

Sec. 94-272. - Permitted use table.

- (a) *Generally.* Uses as regulated in this section shall be determined as provided in the Permitted Use Table, Table IX-1. Uses in the permitted use table are classified as the following:
- (1) *Uses permitted by right (P).* Uses allowed throughout a district as a matter of right, subject to all applicable provisions of this chapter. These uses are designated by a "P" in Table IX-1.
 - (2) *Uses permitted by right, subject to extra requirements (PXR).* Uses allowed throughout a district, yet subject to certain extra requirements not applicable to other uses in that district. Uses of this nature may be established with planning and zoning administrator approval and issuance of a zoning certificate. The extra requirements applicable to specific uses are subject to section 94-273. These uses are designated "PXR" in Table IX-1.
 - (3) *Special uses (Class A and Class B).* Uses normally not allowed within a district due to detrimental affects on permitted uses. However, special uses may be allowed under circumstances particular to the proposed location and subject to standards and conditions which provide protection to adjacent uses and properties. All special uses are governed by the standards in subsection 94-36(e). These uses are designated "Sa" or "Sb" in Table IX-1.
- (b) *Establishment of use regulations.* Except as otherwise provided in this chapter, regulations governing the use of land and structure are hereby established as shown in the "Permitted Use Table." Uses not expressly permitted are prohibited.
- (c) *Permitted uses within all districts.* Within all districts there are certain uses permitted as a matter of right that are not listed on the permitted use table. These uses are aboveground and buried utility lines for local distribution of electricity, telephone, and cable television service; accessory and appurtenances apparatus such as poles, guy wires, transformers, and switching boxes; public and private streets and roads; railroad rights-of-way; water and sanitary sewer lines; gas and liquid fuel distribution lines; and public water canals.
- (d) *Planned community and planned development districts.* Uses allowed in the planned development and planned community districts shall be as provided in section 94-206 (planned community district) and section 94-207 (planned development district).

**TABLE IX-1:
PERMITTED USE TABLE**

USES		GC
1.	ADULT ENTERTAINMENT	
2.	AIRPORTS, LANDING FIELDS, HELIPADS AND HELISTOPS; PRIVATE OR PUBLIC	
3.	APPAREL & ACCESSORY RETAIL SALES RENTAL STORES	P
4.	ART MERCHANDISING STUDIOS	P
5.	ART & DRAFTING SUPPLY STORES, INCLUDING PICTURE FRAMES	P
6.	BAIT AND TACKLE SHOPS	P
7.	BARBER & BEAUTY SHOPS	P

8.	BARS AND LOUNGES AND RELATED ENTERTAINMENT	P
9.	BATHROOM AND KITCHEN CONTRACTOR SHOWROOMS	P
10.	BED AND BREAKFAST ESTABLISHMENTS ¹	
10.1	BED AND BREAKFAST INNS ³	PXR
11.	BOOK & STATIONARY STORES	
12.	BOTANICAL GARDENS AND ACCESSORY OFFICES	
12.1.	BREW PUB/MICRO BREWERY/MICRO-DISTILLERY/MICRO-WINERY	PXR
13.	BUSINESS AND COMMERCIAL MACHINE SALES	P
14.	CANDY, NUT AND CONFECTIONARY STORES	P
15.	CATERING ESTABLISHMENTS	P
16.	CEMETERIES, PUBLIC/PRIVATE	
17.	CHURCHES, SYNAGOGUES & OTHER HOUSES OF WORSHIP	P
18.	CLINICS-PUBLIC & PRIVATE	PXR
19.	CLUBS AND LODGES WITHOUT A RESTAURANT	P
20.	COIN & PHILATELIC STORES	P
21.	COLUMBARIUMS AS ACCESS, USE IN REL. INST., OTHER THAN CEMETERIES, PUBLIC OR PRIVATE	PXR
22.	COMMERCIAL, COMPARISON SHOPPING EXCEPT AS OTHERWISE LISTED	P
23.	COMMERCIAL, CONVENIENCE SALES & PERSONAL SERVICES, EXCEPT AS OTHERWISE LISTED	P
24.	COMMERCIAL, SINGLE DESTINATION USES, EXCEPT AS OTHERWISE LISTED	P

