swimming pools must be protected by a fence (or equal enclosure such as a wall or continuous hedge), a minimum 4 feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

30-8-10.4 Office, Retail, and Commercial Uses

A. **Advertising Services, Outdoor**

No outdoor storage of any materials related to outdoor advertising shall be permitted.

B. Artisans and Crafts

1. The use may be practiced in a commercial space or as a home occupation in a detached accessory structure; where located in a detached accessory structure, the hours of operation for the use will be no earlier than 7:00 a.m. and no later than 10:00 p.m.
2. In the CB district artisan and craft uses must either:
 - a. cease operations between the hours of 10 p.m. and 7 a.m.; or
 - b. not generate noise, vibrations or odors that are clearly detectable from surrounding properties.

C. Automobile Towing and Storage

1. Automobile towing and storage facilities are not required to comply with parking lot landscaping standards.
2. In the C-M, AO, UMU and NS Districts, no more than 20 vehicles may be stored on the premises at any one time.
3. In the LI District, no more than 100 vehicles may be stored on the premises at any one time.
4. A 6-foot tall opaque fence or wall must be provided around the vehicle storage area.
5. Outdoor disassembly and salvage operations are prohibited.

(Amended by Ord. 14-13 on 1/21/14)

D. Commercial Parking

No storage, repair, or sales of vehicles is allowed on the site.

E. Banks, Savings and Loans, or Credit Unions without Drive-Through Facilities

1. **TN Districts**
(see [30-7-7.3](#))

(Amended by Ord. 13-101 on 7/16/13)

F. Bars, Nightclubs, and Brewpubs

1. Separation

a. Establishments on Tracts of 5 Acres or Less

No bar, nightclub or brewpub establishment located on a tract of 5 acres or less in area may be located within 200 feet of a place of religious assembly use, elementary or secondary school, public park or residentially zoned property.

b. Establishments on Tracts Greater than 5 Acres

Bars, nightclubs and brewpubs on tracts greater than 5 acres in area must meet one of the following requirements:

i. Property Separation

No such establishment may be located within 200 feet of a property for a place of religious assembly, elementary or secondary school, public park or residentially zoned property.

OR

ii. Property and Establishment Separation

- a. Property Separation: No such establishment may be located within 200 feet of property for a place of religious assembly, elementary or secondary school, or public park; and

- b. Establishment Separation: No such establishment may be located within 400 feet of a lot containing a residence or a lot that is residentially zoned.

2. **Frontage**

The main entrance to the establishment, located on tracts of 5 acres or less in area, must be toward a street zoned predominantly for nonresidential uses.

3. **Screening**

A minimum 6 foot high opaque fence must be erected adjacent to the property line abutting any residential uses, for tracts 5 acres or less in size.

4. **Parking**

Parking areas related to the establishment must be located no closer than 30 feet to the property line of abutting any residential uses.

G. **Car Washes**

1. Storage, repair, or sales of vehicles is not allowed on the site.
2. Buildings must be set back at least 75 feet from any interior side or rear property line adjoining residentially zoned property.
3. Vehicle stacking areas are required as provided in [30-8-10.4\(I\)](#). In addition, the facility must provide separate areas for manual drying, waxing, polishing, and vacuuming when these services are offered. These areas must not impede on-site or off-site traffic patterns.
4. All washing operations must be contained in a building.
5. A minimum 8-foot high opaque fence or wall shall be provided adjacent to all residentially zoned property.

H. **Convenience Stores with Fuel Pumps**

1. Buildings must be constructed with brick or masonry exterior walls.
2. Buildings must have hip or gable roofs. Flat roofs are prohibited.
3. Canopy columns must be finished with either brick or masonry that is consistent with the principal building material.
4. The maximum cumulative area of signs affixed to each side of a canopy may not exceed 20 square feet or 25% of the canopy fascia, whichever is less.
5. Fuel pricing signs may display only the name, trademark, registered logo or vehicular fuel product and prices and must use a monument sign format.
6. Parking lot and perimeter lighting levels measured at the edge of the property may not exceed 2 foot-candle. (see [30-9-6.6](#) for additional standards).
7. Canopy lights facing downward must be flush with the lower surface of the canopy.

I. **Drive-through Facilities**

1. **Applicability**

- a. The regulations of this section apply to all uses that include drive-through facilities and to all portions of a development that comprise the drive-through facility.
- b. The regulations apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of existing drive-through facilities.

Commentary: *Drive-through facilities are not a right for each site; the size of the site or the size and location of existing structures may make it impossible to meet the regulations of this section.*

2. Parts of a Drive-through Facility

A drive-through facility is composed of 2 parts:

- a. the stacking lanes, the space occupied by vehicles queuing for the service to be provided; and
- b. the service area, where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs. For other facilities, such as gas pumps, car washes, pharmacies, air compressors, vacuum cleaning stations, truck washes, and similar uses, the service area is the area where the vehicles are parked during the service.

3. Setbacks and Landscaping

- a. Service areas and stacking lanes on lots abutting residential zoning districts must be set back at least 50 feet and landscaped in accordance with the "B" buffer planting yard standards of [30-10-2.3](#).
- b. Service areas and stacking lanes on lots abutting office and mixed-use zoning districts must be set back at least 30 feet and landscaped in accordance with the "B" buffer planting yard standards of [30-10-2.3](#).
- c. If the service areas and stacking lanes are within 50 feet of and visible from the roadway, they must be set back at least 20 feet from the right-of-way and landscaped in accordance with the "C" buffer planting yard standards of [30-10-2.3](#).

4. Stacking Lane Standards

a. Purpose

These regulations ensure that there is adequate on-site maneuvering and circulation areas, ensure that stacking vehicles do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts on nearby residential uses.

b. Minimum Requirements

Stacking lanes must comply with the following minimum stacking space requirements:

Use	Minimum Number of Stacking Spaces Required
Bank/financial institution	4 spaces per teller window or automatic teller machine
Car wash Self-service Full-service	3 spaces per approach lane, plus 2 drying spaces per bay 10 spaces per approach lane or 30 total, whichever is greater, plus 3 spaces per bay for manual drying
Truck wash	3 spaces per bay
Gasoline pump	2 spaces per pump per side
Restaurant Single drive-through lane Multiple drive-through lanes	11 total spaces, with at least 5 spaces at or before order station 8 total spaces per lane with at least 5 spaces at or before order station
Other	3 spaces per bay, window, lane, ordering station or machine

c. Pass-by Lane

Pass-by lanes must be installed in accordance with the [Driveway Manual](#).

