Table 1153.01

Permitted Uses and Conditional Uses

Key: **P – Permitted Use** **C – Conditional Use**

RESIDENTIAL USES	**R1**	**R2**	**R3**	**R4**	**R5**	**PD**	**T1**	**C1**	**C2**	**C3**	**O1**	**I1**	**MU**
One-family dwelling	P	P	P	P	P	P							P
Two-family dwelling					P								
Multi-family dwelling				C		P							C
Renting of dwelling unit	C	C	C	C	C	C							C
Residential conservation development (may include the following uses subject to development agreement and Chapter 1153: a. one family dwelling, b. clustered one family dwelling, c. agriculture, d. private recreation, e. public recreation, f. restricted open space).	C	C	C	C	C								C
Home Occupation accessory to a dwelling	C	C	C	C	C	C							C
Recreation uses						P							C
PUBLIC AND SEMIPUBLIC USES	**R1**	**R2**	**R3**	**R4**	**R5**	**PD**	**T1**	**C1**	**C2**	**C3**	**O1**	**I1**	MU
Public school, parochial school		C	C	C	C								C
Place of worship		C	C	C	C								C
Utility and appurtenant structures		C	C	C	C								C
Public outdoor recreation facility		C	C	C	C								C
Other public facilities		C	C	C	C								C
Cemetery	C	C	C	C	C								C
Institutions													C
Assisted living and other comparable uses				C									C

COMMERCIAL & OFFICE USES	R1	R2	R3	R4	R5	PD	T1	C1	C2	C3	O1	I1	MU
Alcohol and beverage sales								P	P				P
Liquor sales										P			P
Appliance store								P	P	P			P
Auto repair								C					C
Auto wash								C					C
Bowling alley								P	C	C			C
Banking establishment								P	P	P			P
Banks, finance companies, insurance, real estate											P		P
Barber, beauty shop								P	P	P			P
Bed and breakfast tourist homes							C						C
Business services								C	C		P		C
Child day care center							C				C		C
Clothing and apparel store								P	P	P			P
Counseling services							C						C
Department store								P	P	P			P
Drive-up service, accessory to a permitted or conditionally permitted use of this District								C	C		C		C
Drug store								P	P	P			P
Dry cleaning, laundry								P	P				P
Food sales, including supermarkets								P	P	P			P
Food preparation and processing to be retailed on premises only								P	P				P
Funeral home								C	C				C
Furniture store								P	P	P			P
Gasoline service station								C					C
Hardware sales								P	P	P			P
Instructional studio for art, music, dance								C					C
Training schools for the arts or professions											P		P
Jewelry store								P	P	P			P
Medical, dental, health services, clinics											P		P
Motel including recreation facilities for use of clients									C				C
Office for sales and distribution								P	P	P	P		P
Office for sales and distribution, except that sample goods only may be displayed and no goods shall be stored or sold at retail or wholesale on the premises.													

COMMERCIAL & OFFICE USES (cont'd)	R1	R2	R3	R4	R5	PD	T1	C1	C2	C3	O1	I1	MU
Offices such as real estate									P	P			P
Offices for professional use such as medical, dental, legal, architectural, professional engineers							C	P	P	P	P		P
Office supply and stationary store									P				P
Organization or association								C	C				C
Outdoor sales or display, accessory to a permitted or conditionally permitted use of this District								C	C				C
Party center								C	C				C
Photography, interior design, artist studio							C						C
Racquet club, health club											C		C
Private outdoor recreation facility	C	C	C	C	C								C
Restaurant, sit down or counter service								P	P				P
Restaurant, drive-up as accessory to sit-down restaurant only								C	C				C
Restaurant, excluding drive-in or eat-in-car type										P			P
Shoe repair shop								P	P	P			P
Shoe store								P	P	P			P
Skating rink, indoor								P	C	C			C
Theater									C	C			C
TV, radio, record and electronics shops, including sales and servicing									P				P
Travel bureau									P				P
Variety store									P	P			P
Veterinary hospital									P				P
Video store								P					P
The following are conditionally permitted provided that they shall only be located within a building in which at least 75% of the floor area is in use for or reserved for permitted uses: (1) Restaurant (2) Personal services, including but not limited to dry cleaning, barber and beauty shops (3) Drug store (4) Florist shop, gift shop											C		C