25.	COMMUNITY CENTERS	P
25.1	COMMUNITY GARDENS	
26.	CONVENIENCE STORES, FOOD, SPECIALTY FOOD AND BEV. SALES (INCLUDING SALE OF ALCOHOLIC BEV.)	Sb
27.	CONVENTS, MONASTERIES AND SEMINARIES	P
28.	CULTURAL FACILITIES, PUBLIC AND PRIVATE	P
29.	DAY CARE HOMES, FAMILY ACCESSORY, CHILDREN	
29.1	DAY CARE HOMES, ACCESSORY, CHILDREN	
30.	DAY CARE FACILITIES, ADULT	PXR
31.	DAY CARE FACILITIES, CHILDREN AS ACCESSORY USE IN HOUSES OF WORSHIP, SCHOOLS, BOTH PUBLIC AND PRIVATE	P
32.	DAY CARE FACILITIES, CHILDREN AS PRINCIPAL USE	PXR
33.	DELICATESSENS	P
34.	DEPARTMENT STORES, MAJOR	P
35.	DRIVE THRU FACILITIES, EXCEPT RESTAURANTS, AS PRINCIPAL USES	PXR
36.	DRIVE THRU FACILITIES, EXCEPT RESTAURANTS, FOR USES PERMITTED AS SPECIAL USES	Sb
37.	EXERCISE STUDIOS AND HEALTH CLUBS	P
38.	FACIAL AND SCALP TREATMENT SERVICES	P
39.	FINANCIAL INSTITUTIONS, BANKS, SAVINGS & LOANS & CREDIT UNIONS < 3,000 SQ. FT.	P
39.1	FINANCIAL INSTITUTIONS, BANKS, SAVINGS & LOANS & CREDIT UNIONS > 3,000 SQ. FT.	P

40.	FLEA MARKET	Sa
41.	FLOWER SHOPS AND FLORISTS	P
42.	FOOD AND BEVERAGE RELATED USES, EXCEPT AS OTHERWISE LISTED (EXCLUDING SALES OF ALCOHOLIC BEVERAGES)	P
43.	FOOD STORES OR SUPERMARKET OVER 10,000 SQ. FT.	P
44.	FOOD STORES: SPECIALTY (EXCLUDING SALES OF ALCOHOLIC BEVERAGES)	P
45.	FUNERAL HOMES, MORTUARIES AND CREMATORIES	P
46.	FURNITURE REFINISHING AND REPAIR	P
47.	GAME ARCADES	P
48.	GIFT, NOVELTY, SOUVENIR AND SUNDRY SHOPS	P
49.	GOVERNMENT FACILITIES NOT OTHERWISE LISTED	
49.1	GOVERNMENT OPERATED SOCIAL SERVICES FACILITIES	
50.	GREENHOUSES, COMMERCIAL RETAIL FOR THE SALES OF PLANT MATERIALS GROWN OFF THE SITE	P
51.	GROUP HOMES TYPE I (6 OR FEWER PERSONS)	
51.1	GROUP HOMES TYPE II (7 TO 14 PERSONS)	Sb
52.	GROUP HOMES TYPE III (15 OR MORE PERSONS)	Sb
53.	GROUP HOMES TYPE V	Sb
54.	GUN CLUBS AND SHOOTING RANGES	
55.	HARDWARE, PAINT, GLASS AND WALL-PAPER STORES	P
56.	HELIPADS, HELISTOPS, W/OUT PERMANENT MOORING AND SERVICE FACILITIES	Sb