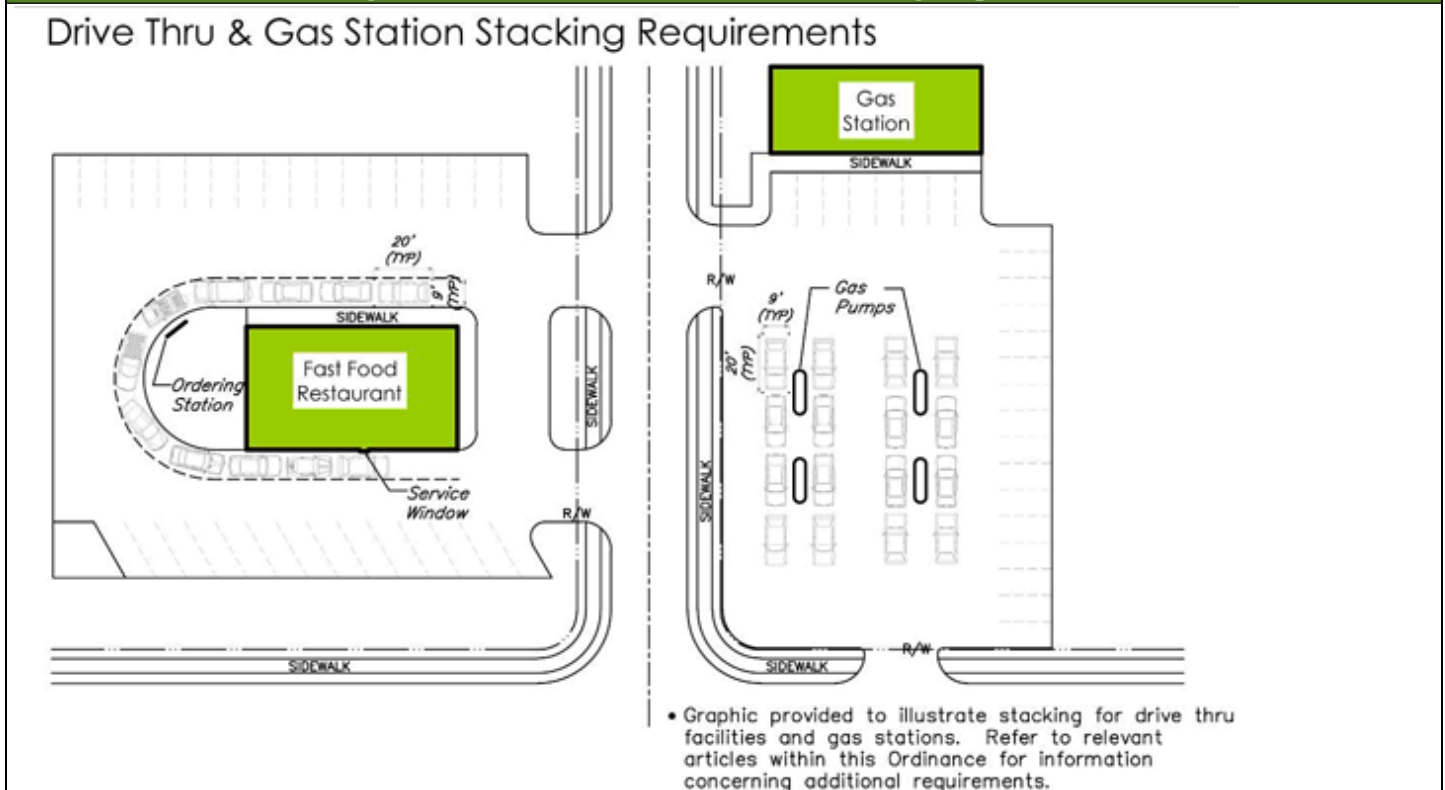
d. Stacking Lane Dimensions, Design and Layout

Stacking lanes must be designed so that they do not interfere with parking and vehicle circulation. Stacking spaces must be 9 feet wide by 20 feet long.

e. Stacking Lanes Identified

All stacking lanes must be clearly identified, through such means as striping, landscaping, pavement design, curbing and/or signs.

Figure 8-3, Drive Thru & Gas Station Stacking Requirements



5. Noise

Speakers associated with drive-through facilities may not be audible from abutting R-zoned lots or abutting lots occupied by residential uses. Sound attenuation walls, landscaping or other mitigation measures may be required to ensure that the facility will not have adverse noise-related impacts on nearby residential uses.

6. Site Plans

Site plans must show the location of drive-through windows and associated facilities (for example: communications systems and access aisles), as well as adjacent residential uses.

(Amended by Ord. 13-22 on 2/5/2013)

J. Flea Markets, Indoor and Outdoor

1. No building, structure, or sales area is allowed in any required setback.
2. No more than 25% of the stalls or sales areas shall be used for the sale of goods at retail by businesses or individuals who are generally or traditionally engaged in retail trade.

K. Park and Ride Facilities

1. General

Park and ride facilities must comply with the design standards and requirements of [30-11-12, Parking Area Design Standards](#).

2. In Residential Zoning Districts

When located in a residential zoning district, park and ride facilities may be established by a school or religious assembly use. The requirements applicable in nonresidential districts (see below) apply.

3. **In Nonresidential Districts**

The Planning and Community Development Director may authorize any nonresidential use or zone lot which has a minimum of 175 contiguous parking spaces to establish a park and ride lot subject to the following requirements:

- a. Not more than 10% of the required parking spaces for the use or zone lot may be designated as a park and ride lot.
- b. The park and ride lot must have direct access to a thoroughfare or collector street.
- c. All designated park and ride spaces must be located in outlying areas of the parking lot so as not to interfere with customer or employee parking needs.
- d. All designated park and ride areas are for short-term (less than 24 hours) parking for commuters of any carpooling, vanpooling, or transit program.
- e. A sign or signs must be provided to designate that the spaces are reserved for park and ride use during non-holiday weekdays between 6 a.m. and 6 p.m.

L. **Residential- Office Conversion**

Commentary: *Typical examples of residential office conversion are former residential structures that have been changed small law offices, architect or engineering offices, and other professional office uses that do not generate substantial traffic and have minimal outdoor activity associated with the use.*

1. **Description**

Residential office conversion is the modification of an existing structure that has been designed for residential use into a low intensity office use that is compatible with the surrounding neighborhood. Residential office conversion is different from a home occupation in that up to 100% of the structure may be dedicated to the office use.

2. **Standards**

- a. The parcel must have frontage on a thoroughfare or collector street.
- b. The structure must maintain a residential appearance. Additional structures, other than accessory structures normally allowed in the district, may not be constructed.
- c. At least 2 off-street parking spaces must be provided per 1,000 square feet of gross floor area.
 - i. All vehicular parking must be located on-site and may not be located between the structure and the street. Parking areas must be completely screened from adjacent properties by an evergreen hedge (or a combination of plantings and structural elements) that is at least 4 feet in height.
 - ii. For on-street parking allowance, see [30-11-13.12](#).
- d. Paving of parking spaces is not required for uses requiring 5 or fewer parking spaces.
- e. No freestanding signs are allowed.

M. **Retail Sales and Service**

1. **BP Districts**

Retail sales and service uses in BP districts are subject to the following standards:

- a. No individual retail sales and service use may exceed 5,000 square feet in gross floor area.

- b. No more than 20% of the gross floor area contained in a development may be devoted to retail sales and service uses, and at no point in the build-out of a development may retail sales and service uses exceed 20% of the gross floor area contained in the development.

2. **TN Districts**
(see 30-7-7.3)

N. **Sexually Oriented Businesses**

1. **Use Description**

Sexually oriented businesses include: sex shops, sexually oriented media stores, sexually oriented cabarets, sexually oriented motion picture theaters, or any combination of these uses. All sexually oriented business uses are considered principal uses.

2. **Property Separation**

- a. No sexually oriented business is permitted to be located within 1,200 feet of any other sexually oriented business.
- b. No sexually oriented business is permitted to be located within 1,000 feet of a religious assembly use, public or private elementary or secondary school, child day care center or nursery school, public park, or residentially zoned property.

3. **Prohibition in Historic District Overlay**

No sexually oriented business is permitted to locate in the Old Greensborough National Register Historic District.

4. **Prohibition of Sleeping Quarters**

No sexually oriented business is permitted to have sleeping quarters.

5. **Restriction of Uses on the Same Property or in the Same Building**

There shall not be more than one sexually oriented business in the same building, structure, or portion thereof. No other principal use may occupy the same building, structure, property, or portion thereof with any sexually oriented business.

6. **Prohibited Uses**

The following uses are expressly prohibited in all zoning districts and shall not be allowed:

- a. Any massage establishment where a massage service is provided by a person not licensed by the state under the North Carolina Massage and Bodywork Act, N.C. Gen. Stat. 90-620 et seq., or is provided by any person who is not exempt from licensing under this Act.
- b. Escort services, whether provided by an agency or individual, if massage or sexual act is advertised, offered or provided;
- c. Nude model or nude photography studio;
- d. Sexual encounter center;
- e. Sexually oriented motel; and
- f. Sexually oriented video arcade.

