

158.081 COMMERCIAL AND INDUSTRIAL DISTRICTS: REGULATION OF USES.

(A) Table of Principal Land Uses. In the Table below, the following applies:

(1) The letter "P" indicates that the use is permitted in the district indicated.

(2) The letter "C" indicates that the use requires the authorization of the BZA in accordance with Section 158.133 of this Chapter.

(3) The letter "X" indicates that the use is prohibited.

(4) The letters "NA" indicate that the use is not applicable.

(5) Any use not specifically listed is prohibited unless the BZA determines that the use is similar in impact, nature, function, and duration to an allowed use listed in the Table of Land Uses, and which would not be detrimental to the public health, safety, or general welfare of the community, unless otherwise specifically prohibited.

(6) The particular and specific control the general.

(7) In case of any difference of meaning or implication between the text and any caption, the text controls.

(8) In case of any difference of meaning or implication between the text and any language in the definition of the use or the Purpose and Intent of the zoning district, the text controls.

(9) Words used in the singular include the plural (and vice versa).

(10) Words or phrases not specifically defined in this Chapter shall be construed according to the common and generally recognized usage of the language. Technical words and phrases, and others that have acquired a specific meaning in the law, shall be construed according to that meaning.

(11) Variances shall not be granted to the provisions of the Table of Land Uses.

LAND USE CATEGORY SUBCATEGORY DESCRIPTION	C-1	C-2	C-3	I-1	I-2	EC	ADDITIONAL REGULATIONS
AGRICULTURAL							
Agriculture	P	P	P	P	P	P	158.002, 158.035
Agricultural research laboratories and facilities	X	X	C	C	P	P	158.070
Feed or grain sales, may include storage	X	P	P	P	P	X	
Flour or grain milling, drying, storage	X	X	X	C	P	X	158.040
Shop for the service, repair, or sale of farm equipment	C	P	P	X	X	X	158.040
COMMUNICATIONS							
Communications tower	C	P	P	P	P	C	158.002,158.039, 158.054
Communications tower complex	C	P	P	P	P	C	158.002,158.039, 158.054
COMMERCIAL							
Vehicle Sales/ Service							
Automobile service center	C	P	P	X	C	X	158.002
Car wash (self or full service)	X	P	P	X	X	X	
Fuel station	P	P	P	X	X	X	158.002
Vehicle repair shop	X	C	P	P	X	X	158.002
Vehicle sales lot (under 10,000 lbs. gross vehicle weight)	X	P	P	X	X	X	158.002
Vehicle sales lot (10,000 lbs. or more gross vehicle weight)	X	C	P	X	X	X	158.002
Eating and Drinking Establishments							
Catering establishment or banquet facility	P	P	P	X	X	P	
Restaurant	P	P	P	X	X	P	
Restaurant, with drive thru	X	P	P	X	X	X	
Tavern/Bar	P	P	P	X	X	P	
Funeral and Interment							
Cemetery, mausoleum, or memorial garden	C	C	C	X	X	X	158.002
Crematorium	X	P	P	X	P	X	158.002, 158.040
Funeral establishment	X	P	P	X	X	X	158.002
Lodging							
Bed and breakfast	C	X	X	X	X	X	158.002, 158.071
Country inn	C	X	X	X	X	X	158.002,158.071
Hotel	X	C	P	X	X	P	158.002
Hotel, as part of an Industrial Park	NA	NA	NA	P	P	NA	158.002, 158.157
Motel	X	C	P	X	X	X	158.002
Office/Health Care							
Facility for dispensing of medical cannabis	X	X	X	X	P	X	158.002,