56.1	HOME IMPROVEMENT SHOWROOMS	
57.	HOME OCCUPATIONS, ACCESSORY TO RES. USES	
58.	HOSPITALS - PUBLIC & PRIVATE	Sa
59.	HOTELS AND MOTELS	PXR
60.	HOTELS AND MOTELS, LIMITED SERVICE	PXR
61.	INDUSTRIAL USES HAVING MODERATE EXTERNAL IMPACTS	
62.	INDUSTRIAL USES HAVING SIGNIFICANT EXTERNAL IMPACTS	
63.	INDUSTRIAL USES HAVING VERY SIGNIFICANT EXTERNAL IMPACTS	
64.	INDUSTRIAL - TYPE USES HAVING, MODERATE EXTERNAL IMPACTS	P
65.	INDUSTRIAL - TYPE USES HAVING SIGNIFICANT EXTERNAL IMPACTS	PXR
66.	INDUSTRIAL - TYPE USES HAVING VERY SIGNIFICANT EXTERNAL IMPACTS	
67.	INTERIOR DECORATORS	P
68.	JUNK, SCRAP AND SALVAGE YARDS	
69.	LAKES, PONDS, MAN-MADE, ACCESSORY	PXR
70.	LAUNDRY AND DRY CLEANING ESTABLISHMENTS, CLEANING ON PREMISES	PXR
71.	LAUNDRY AND DRY CLEANING ESTABLISHMENTS, PRIMARILY SERVING THE PUBLIC, COIN OPERATED	PXR
72.	LAUNDRY AND DRY CLEANING ESTABLISHMENTS, SERVING PRIMARILY THE PUBLIC, NO CLEANING ON PREMISES	Sb
73.	LIQUOR & PARTY STORES	P
74.	LOCKSMITH AND KEY ESTABLISHMENTS	P

75.	MAILING SERVICES	P
75.1	MARINA, COMMERCIAL	
76.	MARINE, INDUSTRIAL ESTABLISHMENTS	
77.	MARINE, RETAIL SALES AND SERVICES	P
78.	MARTIAL ARTS STUDIO	P
78.1	MEDICAL MARIJUANA DISPENSARY	PXR
79.	MINING AND EXTRACTIVE USES	
80.	MOBILE HOME SALES, RENTAL & SERVICE	
81.	MONUMENT SALES ESTABLISHMENTS	
82.	MOTION PICTURE STUDIOS	
83.	MOTOR VEHICLE FUEL SALES AND SERVICE	Sb
83.1	MOTOR VEHICLE FUEL SALES (NO SERVICE) AND ACCESSORY CONVENIENCE STORE	Sb
84.	MOTOR VEHICLE PARTS & ACCESSORY STORES	P
85.	MOTOR VEHICLE REPAIR, HEAVY (INCL. BODY REPAIRS AND PAINTING)	Sb
86.	MOTOR VEHICLE REPAIR, LIGHT (EXCLUDING BODY REPAIRS & PAINTING)	PXR
87.	MOTOR VEHICLE SALES & RENTAL (NO SERVICE)	P
88.	MOTOR VEHICLE SALES AND SERVICE AGENCIES	P
89.	MOTOR VEHICLE TITLE AND TAG SERVICE	P
90.	MOTORCYCLE SALES & SERVICE ESTABLISHMENTS	P
91.	MUSIC AND DANCE STUDIOS	P