7. **Supplemental Standards Applicable to Sexually Oriented Motion Picture Theaters**

Any sexually oriented motion picture theater shall meet the following standards:

a. **Presentation Area**

All screenings and presentations of motion pictures, videos or other media shall occur in a room open to all customers of the establishment and shall contain a minimum 600 square feet of floor area. No doors, curtains, screens, or other devices shall be used to obscure any part of the room.

b. **Seating**

Seating shall consist of individual, theater-style chairs, with solid arms separating the chairs; if the theater includes meal service, individual, dining-type chairs shall be allowed around tables. No couches, benches, individual chairs, beds, loose curtains, mattresses or other forms of seating may be provided. Separate spaces for wheelchairs shall be provided in accordance with the applicable provisions of the NC building code and Americans with Disabilities Act.

The provisions of this subsection are not subject to the legal nonconforming provisions of 30-2-3.

8. Nonconforming Uses

All legal nonconforming sexually oriented business lawfully existing on May 6, 2007 are allowed to continue their legal nonconforming uses subject to the provisions of 30-2-3.

(Amended by Ord. 14-4 on 1/7/14)

O. Single Room Occupancy (SRO) Residences (Conversion and New)

1. The minimum rooming unit size is 70 square feet. At least 50 square feet is required for each additional room occupant.
2. The facility must provide common space such as recreation areas, lounges, living rooms, dining rooms, and other communal living spaces at a rate of 5 square feet per rooming unit. The minimum common space requirement is 250 square feet. Bathrooms, laundries, hallways, the main lobby, vending areas, and kitchens may not be counted as common space.
3. 24-hour on-site management must be provided.
4. Conversions of existing hotels or motels to a single room occupancy residence are exempt from the lot area per dwelling unit requirements of the base district.
5. Newly constructed facilities in the MU-Districts are exempt from the lot area per dwelling unit requirements of the base district. The residential capacity of a facility will be determined by provisions of the NC Building Code in conjunction with the applicable setbacks, minimum landscaping, minimum off-street parking and other requirements of this ordinance.

P. Special Events Facilities

1. Property Separation

Special events facilities must be separated from any religious assembly use, elementary or secondary school, or public park by at least 200 feet. This distance is measured along a straight line from property line to property line at the closest point.

2. Special events facilities must provide direct vehicular access to a thoroughfare or collector street. The Planning and Community Development Director may waive this requirement for facilities created by converting existing buildings originally designed for residential occupancy (such as mansions or plantations) provided the maximum distance from a thoroughfare or collector street does not exceed 1,600 feet (measured along the roadway from the end of the driveway to the closest point of the intersection).
3. Special event facilities must provide all required parking on-site.
4. Parking areas associated with the establishment must be set back at least 50 feet from any residentially zoned or used property.
5. Outdoor seating areas may not be located within 100 feet of residentially zoned property.

Q. Tourist Homes (Bed and Breakfast)

1. A tourist home may not locate within 400 feet of a rooming house or another tourist home.
2. No more than 6 guest rooms are allowed.
3. The owner or operator of the tourist home must reside on site.

4. Tourist homes are allowed only in buildings originally constructed as dwellings.
5. Only one kitchen facility is allowed. Meals may be provided only for guests and employees of the tourist home. Rooms may not be equipped with cooking facilities.
6. Patrons may not stay in a specific tourist home more than 15 days within a 60-day period.
7. Sign regulations applicable to home occupations must be used for the tourist home.

R. Veterinary Services, Pet Grooming, Kennels

Outdoor pens and runs are prohibited.

S. Self Storage Facilities

1. Single Story

- a. Only activities customarily associated with the regular storage operation of the facility are allowed. Other uses not customarily associated with storage are prohibited (examples: operating a business out of a storage unit, using a storage unit for auto repair, or using a unit for band practice).
- b. One dwelling unit is allowed on the site for occupation by a caretaker.
- c. The minimum lot size is 2 acres and the maximum lot size is 5 acres.
- d. Total building coverage may not exceed 50% of the site.
- e. The maximum height limit is 20 feet and buildings may not exceed one story.
- f. Outside storage is prohibited.
- g. Storage of hazardous, toxic, or explosive substances is prohibited.

2. Multistory

- a. Only activities customarily associated with the regular storage operation of the facility are allowed. Other uses not customarily associated with storage are prohibited (examples: operating a business out of a storage unit, using a storage unit for auto repair, or using a unit for band practice).
- b. Commercial, office or retail uses may occupy the first floor of the facility.
- c. Maximum height shall be limited to 50 feet.
- d. All exterior elevations shall consist of at least 50% natural materials such as brick or stone.
- e. Off-street loading facilities facing a public street, residential use or residential zoning shall be screened from view.
- f. Outdoor storage is prohibited.
- g. Storage of hazardous, toxic, or explosive substances is prohibited.

(Amended by Ord. 13-24 on 2/5/2013)

T. Mobile Food Vendor, Motorized and Pushcart

1. Only one mobile food vendor is allowed per zoned lot of up to 1/2 acre in size; up to two mobile food vendors are allowed per zoned lot between 1/2 and 1 acre in size; and up to three mobile food vendors are allowed per zoned lot larger than 1 acre in size. Pushcart Mobile Food Vendors located on lots zoned Central Business (CB) are exempt from these limits.
2. In addition to permitted zoning districts, motorized mobile food vendors may also be located to serve any active construction site.
3. No portion of the vendor sales area may occupy any required parking spaces for the principal use of the lot.

4. No portion of the vendor sales area may encroach on a public sidewalk, any portion of a clearly defined pedestrian walkway between the public sidewalk and the principal use of the lot, or any portion of direct vehicular access to the lot. Pushcart Mobile Food Vendors on lots zoned Central Business (CB) are allowed to encroach on public sidewalks so long as they do not block pedestrian movement.
5. Non profit off premise mobile food vendors, as defined in the Greensboro Code of Ordinances Section 26-232, are limited to the C-M, C-H, LI, HI and PI zoning districts. Non profit on premise mobile food vendors, as defined in the Greensboro Code of Ordinances Section 26-232, are allowed in all zoning districts.
6. Mobile food vendors operating in conjunction with special events as defined in the Greensboro Code of Ordinances, Section 26-247, and following, shall be exempt from these requirements.

(Amended by Ord. 11-76 on 5/3/2011 and Ord. 12-130 on 11/7/2012)

30-8-10.5 Industrial and Manufacturing Uses

A. Asphalt Plants and Other Facilities for the Manufacture and Storage of Chemicals, Petroleum Products, Explosives, and Allied Products

(When Not an Accessory Use – Retail Fuel Sales and Research Laboratories are not Addressed by this Provision)

1. Setbacks

- a. All operations must be set back at least 50 feet from any property line.
- b. Tanks, loading areas, or other facilities for the manufacturing, handling, or storage of flammable or explosive materials must be separated from any residential district by at least 500 feet.

2. Security Fencing

Security fencing at least 8 feet in height must be provided around the perimeter of the operation (see [30-9-4](#)).

B. Equipment Repairs and Rental, Light

Outdoor storage is prohibited.

C. Land Clearing and Inert Debris Landfills, Major

1. Applicability

- a. Land clearing and inert debris landfill activities that occupy less than 2 acres and are operated for less than 12 months are considered a temporary use and are exempt from the following requirements.
- b. Land clearing and inert debris landfill activities that occupy an area of greater than 2 acres and/or are in operation for a period of 12 months or more are considered "major" and must comply with the standards below.

2. Standards

- a. All landfilling activities must be set back at least 50 feet from all property lines.
- b. Use Separation - The landfill site may not be located within 300 feet of a residential use.
- c. Access to the landfill must be controlled with gates, chains, fences, ditches and/or trees to prevent unregulated dumping.
- d. All unpaved areas must be maintained in a manner which prevents dust from adversely impacting adjacent properties.