LAND USE CATEGORY	C-1	C-2	C-3	I-1	I-2	EC	ADDITIONAL REGULATIONS
SUBCATEGORY							
DESCRIPTION							
							158.040,158.059
Medical or dental center	P	P	P	X	X	P	158.002
Professional or business office	P	P	P	X	X	P	
Professional or business office as part of an Industrial Park	NA	NA	NA	P	P	NA	158.157
Veterinary facility, without runways	C	P	P	X	X	X	158.002, 158.040
Veterinary facility or kennel, with runways	X	C	C	X	X	X	158.002, 158.040
Recreational/Entertainment							
Adult entertainment business, massage establishment, striptease business	X	X	X	X	P	X	158.002, 158.154
Amusement park	X	X	P	X	X	X	
Community meeting hall, social club, fraternal organization	P	P	P	X	X	X	
Conference center	X	C	P	X	X	P	158.002,158.070
Conference center as part of an Industrial Park	NA	NA	NA	P	P	NA	158.002, 158.157
Golf course	X	X	X	X	X	X	158.002
Indoor recreational facility	P	P	P	P	X	P	158.002
Indoor theater	X	C	P	X	X	X	
Indoor trap, skeet, rifle, or archery ranges, including gun clubs	X	P	P	P	X	X	158.040
Outdoor drive-in theater	X	X	C	X	X	X	
Outdoor recreational area	P	P	P	C	X	P	158.002
Outdoor trap, skeet, rifle, or archery ranges, including gun clubs	X	X	X	X	X	X	158.040
Retreat facility	X	X	X	X	X	X	158.002, 158.070
Riding academy or boarding stable	X	X	X	X	X	X	
Retail/Service							
Building supplies sales and storage yard	X	X	C	P	X	X	158.002
Butcher shop	P	P	P	X	X	X	158.002
Fertilizer (liquid or dry) sales and storage	X	X	C	X	X	X	
General retail or general service, less than 10,000 square feet	P	P	P	X	X	P	158.002
General retail or general service, between 10,000 and 60,000 square feet	X	P	P	X	X	C	158.002
General retail or general service, more than 60,000 square feet	X	C	P	X	X	X	158.002
Rental of vehicles and goods with primarily outdoor equipment storage	X	C	P	X	X	X	
RESIDENTIAL							

LAND USE CATEGORY	C-1	C-2	C-3	I-1	I-2	EC	ADDITIONAL REGULATIONS
SUBCATEGORY							
DESCRIPTION							
Dwellings in a Planned Unit Development	NA	NA	NA	NA	NA	P	(subject to % limits)
Multi-family dwelling	X	X	X	X	X	X	158.002
Multi-family dwelling or retirement home/age-restricted adult housing in a Business Park	NA	NA	P	NA	NA	NA	158.002, 158.160
Retirement home/age-restricted adult housing	X	X	X	X	X	X	158.002
Single-family dwelling	X	X	X	X	X	X	158.002
Two-family dwelling	X	X	X	X	X	X	158.002
INSTITUTIONAL							
Art, trade, business, dance, music or similar school	P	P	P	X	X	P	
Assisted-living facility	P	P	P	X	X	X	158.002
Continuing care retirement community	P	P	P	X	X	X	158.002
Day care center	P	P	P	X	X	P	158.002
Hospital	X	X	P	X	X	X	158.002
Museum	P	P	P	X	X	P	
Nursery school	P	P	P	X	X	P	
Nursing home	P	P	P	X	X	X	158.002
Private school	P	P	P	X	X	P	
Religious establishment	P	P	P	X	X	X	158.002
Trade school or professional training center, as part of an Industrial Park	NA	NA	NA	P	P	NA	158.157
INDUSTRIAL							
Manufacturing/Production							
Acid or heavy chemical manufacture, processing, or storage	X	X	X	X	C	X	158.040
Artisan manufacturing	P	P	P	P	P	P	158.002
Bituminous concrete mixing plant	X	X	X	X	P	X	158.040
Blast furnace, boiler works, foundry	X	X	X	X	P	X	158.040
Brewery	X	X	X	P	P	X	158.040
Brewery, small scale	P	P	P	X	X	P	158.002
On-site consumption at brewery	NA	NA	NA	C	C	NA	158.156
Cement, lime, gypsum, or plaster of paris manufacturing	X	X	X	X	C	X	158.040
Concrete and ceramic products manufacturing	X	X	X	X	P	P	158.040
Concrete or asphalt recycling	X	X	X	C	P	X	158.002, 158.040
Distillation of bones, fat rendering, grease,	X	X	X	X	C	X	158.040