92.	NEWSPAPER DISTRIBUTING AGENCIES	
93.	NEWSPAPER & MAGAZINE SHOPS	P
94.	NONCONFORMITIES, CHANGE FROM ONE MINOR NONCONFORMING USE TO ANOTHER MINOR NONCONFORMING USE	Sb
95.	NONCONFORMITIES, CHANGE FROM A MAJOR NONCONFORMING USE TO A MINOR NONCONFORMING USE	Sb
96.	NONCONFORMITIES, ALTERATIONS THAT REDUCE THE IMPACT OF A MINOR NONCONFORMING USE	Sb
97.	NONCONFORMITIES, ALTERATIONS THAT REDUCE THE IMPACT OF A MAJOR NONCONFORMING USE	Sb
98.	NURSERIES, RETAIL FOR THE SALES OF PLANT MATERIALS GROWN OFF THE SITE	P
99.	OFFICE & RELATED USE, INCLUDING BUSINESS SERVICES EXCEPT AS OTHERWISE LISTED	P
100.	OFFICE SUPPORT RETAIL NOT OCCUPYING MORE THAN 20% OF THE GROSS SQUARE FEET	P
101.	OFFICES-GOVERNMENT ADMINISTRATIVE	P
102.	OFFICES, PROFESSIONAL (MEDICAL)	P
102.1	OFFICES, PROFESSIONAL (NON-MEDICAL)	P
102.2.	OFFICES, REAL ESTATE	P
103.	OFFICES OR FACILITIES, QUASI-PUBLIC ASSOC. AND ORGANIZATIONS, NOT-FOR-PROFIT	P
104.	RESERVED	
105.	OFFICES, FOR THE HIRING OF TEMPORARY NONMANUAL LABOR	P
106.	OUTDOOR STORAGE FACILITIES FOR FAMILIES AND BUSINESSES	

107.	PARKING GARAGES AS PRINCIPAL USES	Sa
108.	PARKING LOTS AS PRINCIPAL, ACCESSORY OR OFF-SITE USES	Sb
109.	PARKING/STORAGE OF REC. VEHICLES ACCESSORY, IN RESIDENTIAL DIST.	
109.1	PARKS	
110.	PAWN SHOPS	Sb
111.	PET GROOMING ESTABLISHMENTS, BUT NOT KENNELS	P
111.1	PHARMACY & DRUG STORE	PXR
112.	PHOTOCOPY SERVICES	P
113.	PHOTOGRAPHIC STUDIOS SERVICING PRIMARILY THE PUBLIC	P
114.	POST OFFICES	P
115.	PRIVATE USE ON PUBLIC (CITY OWNED) LAND	Sa
116.	PRINTING AND TYPE SETTING SERVICES	P
117.	PRODUCE MARKETS	P
118.	PUBLIC SAFETY FACILITIES OPERATED BY PRIVATE AGENCIES	Sb
119.	PUBLIC SAFETY FACILITIES OPERATED BY PUBLIC AGENCIES	P
120.	RADIO AND TELEVISION BROADCASTING STUDIOS AND FACILITIES	P
121.	RAILROAD SWITCHING AND MARSHALING YARDS	
122.	RECREATION, INDOOR	P
123.	RECREATION, OUTDOOR, GENERAL	P
124.	RECREATION, OUTDOOR, HIGH INTENSITY	Sb

125.	RECREATION, OUTDOOR AMUSEMENTS, TEMP	Sb
126.	RECREATION, STADIUMS/SPORTS ARENAS	Sa
127.	REPAIR SHOPS FOR HOUSEHOLD APPLIANCES/SMALL MOTORS/MACHINES	P
128.	RESEARCH & DEVELOPMENT FACILITIES NOT OF AN INDUSTRIAL NATURE	P
129.	RESEARCH & DEVELOPMENT FACILITIES OF AN INDUSTRIAL NATURE	
130.	RESIDENTIAL, FRATERNITIES AND SORORITIES	
131.	RESIDENTIAL, MULTIFAMILY	P ⁹
132.	RESIDENTIAL, ROOMING & BOARDING HOUSES	
133.	RESIDENTIAL, SINGLE-FAMILY, DETACHED	
134.	RESIDENTIAL, SINGLE-FAMILY ATTACHED AND DETACHED	P ⁹
135.	RESIDENTIAL, TOWNHOUSES	9
136.	RESTAURANTS SERVING A LIMITED CLIENTELE (PRIVATE CLUBS & LODGES)	PXR
137.	RESTAURANTS SERVING THE GENERAL PUBLIC, BUT NOT DRIVE-IN OR DRIVE THRU	P
138.	RESTAURANTS SERVING THE GENERAL PUBLIC, DRIVE-IN OR DRIVE THRU FACILITIES	PXR
139.	RETAIL BAKERIES	P
140.	RETAIL BUILDING MATERIAL SALES WHICH HAVE A VERY SIGNIFICANT EXTERNAL IMPACT	P
141.	RETAIL BUSINESSES	P
142.	SANDWICH SHOPS AND SNACK BARS	P
143.	SCHOOLS - PUBLIC AND PRIVATE, ELEMENTARY, INTERMEDIATE AND SECONDARY	P