- e. Filling is prohibited in any special flood hazard area. Filling is prohibited in minor drainageways unless the drainageway is piped in accordance with approved plans.
- f. Filling is prohibited in utility easements.
- g. Upon termination of operations, all landfills must be covered with a minimum of 2 feet of clean soil, graded to a maximum slope of 3 to one, and stabilized with vegetation or by other means.
- h. An information sign listing the name and phone number of the current operator, the types of material accepted, and the hours of operation must be posted and maintained at the entrance.

D. Resource Extraction

1. Setback

All activities associated with the operation must be set back at least 50 feet from any property line; however, no setback is required along railroad rights-of-way serving the operation.

2. Security Fencing

Security fencing at least 8 feet in height must be provided around the perimeter of the both active and abandoned operations (see 30-9-4).

E. Recycling Processing Centers

1. The center must be separated from any residential or PI district by at least 500 feet.
2. Operations must be conducted entirely within an enclosed building; however railcar loading may take place outside the building provided no materials remain on the loading area for more than 24 hours.
3. Outdoor storage is prohibited.

F. Salvage Yards, Junk Yards and Scrap Processing

1. The facility must be at least 5 acres in area.
2. An opaque fence, at least 8 feet in height, must be provided around the perimeter of the activity (see 30-9-4). The fencing must be positioned between the activity and any required buffer planting yard.
3. The facility must be separated from any residential use by at least 300 feet.

G. Warehousing, Storage, and Freight Handling

1. In the C-M district, warehouse uses may not exceed 10,000 square feet gross floor area per lot, and outdoor storage is prohibited.
2. In the BP District, warehouse uses may not exceed 60,000 square feet gross floor area per lot, and outdoor storage is prohibited.

H. Wholesale Trade

Wholesale trade uses may not exceed 10,000 square feet gross floor area per lot, and outdoor storage is prohibited.

(Amended by Ord. 14-13 on 1/21/14)

30-8-10.6 Agricultural Uses

Agricultural Operations

1. All structures, buildings, mechanical equipment, or enclosed areas used for the operation shall be a minimum of 100 feet from all property lines.

2. Equipment producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence located on adjoining properties.
3. All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.
4. Security fencing, a minimum of 6 feet in height, shall be provided around all outdoor areas in which farm chemicals and fertilizers are stored.

B. Animal Feeder/Breeder

1. All structures, buildings, or enclosed areas used for housing poultry, hogs, cattle, or other livestock shall be a minimum of 100 feet from all property lines.
2. Any violation of County Health Department regulations concerning the operation of the feeder/breeder shall be considered a violation of this ordinance.
3. Mechanical equipment producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence located on adjoining properties.

C. Community Gardens

1. A community garden shall be used for growing and harvesting food crops and ornamental crops, for consumption or donation. On site sales are prohibited.
2. A community garden exceeding one acre in size shall be permitted with the approval of a Special Use Permit (see [30-4-10](#)).
3. A "Use Registration Permit" from the city is required if the community garden is a new use or a change in use for a zone lot.
4. Detached accessory structures such as storage or utility buildings, gazebos, trellises, or accessory structures are permitted, subject to an approved zoning and/or building permit. The maximum size for an accessory structure affiliated with a community garden, permitted by right, in a residential district is 12 feet by 12 feet and shall not exceed 12 feet in height. A larger structure may be permitted with the approval of a Special Use Permit (see [30-4-10](#)).
5. All storage structures housing fertilizer, gas, or other chemicals shall be ventilated.
6. Community gardens are not permitted to have electricity. Electricity is permitted with the approval of Special Use Permit (see [30-4-10](#)).
7. If fencing is installed, such fencing shall not be opaque and shall be subject to the standards of [30-9-4](#).
8. Lighting shall be limited to lights controlled and activated by motion sensor devices for a duration of 15 minutes or less.
9. Community gardens shall be managed and maintained in compliance with all applicable standards of this ordinance and the City Code of Ordinances, including but not limited to those pertaining to:
 - a. Nuisance abatement;
 - b. Stormwater management;
 - c. Site accessibility;
 - d. Signage;
 - e. Soil erosion and sedimentation control;
 - f. Tree conservation; and
 - g. Landscaping.

10. Gardeners are required to adhere to this ordinance. If any community garden is found to be in violation of this ordinance, the owner of the property and the party identified on the "Use Registration Permit" (if different) will be notified and subject to remedies and penalties of any such violation in accordance with [Article 5](#).

(Amended by Ord. 13-157 on 12/17/13)

D. Urban Farms

1. Urban farms shall be managed and maintained in compliance with all applicable standards of this ordinance and the City Code of Ordinances, including but not limited to those pertaining to:
 - a. Nuisance abatement;
 - b. Stormwater management;
 - c. Site accessibility;
 - d. Signage;
 - e. Soil erosion and sedimentation control;
 - f. Tree conservation; and
 - g. Landscaping.
2. A "Use Registration Permit" from the city is required if the urban farm is a new use or a change in use for a zone lot.
3. All keeping, grazing or feeding of animals as an accessory to the urban farm shall comply with [30-8-11.3](#), Animals and Livestock.
4. An aquaculture license, written permission and/or a capacity use permit, if applicable, from the North Carolina Department of Agriculture and Consumer Services is required of any applicant farming fish.
5. All storage structures housing fertilizer, gas, or other chemicals shall be ventilated.
6. If fencing is installed, such fencing shall not be opaque and shall be subject to the standards of [30-9-4](#).
7. Urban farms are only permitted on parcels that do not contain single-family dwellings. However, a caretaker dwelling is permitted per [30-8-11.4](#).
8. The minimum lot size to establish an urban farm is 30,000 square feet.

(Amended by Ord. 13-157 on 12/17/13)

30-8-11 Accessory Uses and Structures

30-8-11.1 Accessory Uses and Structures (Customary)

A. Size and Proportion

1. The sum of all accessory uses may not exceed 30% of the principal use's gross sales, volume, floor area, land area, or any other appropriate measure of usage as determined by the Planning and Community Development Director.
2. An accessory structure must be clearly subordinate to the principal structure in all dimensional aspects.
3. In R districts, the maximum building coverage of all accessory structures may not exceed 50% of the building coverage of the principal structure on the lot or 600 square feet, whichever is greater.

B. Street Setbacks

1. Single-family Development

Accessory structures must be located behind the front building line of the principal structure, and are not allowed in a required street setback.

2. Multi-family Development

Clubhouses, rental or administrative offices, and mailbox kiosks or shelters may be located in front of the front building line of the principal structure, but are not allowed in a required street setback. All other accessory structures must be located behind the front structure line of the principal structures.

3. Nonresidential Development

Accessory structures may be located in front of the principal structures but are not allowed in a required street setback.

