

## **ARTICLE X CHART OF USES**

**Section 105: Chart of Uses**

The Chart of Uses should be read in close conjunction with the definitions of terms set forth in Section 14, and other interpretative provisions set forth in this article. The following symbols are represented on the chart:

R = permitted by right

X = permitted with Planning Commission Approval

S = permitted as Special-use (hearing)

Chart of Use														
	R1	R2	R3	R4	RO	C1	C1 HD	C2	C2B	C3	I-1	I-2	WD	
<b>Agricultural</b>														
Greenhouse Commercial				R										
Crops / Forestry				R										
Riding Stable				X										
Livestock				X										
Wildlife Refuge				X										
Forest Preserve				R										
	R1	R2	R3	R4	RO	C1	C1 HD	C2	C2B	C3	I-1	I-2	WD	
<b>Residential</b>														
Single Family	R	R	R	R	R	X		X	X	X				
Accessory Unit	X	X	X	X	X	X		X	X	X	X	X		
Duplex / 2 Family Dwelling		R	R		X									
Townhouse			R			X	X	X	X	X				
Condominium			R			X	R	X	X	X			X	
Apartment Building <i>Low Rise</i>			R			X	X	X	X	X				
Apartment Building <i>High Rise</i>			X			X	X	X	X	X				
Live-Work Unit					R			X		X				
Mobile Home Park				S										
Manufactured Homes (amended Ord. 604 11/19/2013)				X										
	R1	R2	R3	R4	RO	C1	C1 HD	C2	C2B	C3	I-1	I-2	WD	
<b>Special Care Homes</b>														
Homes for Handicapped or Infirm			X	X				R		X				
Nursing Care, Intermediate Care Homes			X	X				R		X				
Halfway Houses								S						
	R1	R2	R3	R4	RO	C1	C1 HD	C2	C2B	C3	I-1	I-2	WD	
<b>Lodging</b>														
Hotel / Motel (12+ rooms)						X	R	X	R	X			X	
Inn (up to 12 rooms)						X	X	X	R	X				
Bed and Breakfast (1-5 rooms)		X	X			X		X	R	X				
Tourist Homes (renting by the day or week)	X	X	X	X	X	X		X	X	X				
	R1	R2	R3	R4	RO	C1	C1 HD	C2	C2B	C3	I-1	I-2	WD	
<b>Office, Clerical, Research and Services (Not primarily related to goods and merchandise)</b>														
Home Occupation (No customer/ client traffic generation)	R	R	R	R	R	R	R	R	R	R				
Operations designed to attract and serve customers or clients on the premises					X	R		R	R	R	R	R	X	
Operations designed to attract little or no customers or client traffic other than employees of the entity					R	R		R	R	R				
Office building (multiple offices)						X	R	R	R	X	R	R		
Operations with drive up window						X	X	R	X	X			X	
Work / Live Unit					R	R		R	R	R				
	R1	R2	R3	R4	RO	C1	C1 HD	C2	C2B	C3	I-1	I-2	WD	
<b>Services and Enterprises Relating to Animals</b>														
Veterinarian (small animals only)					X	X		R	X	X				
Veterinarian (small / large animals)				S				X		X	X			
Boarding Kennel				S				X		X	X			
Note: R = permitted by right X = permitted with Planning Commission Approval S = permitted as Special-use (hearing)														

	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
<b>Sales and Rental of Goods, Merchandise and Equipment</b>													
<b>No storage or display of goods outside fully enclosed building</b>													
High volume traffic generation (more than 2,500 sq ft)						R	R	R	R	R			X
Low volume traffic generation (up to 2,500 sq ft)						R	R	R	R	R			X
Wholesale sale								R			R	R	
<b>Storage and display of goods outside fully enclosed building allowed</b>													
High volume traffic generation (more than 2,500 sq ft)							X	R	X	X	R	R	
Low volume traffic generation (up to 2,500 sq ft)							X	R	X	X	R	R	
Wholesale sale								R	X	X	R	R	
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
<b>Manufacturing, Processing, Creating, Repairing, Painting, Renovation, Cleaning and Assembling of Goods</b>													
<b>All operations conducted entirely within fully enclosed building</b>													
Majority of dollar volume of business done with walk-in trade						X		X	X	X	R	R	
Majority of dollar volume of business not done with walk-in trade								X	X	X	R	R	
<b>Operations conducted within or outside fully enclosed building</b>													
Majority of dollar volume of business done with walk-in trade								X			R	R	
Majority of dollar volume of business not done with walk-in trade								X			R	R	
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
<b>Regulated Businesses</b>													
Check cashing, title loan or pawn								R			X		
Escort services											S		
Lingerie modeling studio											S		
Sex oriented cabaret, cinema, media, or sex shop with sale or rental of sex oriented merchandise											S		
Tattoo and body piercing parlor								R			X		
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
<b>Motor Vehicle Related Sales and Service</b>													
Motor vehicle sales or rental								R			X		
Sales with installation of parts or accessories (tires, mufflers, etc.)								R			R		
Motor vehicle repair and maintenance not including substantial body work								R			R		
Motor vehicle repair and maintenance not including substantial body work								R			R	R	
Gas Sales							X	R	X	X	R	R	X
Gas Sales with repair and maintenance services								R			R	R	
Car Wash								R		X	R	R	
Scrap materials, salvage or junk yards and vehicle graveyards											X	R	
Automobile parking garages or parking lots (commercial)						X	X	X	X	X	R	R	