144.	SCHOOLS - PUBLIC, VOCATION AND TRADE INVOLVING INDUSTRIAL EQUIPMENT	
145.	SCHOOLS - PUBLIC, VOCATION AND TRADE NOT INVOLVING INDUSTRIAL EQUIPMENT	PXR
146.	SCHOOLS, COMMERCIAL, VOCATION AND TRADE INVOLVING INDUSTRIAL EQUIPMENT	
147.	SCHOOLS, COMMERCIAL, VOCATION AND TRADE NOT INVOLVING INDUSTRIAL EQUIPMENT	PXR
148.	SCHOOLS, COLLEGES AND UNIVERSITIES, PUBLIC AND PRIVATE	
149.	SCRAP, WASTE AND RECLAIMED MATERIALS TRADE	
150.	SHIP AND BOAT BUILDING AND REPAIR	
150.1	SOLAR ENERGY SYSTEMS, PRIMARY USE TIER 1: 0-10KW ¹³	P
150.2	SOLAR ENERGY SYSTEMS, PRIMARY USE TIER 2: 10-100KW ¹³	PXR
150.3	SOLAR ENERGY SYSTEMS, PRIMARY USE TIER 3: 100-2MW ¹³	Sb
151.	SPECIAL NONCOMMERCIAL EVENTS OF PUBLIC INTEREST	PXR
152.	SWIMMING POOL SALES	
153.	TAX RETURN PREPARATION SERVICES	P
154.	TAXIDERMIST	P
155.	TEMPORARY BORROW PITS, BORROW PILES AND SIMILAR EXCAVATIONS	PXR
156.	TEMP MODEL DWELLINGS AND SALES OFFICES	PXR
157.	TEMPORARY OFFICES AND FACILITIES FOR CONSTRUCTION, STORAGE/SECURITY	PXR
158.	TEMPORARY PRODUCE STANDS	Sb
159.	THEATERS, INDOOR, MOTION PICTURE & LIVE PERFORMANCES	P

160.	TOBACCO SHOPS	P
161.	TRANSIT STORAGE AND MAINT. FACILITIES FOR PASSENGER TRANSPORTATION OPERATIONS	Sb
162.	TRANSIT, PASSENGER & FREIGHT TERMINALS	Sb
163.	TRAVEL AGENCIES OR TRANSPORTATION TICKETS	P
164.	UPHOLSTERY, CLOTH & CANVAS PRODUCTS FABRICATION, INCL. SLIPCOVERS AND AWNINGS	P
164.1	URBAN MARKET GARDENS	PXR Sb
165.	UTILITY FACILITIES, HEAVY, PUBLIC AND PRIVATE	
166.	UTILITY FACILITIES, LIGHT, PUBLIC AND PRIVATE	PXR
167.	VETERINARY CLINICS AND HOSPITALS, ANIMAL SHELTERS, ENCLOSED	PXR
168.	VETERINARY CLINICS AND HOSPITALS, ANIMAL SHELTERS, ENCLOSED, NOT-FOR-PROFIT	PXR
169.	VETERINARY CLINICS AND HOSPITALS, ANIMAL SHELTERS, UNENCLOSED	Sb
170.	WAREHOUSING FACILITIES FOR FAMILIES AND SMALL BUSINESSES	P
171.	WAREHOUSING HAVING MODERATE EXTERNAL IMPACTS	P
172.	WAREHOUSING HAVING SIGNIFICANT EXTERNAL IMPACTS	PXR
173.	WAREHOUSING HAVING VERY SIGNIFICANT EXTERNAL IMPACTS	
174.	WATCH AND SHOE REPAIR ESTABLISHMENTS	P
175.	WHOLESALE HAVING A MODERATE EXTERNAL IMPACT	
176.	WHOLESALE HAVING A SIGNIFICANT EXTERNAL IMPACT	PXR
177.	WHOLESALE HAVING A VERY SIGNIFICANT EXTERNAL IMPACT	