C. Interior Setbacks

1. Setback from Alleys

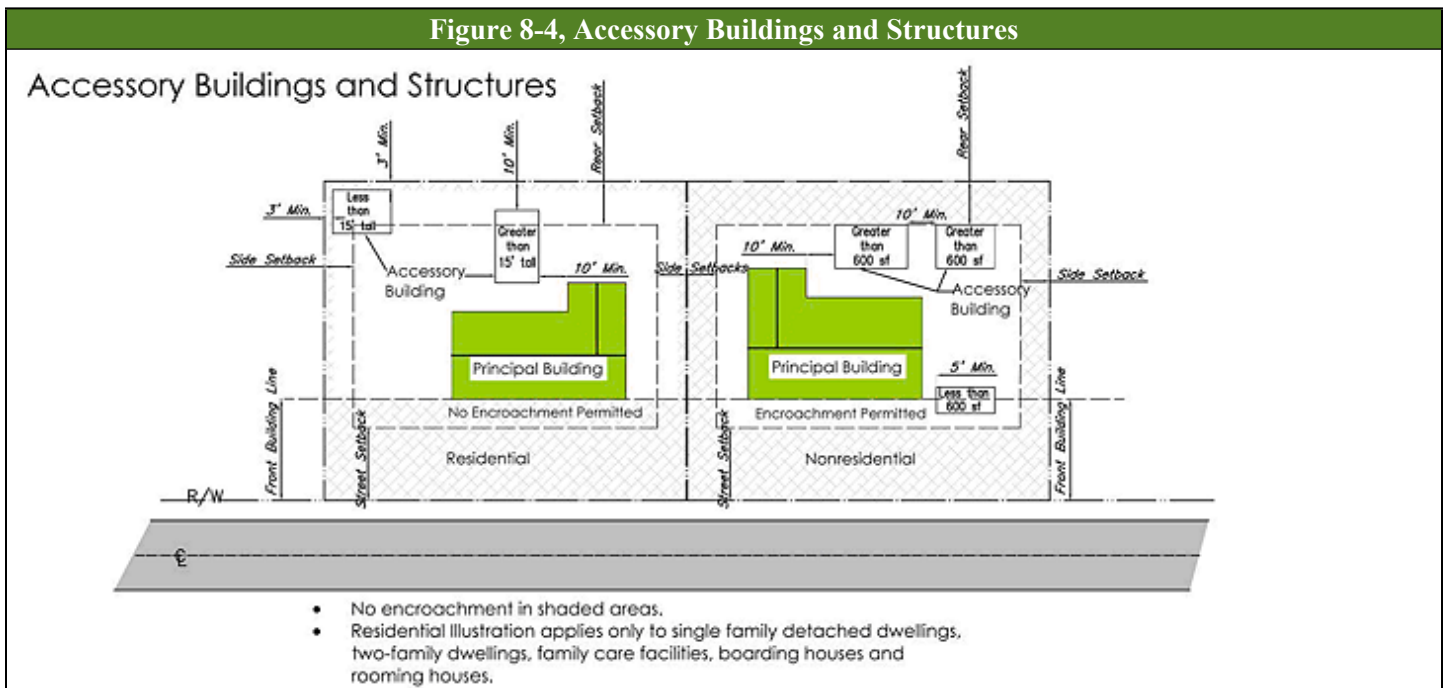
When accessory garages are located along an alley, the structure must be set back at least 10 feet from the alley right of way, and provide an area sufficient for at least one off-street parking space. This requirement may be reduced to 3 feet by the Planning and Community Development Director with the approval of a Type 1 Modification (see 30-4-11, Modifications) if the applicant can demonstrate that alternative provisions (such as a parking area to the side of the garage) will prevent traffic obstruction in the alley.

2. Residential Districts

Accessory structures must be set back at least 3 feet from side and rear lot lines. In the R- districts, this setback must be increased to 10 feet for accessory structures over 15 feet tall.

3. All Other Districts

Accessory structures must meet the required setbacks for the zoning district.



D. Easements

Accessory structures may not be located in an easement unless otherwise expressly stated.

E. Minimum Structure Separation

An accessory structure must be separated from any other structure on the site (principal or accessory), by the following dimensions:

1. Accessory structures smaller than 600 square feet of floor area must be separated by at least 5 feet from any other structure on the lot.
2. Larger accessory structures must be separated by at least 10 feet from any other structure on the site.

F. Height Requirements

Unless specifically modified elsewhere in this ordinance, accessory structures must meet the height limits of the zoning district.

G. Other Requirements

1. Utilities

Accessory structures to single-family, twin homes, duplexes, and traditional houses must take utility service such as water, sewer, and electrical by branching service from the principal dwelling.

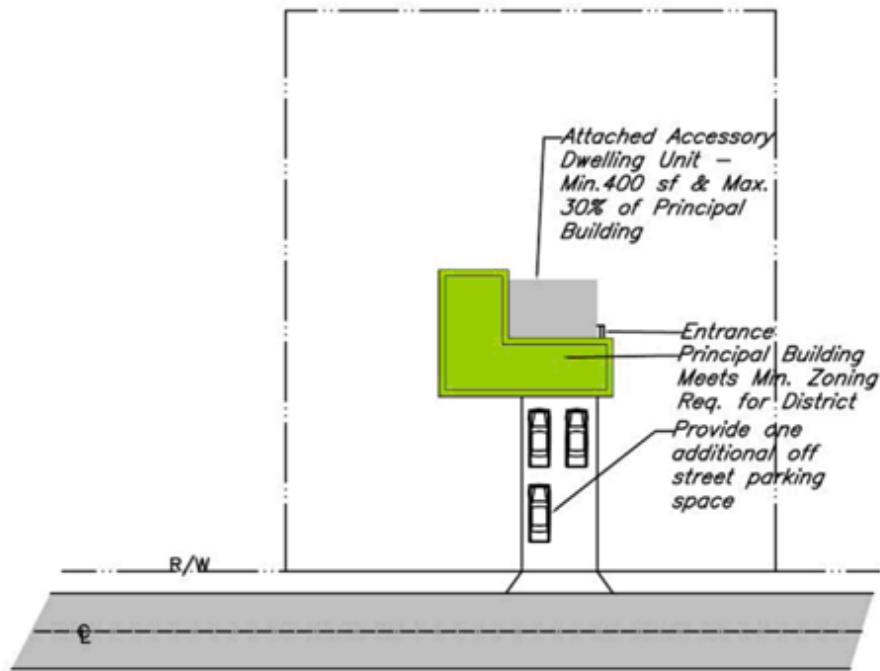
30-8-11.2 Accessory Dwelling Units

- A. Unless otherwise expressly stated, all accessory dwelling units must meet the requirements that apply to principal uses in the subject zoning district. The primary dwelling must be located on a lot that meets the minimum area requirements of the zoning district.
- B. The owner of the property must occupy either the primary or the accessory dwelling.
- C. Only one accessory dwelling is allowed.
- D. The accessory dwelling may be located within the primary dwelling; however, if it is detached, it must meet the location and dimensional requirements of the principal structure.
- E. The heated floor area of the accessory dwelling must be at least 400 square feet in area, but it may not exceed 30% of the floor area of the primary dwelling.

Commentary: *Examples of accessory dwelling square footage are: a 1,333 square foot primary dwelling is needed for a 400 square foot accessory dwelling. (30% of 1,333 = 400 square feet); a 2,000 square foot primary dwelling is needed for a 600 square foot accessory dwelling.*

- F. If the accessory dwelling is proposed for location on a single-family property, the property must retain a single-family appearance from the street.
- G. One additional off-street parking space must be provided.
- H. Use of a travel trailer or recreational vehicle (RV) as an accessory dwelling is prohibited within a residential district or on property devoted to residential use.

Accessory Dwelling Units on Single Family Lot



30-8-11.3 Animals and Livestock

A. Livestock

The keeping and raising of horses, cows, sheep, goats, and other livestock, except swine, is a permitted accessory use in the AG and R-3 districts subject Chapter 5 of the City Code and the following standards.

1. Minimum Lot Size

a. Horses and Cows

The minimum lot size for the keeping of horses and cows is 20,000 square feet.

b. Sheep and Goats

The minimum lot size for the keeping of sheep and goats is 10,000 square feet.

2. Setbacks

Fencing and shelters for such animals must be set back at least 50 from all property lines.

3. Maximum Density

a. Horses and Cows

No more than one horse or cow over 6 months of age may be kept per 10,000 square feet of fenced lot area. Areas covered by principal structures may not be counted toward satisfying minimum lot area per animal requirements.

b. Sheep and Goats

No more than one sheep or goat over 6 months of age may be kept per 5,000 square feet of fenced lot area. Areas covered by principal structures may not be counted toward satisfying minimum lot area per animal requirements.