INDUSTRIAL USES	R1	R2	R3	R4	R5	PD	T1	C1	C2	C3	O1	I1	MU
The manufacture, compounding, processing, packing or treatment of such products as candy, cosmetics, wood products, drugs, perfumes, pharmaceuticals, toiletries, and food products, except the rendering or refining of fats and oils.												P	
Warehousing												P	
Research laboratories and offices												P	
Newspaper and blueprinting establishments												P	
Utility substations												P	
Fire stations												P	
Railroad facilities												P	
Clothing. leather goods, and athletic equipment												P	
Metal processing, such as fabrication, stamping, extrusion, welding, finishing, polishing and assembly of small products such as: (1) camera, clock jewelry, cutlery, and kitchen utensils (2) electrical appliances such as lighting fixtures, irons, fans, toasters, and toys (3) electrical equipment such as home radio and television, movie equipment and small electrical supplies (4) hand tools, dies, engineering, medical, and musical instruments and similar small steel products (5) products for rotational equipment such as antifriction devices and other products for driving, connecting or rotating loads in accordance with the principles of rotary technology												P	
Plastic molding and extrusion												P	
Motel complex which may include: motel services including restaurants, recreational facilities, office buildings, assembly rooms, and gasoline service stations												C	
Recreational development												C	
Oil and gas												C	

INDUSTRIAL USES (cont'd)	R1	R2	R3	R4	R5	PD	T1	C1	C2	C3	O1	I1	MU
Lumber yard for retail lumber sales												C	
Retail or wholesale, accessory to a permitted or conditionally permitted use of this District												C	
Wholesale storage of petroleum, gasoline, and oil, limited to 1,000 feet depth north of the south property line of the City												C	
Contractors' yards and storage facilities												C	C
Exterior storage, accessory to a permitted or conditionally permitted use of this District												C	
Temporary building incidental to construction	C	C	C	C	C								
Comparable Use							C	C	C	C	C	C	C

NOTES:

* The T1 Transitional Commercial Service District is an overlay district in which the permitted and conditional uses of the underlying district may also be established according to the provisions of this Code.
* Permitted and conditional uses for the PD Planned Development District are as provided in the text of Chapter 1171.

1153.02 STANDARDS FOR ALL CONDITIONAL USES.

The Planning Commission shall determine, in making a recommendation for approval of a conditional use, that the proposed use will comply with the general standards in this Section 1153.02 and the specific standards in Section 1153.03 pertinent to each use indicated therein. The Commission may also impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights and for insuring that the intent and objectives of this Zoning Code will be observed.

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use on the proposed location:

(a) Will be harmonious with and in accordance with the general objectives or with any specific objective of the Master Plan of current adoption;

(b) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;

(c) Will not be hazardous or disturbing to existing or future neighboring uses;

(d) Will not be detrimental to property in the immediate vicinity or to the community as a whole;

(e) Will be served adequately by essential public facilities and services such as roads, police and fire protection, drainage structures, refuse disposal or schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service;

(f) Including all structures, roads and utilities, shall be in compliance with the City's Subdivision Regulations, the Board of Health standards and the Building Code; and

(g) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public roads.

(h) Will not have exterior equipment which is incompatible with the uses of the district, including but not limited to the following:

(1) Loudspeakers which cause a hazard or annoyance shall not be permitted.

(2) Lighting shall not constitute a nuisance and shall in no way impair safe movement of traffic lighting on any street or highway.

(Ord. 2000-143. Passed 6-26-00.)

1153.03 STANDARDS FOR ALL CONDITIONAL USES IN THE MIXED-USE DISTRICT

Planning Commission has the authority to permit modifications to development standards as a part of the conditional use review process. Therefore, the Commission may require as a condition of approval that the proposed use follows Section 1153.02 Standards for All Conditional Uses and the specific standards in section 1177.03, which will promote proper development of a mixed-use development.

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence of compliance regarding~~:~~ such use on the proposed location:

(a) The location and size of the proposed use shall be in harmony with, and appropriate to, the intent and purpose of the district;

(b) The proposed use is harmonious and appropriate in design, character and appearance with respect to the intended design objectives of the district;

(c) The proposed use shall not result in the creation of a hazardous traffic condition;

(d) The site layout, intensity of use, and time periods of use shall not be such as to create a nuisance due to dust, noise, smell, vibration, smoke, or lighting;

(e) The use complies with all requirements of the zoning ordinance including but not limited to dimensional requirements, general provisions and specific design requirements.