178.	YARD AND GARAGE SALES, TEMPORARY	
179.	ACCESSORY TO OTHER USES, LAND AND/OR STRUCTURES TO PRINCIPAL USES PERMITTED BY RIGHT	P
180.	ACCESSORY TO OTHER USES, LAND AND/OR STRUCTURES TO SPECIAL USES PERMITTED BY RIGHT	S

NOTES: All uses in the Downtown Master Plan (DMP) area are governed by the DMP Regulating Plan.

1. Permitted with Sb only within certain Historic District and in Historic Structures outside of Historic Districts - Please see Section 94-273(d)(5), (5.1), (5.2) and (6) for details.
2. Reserved.
3. Permitted with PXR only along Broadway and U.S. 1 (South Dixie Highway)
4. Reserved.
5. Reserved.
6. Reserved.
7. Permitted only in Corporate Way area - See section 94-173 for boundary information.
8. Permitted by right for facilities associated with water treatment and distribution, or wastewater treatment and disposal.
9. Residential structures are only permitted if the corresponding future land use designation is Commercial East (CE).
10. Refer to article VI for additional requirements for industrial districts.
11. Shall be located within an existing professional office building legally established on or before July 10, 1989.
12. Shall be located within an existing single-family detached residence legally established on or before December 31, 2016.
13. Not applicable in historic overlay districts.

Key: P = Permitted by Right; PXR = Permitted, Subject to Extra Requirements; Sa = Special Use, Class A; Sb = Special Use, Class B

(Code 1979, § 33-91; Ord. No. 3693-03, § 2, 10-14-2003; Ord. No. 3800-04, § 3, 9-13-2004; Ord. No. 3744-04, § 3, 9-27-2004; Ord. No. 3816-04, § 2, 1-3-2005; Ord. No. 3853-05, § 2, 6-20-2005; Ord. No. 4072-07, § 7, 10-9-2007; Ord. No. 4111-08, § 4, 2-11-2008; Ord. No. 4147-08, § 3, 7-28-2008; Ord. No. 4234-09, § 1, 11-30-2009; Ord. No. 4253-10, § 2, 2-8-2010; Ord. No. 4273-10, § 2, 8-9-2010; Ord. No. 4289-10, § 3, 8-23-2010; Ord. No. 4309-10, § 4, 6, 12-13-2010; Ord. No. 4356-11, § 1, 9-19-2011; Ord. No. 4401-12, § 2, 2-21-2012; Ord. No. 4428-12, § 3, 8-6-2012; Ord. No. 4449-13, § 22, 3-19-2013; Ord. No. 4450-13, § 2, 4-1-2013; Ord. No. 4512-14, § 1, 4-28-2014; Ord. No. 4530-14, § 1, 9-15-2014; Ord. No. 4528-14, § 7(Exh. G), 11-10-2014; Ord. No. 4557-15, § 3, 4-27-2015; Ord. No. 4594-15, § 3, 10-13-2015; Ord. No. 4612-16, § 2, 2-1-2016; Ord. No. 4620-10, § 6, 4-25-2016; Ord. No. 4650-16, § 5(Exh. E), 8-29-2016; Ord. No. 4648-16, § 2, 9-26-2016; Ord. No. 4660-16, § 7, 12-5-2016; Ord. No. 4746-17, § 1(Exh. A), 1-16-2018; Ord. No. 4772-18, § 10(Exh. H), 5-21-2018; Ord. No. 4780-18, § 6, 6-18-2018)