B. Poultry and Bees (as accessory to single-family detached dwellings)

1. **Applicability**

The standards of this section apply in all R-3, R-5, R-7, RM-5, RM-8, RM-12, and RM-18 districts.

2. **General**

- a. No poultry shall be permitted to roam loose from a residential property addressed in this section. Some type of fenced area is required for all such animals.
- b. No poultry animals that make sounds clearly audible off-site are permitted.
- c. Lots less than 7,000 square feet in area shall not be permitted to have poultry or bees.

3. **Location Behind Principal Building**

Coops and shelters for poultry shall be located behind the rear wall of the principal building.

4. **Setbacks and Density on Large Lots**

The following setback and density regulations apply to animals/colonies located on lots that are greater than 12,000 square feet in area:

a. **Poultry**

i. **Setback**

Coops and shelters for poultry shall be not less than 50 feet from any property line.

ii. **Maximum Density**

No more than one animal over 6 months of age shall be permitted for every 2,000 square feet of lot area. In no case shall the total number exceed 20 animals.

iii. **Alternate Standard**

a. a. In cases where, due to lot configuration, the width of the area remaining after compliance with the setback requirement listed in (i) above is less than 10 feet, the setback from each lot line may be reduced by the same amount to achieve a 10-foot wide area but in no case shall the setback be reduced below 25 feet from any property line or below 50 feet from any dwelling unit located on an abutting lot.

b. b. No more than one animal over 6 months of age shall be permitted for every 3,000 square feet of lot area. In no case shall the total number exceed 10 animals.

b. **Bees**

i. **Setback**

Colonies and shelters for bees shall be not less than 50 feet from any property line.

ii. **Maximum Density**

No more than one colony shall be permitted for every 1,500 square feet of lot area. In no case shall the total number of colonies exceed 20.

iii. **Alternate Standard**

a. Colonies and shelters for bees shall be not less than 25 feet from any property line or less than 50 feet from any dwelling unit located on an abutting lot.

b. No more than one colony shall be permitted for every 2,000 square feet of lot area. In no case shall the total number of colonies exceed 10.

5. **Setbacks and Density on Smaller Lots**

The following setback and density regulations apply to animals/colonies located on lots between 7,000 square feet and 12,000 square feet in area:

a. **Setback**

Coops, shelters and colonies for such animals shall be not less than 25 feet from any property line and not less than 50 feet from any principal building located on an abutting lot.

b. **Maximum Density for Poultry**

No more than one animal over 6 months of age shall be permitted for every 3,000 square feet of lot area. In no case shall the total number exceed 4 animals over 6 months of age.

c. **Maximum Density for Bees**

No more than one colony shall be permitted for every 2,000 square feet of lot area. In no case shall the total number of colonies exceed 6.

30-8-11.4 Caretaker Dwellings

A. Unless otherwise expressly stated, all caretaker dwelling units must meet the requirements that apply to principal uses in the subject zoning district. Prior to occupancy of the caretaker dwelling, a building permit for a principal nonresidential structure must be obtained, or a principal nonresidential use must be established.

B. One caretaker dwelling is allowed per zone lot.

30-8-11.5 Home Occupations (including renting of rooms)

A. **Maximum Area**

The area devoted to the home occupation may not occupy more than 30% of the gross floor area of the dwelling.

Commentary: *A 1,333 square foot primary dwelling is needed to accommodate a home occupation of 400 square feet. (30% of 1,333 = 400 square feet); 2,000 square feet of floor area would be needed to accommodate a 600 square foot home occupation area.*

B. **Outdoor Storage**

Outdoor storage of items related to the home occupation is prohibited.

C. **Operation**

1. No display of goods, products or services may be visible off site.
2. Unless located in the TN district, a home occupation must be conducted entirely within the residence. In the TN district, Artisans and Crafts home occupations may use a garage or another enclosed accessory structure. The home occupation must be clearly incidental and secondary to the residential use of the dwelling and may not change the outward appearance of the residence.
3. Permitted home occupations include, but are not limited to: typing services, telephone sales, barber/beauty services, doctor/dentist offices, architects, accountants, child day care homes, food catering, and handicrafting.
4. Only handmade items, foodstuffs, and crafts made on the premises may be offered for sale on the premises.
5. Resale of goods or products for retail or wholesale sales is allowed when the goods or products are received and shipped from the premises to fulfill catalog, electronic, or internet business orders. No goods, products, or commodities brought into the dwelling unit for purposes of resale may be sold to persons coming on the premises.
6. Except in the TN District or in child day care homes in any district, persons who are not occupants of the dwelling may not:
 - a. work at or on the site of the dwelling;

- b. report to work at or near the dwelling;
 - c. go by the dwelling to pick up orders, supplies, or other items related to the home occupation;
 - d. report to the dwelling for pay;
 - e. associate with the dwelling in any manner that could be interpreted as part of a normal employer/employee relationship.
7. Instructions in music, dancing, art, or similar subjects may have up to 5 students at a time.
 8. Activities may not generate traffic, parking, noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the immediate neighborhood.
 9. Use or storage of any explosive or hazardous material in conjunction with the home occupation is prohibited.

D. Number of Vehicles

1. One commercial vehicle up to 30 feet in length may be kept on-site in conjunction with the home occupation.
 2. A second commercial vehicle up to 30 feet in length may be kept on-site when located behind the front building line of the principal structure and within a covered attached or detached structure that is fully screened from adjacent residential uses.
 3. When there are two vehicles kept on-site, only one of the two vehicles can be a truck that exceeds 20 feet in length, a bus or other non-automobile vehicle.
 4. All commercial vehicles must display a current license plate.
- E. Notwithstanding the Nonconformity Regulations of [Article 2](#), the requirements of this section ([30-8-11.5](#)) apply to all existing and future required or proposed parking areas and drives.

(Amended by Ord. 11-61 on 4/5/11 and Ord. 13-124 on 9/17/13)

30-8-11.6 Rural Family Occupations

- A. Rural family occupations are allowed in the AG district, subject to the regulations of this section and [30-7-7.1\(C\)](#) Special Uses.
- B. Permitted activities shall be limited to products assembled or manufactured on-site for resale elsewhere, or services, including incidental stock-in-trade, sold or provided on the premises. Sales of goods or products other than stock-in-trade clearly incidental to a rural family service shall be prohibited.
- C. The RFO shall be owned and operated by the landowner, who must reside on the property.
- D. No more than 5 persons, other than those residing on the property, shall be employed on site.
- E. No more than 2 commercial vehicles shall operate in conjunction with the RFO.
- F. The RFO shall not operate between the hours of 9:00 p.m. and 6:00 a.m.
- G. The RFO shall be located on a tract of 2 acres or more.
- H. A minimum area of 40,000 square feet shall be designated and reserved exclusively for residential use.
- I. The total floor area of all buildings occupied by the RFO shall not exceed 5,000 square feet. The land area used in conjunction with the RFO shall not exceed 15,000 square feet.
- J. All operations of the RFO shall be no closer than 100 feet to any property line.
- K. All operations of the RFO shall be located behind the rear building line of the principal residence.

- L. All operations of the RFO, including buildings, outdoor storage areas, and parking, shall be treated as a principal use subject to the landscaping provisions of this ordinance.
- M. The County Environmental Health Division shall evaluate each RFO request to determine its impact on the surrounding area with respect to excessive noise, dust, air emissions, odors, and surface or groundwater discharge. The owner shall reduce the impact of these and other environmental concerns. A written evaluation of the potential impacts is required by the Environmental Health Division prior to action on a special use permit application.

30-8-11.7 Junked Motor Vehicle

- A. In any residential or multi-family district, any vehicle meeting the definition of "Junked Motor Vehicle" must be located in a fully enclosed structure.
- B. In all other districts, any vehicle meeting the definition of "Junked Motor Vehicle" must be fully screened from view from any street and/or from any adjacent residentially or PI zoned property.