LAND USE CATEGORY	C-1	C-2	C-3	I-1	I-2	EC	ADDITIONAL REGULATIONS
SUBCATEGORY							
DESCRIPTION							
lard or tallow manufacturing or processing							
Distillery	X	X	X	P	P	X	158.040
Distillery, small-scale	P	P	P	X	X	P	158.002
On-site consumption at distillery	NA	NA	NA	C	C	NA	158.156
Explosive manufacturing or storage	X	X	X	X	C	X	158.040
Fertilizer, potash, insecticide, glue, size or gelatin manufacture	X	X	X	X	C	X	158.040
Food processing and packing plant	X	X	X	P	P	X	158.040
Heavy manufacturing	X	X	X	X	P	X	158.002,158.040
Indoor processing of medical cannabis	X	X	X	X	P	X	158.002, 158.040, 158.059
Light manufacturing	X	C	P	P	P	C	158.002
Petroleum products refining	X	X	X	X	C	X	158.002, 158.040, 100' setback from all property lines, NFPA Code
Sawmill, commercial	X	X	X	C	P	X	158.002,158.040
Structural steel fabricating	X	X	X	X	P	X	158.040
Winery	X	X	X	P	P	X	
Trades							
Bottling (may include distribution) of soft drinks, alcoholic beverages, or milk	X	X	X	P	P	X	
Printing shop	C	C	P	P	P	P	
Sign shop	X	C	P	P	P	X	
Welding, sheet metal, machine or similar shop	X	C	P	P	P	X	158.040
Transportation/Utilities							
Airfield	X	X	X	X	X	X	158.002
Airport	X	X	X	C	P	X	158.002
Coal yard	X	X	X	X	P	X	158.040
Commercial parking lot or garage	P	P	P	X	X	X	158.002
Electric generating power plant	X	X	X	X	P	X	158.040
Heliport	X	X	X	C	P	X	158.002, 158.040
Solar energy conversion facility	X	C	P	P	P	X	158.002, 158.153
Towing service	X	X	C	P	P	X	On a lot of 5 acres or less in Industrial Districts
Truck or motor freight terminal	X	X	X	C	P	X	158.040
Utility equipment building, yard, above-ground station or substation, or telephone	C	C	C	C	C	C	158.039

LAND USE CATEGORY	C-1	C-2	C-3	I-1	I-2	EC	ADDITIONAL REGULATIONS
SUBCATEGORY							
DESCRIPTION							
exchange							
Utility equipment, all others	P	P	P	P	P	P	158.039
Wind energy conversion facility	X	X	X	X	X	X	158.002
Warehouse/Storage/Distribution							
Above ground petroleum products storage (2,000 gallons or greater)	X	X	X	C	C	X	158.002, 158.040, 158.158
Distribution facility	X	X	X	P	P	X	158.002
Indoor contractor's equipment storage facility	X	X	X	C	C	X	158.002, 158.040
Outdoor contractor's equipment storage yard	X	X	X	C	C	X	158.002, 158.040
Self-service storage facility	X	C	P	X	X	X	158.002, 158.159
Storage of pelletized or granular dried sewage sludge	X	X	X	P	P	X	158.002, 158.051
Underground petroleum products storage	X	X	X	P	P	X	158.002, 158.040
Warehouse	X	C	P	P	X	X	158.002
Waste-Related							
Garbage, offal, or dead animal reduction	X	X	X	X	X	X	
Incinerator, associated with waste to energy facility	X	X	X	X	C	X	158.040
Junk, salvage, and recycling yard	X	X	X	X	C	X	158.002, 158.040, 158.155
Oil-contaminated soil facility	X	X	X	C	P	X	158.002, 158.040
Sanitary landfill, including solid waste transfer facility and solid waste processing	X	X	X	X	C	X	158.002, 158.040
Miscellaneous							
Carpet and rug cleaning plant, industrial laundry or dry cleaning	X	X	X	P	P	X	158.040
Conveyor system	C	C	C	P	P	X	158.002, 158.039
Extractive operation, with a MRO designation	X	X	X	P	P	X	158.002, 158.096
Indoor growing of medical cannabis	X	X	X	X	P	X	158.002, 158.040, 158.059
Laboratory (chemical, physical, or biological), not including agricultural	X	P	P	P	P	P	158.040
Outdoor Advertising Signs	P	P	P	P	P	X	158.115
Slaughterhouse	X	X	X	X	C	X	158.040
PUBLIC							
Public facility	P	P	P	P	P	P	158.049