	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
<b>Funeral Home, Cemetery, Crematorium</b>													
Funeral Home with embalming on site								R		X			
Funeral Home (visitation / services only)								R		X			
Crematorium											R	R	
Cemetery				S									
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
<b>Educational, Cultural, Religious, Philanthropic, Social, Fraternal, Child Care</b>													
Child care facility (3 or fewer )	X	X	X	R	X			R	X	R			
Child care facility (4 or more)				X				R		R			
Elementary School	X	X	X	X				X	X	X	X	X	
Middle / High School	X	X	X	X				X	X	X	X	X	
College / University (including dormitory)	X	X	X	X				X	X	X	X	X	
Learning Center								R			R	R	X
Special training / Vocational								R			R	R	
Research facility						X	X	R	X	X	R	R	X
Libraries, museums, art centers and similar uses						X	X	R	X	X	R	R	X
Social, fraternal clubs and similar uses	X	X	X	X	X			R	X	X			
Churches, synagogues and temples	S	S	S	S	S	S	S	X	X	X			
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
<b>Towers and Related Structures</b>													
Towers or antennas for individual residential use (limited to district height limit)	X	X	X	X	X	X	X	X	X	X	X	X	X
Towers or antennas for community or regional use							X	X	X	X	R	R	
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
<b>Open air markets and horticultural sales</b>													
Open air markets (farm, craft, and produce)				S		X	X	R	X	R			X
Open air flea markets				S				X					
Horticultural sales with outdoor display				X				R	X	X			
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
<b>Industrial</b>													
Auto related industrial								X			R	R	
Communication / Transportation								X			R	R	
Manufacturing / Processing								X			R	R	
Marine related facility								X			R	R	
Products and Services								X			R	R	
Storage and Distribution								X			R	R	

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### **Section 106: Use of the Designations R, S, X in the Chart of Uses**

- (a) Subject to Section 107, when used in connection with a particular use (Section 105), the letter “R” means that the in Chart of Uses use is permissible in the indicated zone with a zoning permit issued by the administrator. The letter “S” means a special-use permit must be obtained from the board of adjustment, and the letter “X” means planning commission approval must be obtained from the planning commission.

### **Section 107: Board of Adjustment Jurisdiction Over Uses Otherwise Permissible with Zoning Permit**

Notwithstanding any other provisions of this article, whenever the Chart of Uses (interpreted in the light of Section 106 and the other provisions of this article) provides that a use in a nonresidential zone or a nonconforming use in a residential zone is permissible with a zoning permit, a special-use permit shall nevertheless be required if the administrator finds that the proposed use would have an extraordinary impact on neighboring properties or the general public. In making this determination, the administrator shall consider, among other factors, whether the use is proposed for an undeveloped or previously developed lot, whether the proposed use constitutes a change from one principal use classification to another, whether the use is proposed for a site that poses peculiar traffic or other hazards or difficulties, and whether the proposed use is substantially unique or is likely to have impacts that differ substantially from those presented by other uses that are permissible in the zoning district in question.

### **Section 108: Permissible Uses and Specific Exclusions**

- (a) The presumption established by this ordinance is that all legitimate uses of land are permissible within at least one zoning district in the city’s planning jurisdiction. Therefore, because the list of permissible uses set forth in Section 105 (Chart of Uses) cannot be all inclusive; those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.
- (b) Notwithstanding Subsection (a), all uses that are not listed in Section 105 (Chart of Uses), even given the liberal interpretation mandated by Subsection (a), are prohibited. Nor shall Section 105 (Chart of Uses) be interpreted to allow a use in one zoning district when the use in question is more closely related to another specified use that is permissible in other zoning districts.
- (c) Without limiting the generality of the foregoing provisions, the following uses are specifically prohibited in all districts:
- (1) Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials in violation of the city’s fire prevention code.
  - (2) Stockyards, slaughterhouses, rendering plants.
  - (3) Use of a travel trailer as a temporary or permanent residence. (Situations that do not comply with this subsection on the effective date of this ordinance are required to conform within one year.)
  - (4) Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services are performed, or other business is conducted. (Situations that do not comply with this subsection on the effective date of this ordinance are required to conform within 30 days.)

### **Section 109: Accessory Uses**

- (a) The Chart of Uses (Section 105) classifies different principal uses according to their different impacts. Whenever an activity (which may or may not be separately listed as a principal use in this table) is conducted in conjunction with another principal use and the former use (i) constitutes only an incidental or insubstantial part of the total activity that takes place on a lot, or (ii) is commonly associated with the principal use and integrally related to it, then the former use may be regarded as accessory to the principal use and may be carried on underneath the umbrella of the permit issued for the principal use. For example, a swimming pool/tennis court complex is customarily associated with and integrally related to a residential subdivision or multi-family development and would be regarded as accessory to such principal uses, even though such facilities, if developed apart from a residential