30-8-11.8 Satellite Dishes and Freestanding Radio/TV Antennae Towers

Satellite dishes (earth stations) that are less than one meter (39.37 inches) in diameter in residential districts and less than 2 meters in diameter in all other zoning districts are exempt from the standards of this section. Satellite dishes exceeding these dimensions are subject to the following additional requirements:

- A. All supporting cables and anchors must be contained within the property.
- B. In residential districts, the non-exempt satellite dish or antennae tower must be located to the rear of the principal structure and outside any side street setback area.
- C. The non-exempt satellite dish or antennae tower may exceed the maximum height of the zoning district with approval of a Special Use Permit (see [30-4-10](#)).

30-8-11.9 Swimming Pools

- A. Swimming pools with water depth under 24 inches and surface areas under 100 square feet are exempt from these requirements.
- B. **Swimming Pool Enclosures**
Pools must be protected by a fence (or equal enclosure such as a wall or continuous hedge), a minimum 4 feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.
- C. **Private Residential Pools**
Private swimming pools (as well as the decking and equipment associated with the pool) that are located on single-family, duplex, and multi-family lots that are less than one acre in area must be located behind the principal structure (when viewed from a road or street). On lots that are one acre or larger, the pool may be located in front of the principal structure, but not in a required street setback. In no case may a pool be located closer than 5 feet to any property line.
- D. **Outdoor Community Pools or Pools in Multi-family Complexes**
Swimming pools (as well as decking and equipment associated with the pool) must be set back at least 50 feet from any abutting residentially zoned property.

30-8-12 Temporary Use Standards

Commentary: *Temporary uses should not be confused with permanent outdoor activities (for example, a car sales lot) that are only allowed in certain zones and require site plan approval, nor should they be confused with an outdoor display area (for example, a garden center that is part of a building supply store) that may be a part of a retail store and require site plan approval.*

The uses listed below are considered temporary in nature. Unless otherwise expressly stated, temporary uses are allowed in any zoning district. Additional restrictions regarding the operation of these uses may be imposed through the City Code.

30-8-12.1 Craft Sales from Clubhouse or Community Center Buildings

- A. The use must occur entirely within a clubhouse or community center that is part of a multi-family development, a planned unit development, or a facility owned by a homeowners' association or nonprofit organization.
- B. The exterior character or appearance of the building may not be altered or changed to accommodate the temporary sales event.
- C. Outdoor sales, including sales located in temporary structures such as tents, are prohibited
- D. Up to 5 sales events are allowed per calendar year, and each event may last up to 3 consecutive days. The property owner or property manager must maintain records of sales events to insure compliance with these regulations.
- E. Only handmade items, foodstuffs, and crafts may be offered for sale on the premises.
- F. Signs associated with the event must comply with the sign regulations of [Article 14](#).
- G. Ample off-street parking must be provided in conjunction with the temporary sales event.

30-8-12.2 Land Clearing and Inert Debris Landfills, Minor

- A. The landfill may not exceed 2 acres in area and may not operate for longer than one year.
- B. A landfill not meeting either of these requirements is considered a major Land Clearing And Inert Debris Landfill (see [30-8-10.5\(B\)](#))

30-8-12.3 Portable Storage Units

Portable storage units (such as "PODS", trailers, crates, or containers that are placed on a site for the use of occupants of a dwelling or building) are permitted in accordance with the use table of [30-8-1](#), subject to the following standards:

- A. Portable storage units may be up to 16 feet long, 8 feet wide, and 8 feet in height.
- B. Portable storage units may be placed on a site for up to 45 days.
- C. A site may have no more than 2 portable storage units.
- D. Portable storage units may be placed in a driveway, a designated parking area, or other location on the site. If, because of lot size or obstructions the portable storage unit cannot be located in a driveway or designated parking area, then the portable storage unit must be placed contiguous to the driveway or parking area.
- E. Portable storage units are prohibited on city streets or within any street right-of-way.

1. If a portable storage unit is placed on a city street or within any street right-of-way, the owner of the unit will be notified by tagging the unit. Such tagging must state that the owner has up to 3 days to remove the unit.
 2. If the portable storage unit is not removed within the 3-day period, the owner will be assessed a civil penalty of \$50.00 for the first violation, \$100.00 for the second violation, \$200.00 for the third violation and \$500.00 for the fourth and each additional violation.
 3. In addition to the civil penalties prescribed, the city may use any other available enforcement measure, including all remedies available to the city pursuant to [NCGS §14-4](#). Additionally, if the city determines that a portable storage unit placed in the street or street right-of-way poses a danger to public health and/or safety, the city in its sole discretion may remove and store the unit at the owner's expense.
- F. These standards do not apply to portable units for temporary construction trailers, dumpsters, or recycling facilities, as long as construction is ongoing.

30-8-12.4 Temporary Construction Offices/Construction Equipment Storage/Real Estate Sales or Rental Offices

- A. A concurrent building permit is required for the permanent building.
- B. The office must be removed upon completion of the project, or when construction activities are halted for a period of 90 days or more.

30-8-12.5 Temporary Wireless Telecommunications Facilities (WTFs)

- A. The Planning and Community Development Director may allow temporary WTFs to be used for providing communications during an emergency or for evaluating the technical feasibility of a particular site for a period of up to 7 days.
- B. All other temporary WTFs may be allowed for a period not to exceed 6 months with approval of a Special Use Permit (see [30-4-10](#)), subject to the following additional standards:
 1. Temporary WTFs may only be placed on sites that are already approved for a permanent WTF.
 2. A temporary WTF may not exceed the permitted height of the permanent WTF permitted for a particular site.
 3. All portions of the temporary WTF and its support structures, including guy wires, must be contained within the property or compound boundaries that are approved specifically for the permanent WTF.
 4. An application for a temporary WTF may be submitted simultaneously with an application for a permanent WTF. A Special Use Permit is not required for a temporary WTF if the application is submitted concurrently with the application for a permanent WTF.

30-8-13 Entertainment Facility Use Standards

30-8-13.1 Intent and Purpose

It is the intention of this Article to reasonably regulate larger entertainment facilities open to the public where entertainment business is conducted ("Entertainment Facilities") at which at least two incidents or events involving Serious Violent Crimes have occurred within a twelve month period of time. The purpose of this Article is to prevent and limit adverse secondary impacts associated with large-capacity Entertainment Facilities for the general health, safety and welfare of the public.

30-8-13.2 Applicability

- A. This Article applies to entertainment facilities as defined in this section at which at least two incidents or events involving Serious Violent Crimes have occurred within a twelve month period of time. For purposes of this Ordinance, "Serious Violent Crimes" shall mean and refer to the crimes of murder, manslaughter, rape, second degree sexual offense, robbery, or aggravated assault.

The Chief of Police or his designee shall be responsible for reporting the occurrence of two or more Serious Violent Crimes at Entertainment Facility locations within a twelve month period of time to the Planning Director and the Finance Director. For the purposes of this Ordinance, the occurrence of a Serious Violent Crime shall mean and refer to criminal acts that occur, whether wholly or in part, at the premises of the Entertainment Facility or upon the curtilage of the premises.

- B. The term "Entertainment Facilities" shall mean and refer to Entertainment Facilities operating after 9:00 p.m., at which alcohol is sold, served or consumed and the occupancy capacity of the facility as determined by the Greensboro Fire Department is 150 persons or more unless otherwise stated within this Article. "Entertainment Facilities" includes facilities at which any of the following uses occur:

1. Bars;
2. Clubs or lodges where an event open to the public is being held or conducted and which include dancing or a live entertainment performance;
3. Special events facilities where an event open to the public is being held or conducted which includes dancing or a live entertainment performance;
4. Temporary events open to the public where dancing or a live entertainment performance is being held or conducted; and/or
5. Sexually oriented businesses at which some kind or type of dancing or live entertainment occurs, without regard to the occupancy capacity of the Entertainment Facility.

- C. The term "Entertainment Facilities" also includes any facility at which dancing or a live entertainment performance is held or conducted with an occupancy capacity of 150 persons or more and open to the public after 9:00 p.m., which includes dancing or a live entertainment performance for persons under 21 years of age, regardless of alcohol being sold.

(Amended by Ord. 14-0151 on 12/2/14)

Effective on: 12/2/2014

30-8-13.3 Exemptions

The following uses and activities are exempt from the provisions of this Article:

- A. Arts and crafts shows;
- B. Athletic fields and athletic events;
- C. Community festivals;
- D. Carnivals, fairs or circuses;
- E. Conventions, exhibitions, or trade shows;
- F. Religious events and assemblies;
- G. Uses, activities and facilities owned or operated by any Federal, State, county or local government agency or government-sponsored entity;
- H. Uses, activities and facilities owned or operated by any private educational institution; and

- I. Entertainment Facilities operated by an organization designated as a non-profit entity under section 501(c) of the Internal Revenue Code, provided that the facility is for private events or activities of members and guests. The term "guests" shall mean only guests attending the event or activity on a bona fide invitation of the organization or member of the organization. The term "guest" shall not include any event or activity which may be attended by any person upon payment of a cover charge with or without use of an invitation made available to any member of the general public.

30-8-13.4 Special Standards for Entertainment Facilities

- A. The Finance Director or his designee shall immediately suspend the privilege license of any person or business to which this Ordinance is determined to apply.
- B. The Planning and Community Development Director shall not recommend approval of re-issuance or lifting the suspension of a privilege license for the operation of a public entertainment facility unless the Planning and Community Development Director or his designee certifies that the applicant has prepared a plan approved by the Chief of Police or his designee and, if the facility is already opened for business, that the Entertainment Facility is operating in compliance with the requirements of the City of Greensboro Public Entertainment Uses Security Manual. Any required security plan shall conform to the requirements contained in the City of Greensboro Public Entertainment Uses Security Manual, and all Entertainment Facilities shall have a continuing duty to comply with the requirements of this Article. Applicants under this Article shall be responsible for operating the Entertainment Facility in compliance with the security plan.

30-8-13.5 Approval Required for Issuance or Renewal of Permit

- A. No person or business subject to the operation of this Ordinance shall be permitted or licensed by the City of Greensboro to make any use or engage in any business as an Entertainment Facility without first having complied with the requirements imposed by this Article and the City of Greensboro Public Entertainment Uses Security Manual, applicable review and approval procedures in [Article 4](#) of this Ordinance, and any applicable permitting or licensing procedures in Chapters 4, 10 and 13 of the City of Greensboro Code of Ordinances.
- B. The Planning and Community Development Director shall be responsible for investigating and determining whether any applicant for a privilege license to make any use or engage in any business as an Entertainment Facility is in compliance with the requirements imposed by this Article.

30-8-13.6 Additional Fees for Application Processing

- A. In addition to providing the information required in the City of Greensboro Public Entertainment Uses Security Manual, the applicant must also pay a nonrefundable application processing fee in such amount as established by the City Manager before approval may be granted by the Planning and Community Development Director. The fee shall be set in such amount as required to defray the costs of investigating the applicant's information for verification of compliance with this Article and eligibility for approval.
- B. Upon receiving a completed, signed application and payment in full of the application processing fee, the Planning and Community Development Director or his designee shall investigate the information contained in the application to verify its accuracy and the applicant's eligibility for a privilege license.

30-8-13.7 Investigation; Minimum Standards for Approval

- A. Within a reasonable time not to exceed 30 days after receipt of a completed, signed application for a privilege license, the additional application requirements and all application fees, the Planning and Community Development Director will complete the required investigation and recommend approval or denial of a privilege license.

- B. If the Planning and Community Development Director recommends denial of issuing a privilege license, the applicant shall be informed of writing of the denial and the reasons on which the denial is based.
- C. The Planning and Community Development Director will deny the application for any of the following reasons:
1. The applicant or any individual identified in the application is under 18 years of age;
 2. The application is incomplete, unsigned or the investigation fee has not been paid;
 3. The applicant or any individual identified in the application refused to allow an inspection of the premises;
 4. The applicant or any individual identified in the application has overdue permit fees associated with the operation of a public entertainment business;
 5. The applicant or any individual identified in the application has an ownership interest in, or is a managing agent, of any other Entertainment Facility at which the privilege license has been suspended or revoked;
 6. The applicant failed to provide information with regard to the identity of employees who are responsible for managing or supervising the business operating the entertainment facility;
 7. The applicant or any individual identified in the application has been convicted of:
 - a. Any felony, where less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date;
 - b. Any misdemeanor offense identifies herein, where less than two years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, with the misdemeanor offenses identified as follows:
 - i. Any misdemeanor of or equivalent to [G.S. 14-190.9](#), indecent exposure; [G.S. 14-202](#), secretly peeping into room occupied by female person; [G.S. 14-33](#), assault; [G.S. 14-34](#), assault by pointing gun; [G.S. 14-32.1](#), assault on handicapped person; [G.S. 14-288.9](#), assault on emergency personnel; [G.S. 14-318.2](#), child abuse; [G.S. 14-401.14](#), ethnic intimidation; [G.S. 14-277.1](#), communicating threats; [G.S. 14-196](#), harassing phone calls; [G.S. 14-277.3](#), stalking; [G.S. 14-269](#), carrying concealed weapon; [G.S. 14-269.7](#), possession of handgun by minor; [G.S. 14-315.1](#), storage of firearm to protect minors; [G.S. 14-269.3](#), carrying weapon where alcoholic beverages are sold and consumed; [G.S. 14-277.2](#), weapons at parades; [G.S. 14-204](#), [14-204.1](#), prostitution, loitering for prostitution; [G.S. 14-190.5](#), preparation of obscene photographs; [G.S. 14-190.14](#), [14-190.15\(a\)](#), displaying/disseminating material harmful to minors; [G.S. 14-190.15\(b\)](#), exhibiting harmful performances to minors; [G.S. 14-316.1](#), contributing to the delinquency of a minor; any misdemeanor offense under [G.S. 90-86-90-113.249](#); or
 - ii. Common law offenses of false imprisonment or going armed to the terror of the people.
 - c. Where an applicant or individual identified in the application has been convicted of any two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period, the period of time elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, shall be five years.
 - d. Any violation of any of the sections of this article or any violation of public entertainment regulations of any other city, county, or state.
 - e. The fact that a conviction has been appealed has no effect on the denial of the permit.

30-8-13.8 Duration and Termination of Additional Entertainment Use Standards

- A. Entertainment Facilities which are already open and operating shall also be subject to the requirements of this Ordinance. The license of any person or business operating an Entertainment Facility at which two or more incidents or events of Serious Violent Crimes occur within a twelve month period of time shall be suspended until such time as the licensee shall meet the requirements of this Ordinance.
- B. Entertainment Facilities shall be required to meet all of the requirements of this Ordinance for a period of two years from the date on which the licensee is next issued a privilege license or a current license is removed from suspension.

30-8-13.9 Change of Business Name, Ownership or Management

No person or business subject to this Ordinance shall avoid the requirements herein by change of the name of the business or its managers. No person or business subject to this Ordinance shall avoid the requirements herein by selling, giving, or otherwise conveying to any other person or entity unless the following conditions are met:

- A. The present owner, nor any director, officer, member, manager or partner of the owner may have any form of ownership, employment or financial interest in the Entertainment Facility; and
- B. No member of the immediate family of the present owner may have any form of ownership, employment or financial interest in the Entertainment Facility.

(Amended by Ord. 13-44 on 4/2/13)