

X.9 USES

X.9.1 Applicability

- A. The use regulations of this section apply to all TOD Districts. In the case of conflict with other sections of the Zoning Ordinance, these use regulations control.
- B. The following rules apply to established uses in existence as of (the effective date of this ordinance):
 1. Any structure or land used in a manner that was classified a permitted use prior to the effective date, and that use is classified as a permitted use as of the effective date, that use remains a permitted use.
 2. Any structure or land used in a manner that was allowed prior to the effective date, but is no longer allowed as a permitted use in the TOD District in which it is located, is deemed a nonconforming use and is controlled by Section X.10.

X.9.2 General Use Regulations

- A. No structure or land may be used or occupied unless allowed as a permitted, temporary, or accessory use within the zoning district. These use regulations apply to the use of private property, including City-owned property but excluding right-of-way.
- B. All uses must comply with any applicable federal and state requirements, and any additional federal, state, county, and/or city ordinances. For select uses, specific federal, state, county, and/or city ordinances may be cross-referenced but this is not intended to indicate that only those ordinances apply to such uses or that other uses within this ordinance are not subject to additional ordinances not referenced.

- C. Certain principal uses are defined to be inclusive of specific uses. When a principal use is inclusive of other uses, that use may be evaluated by the Zoning Administrator to determine if the specific use is part of a use listed. The following regulations apply:
 1. When a use meets a specific definition, it is regulated as such and cannot be regulated as part of a more inclusive use category.
 2. A use that is not listed in the use matrix and cannot be interpreted as part of another use definition is prohibited.
 3. Adult establishments are prohibited in the TOD Districts. Adult establishments are defined in Section 2.201 and regulated by Sections 12.518 of this Ordinance.
- D. A site may contain more than one principal use, so long as each principal use is allowed in the district.
- E. All uses must comply with the prescribed conditions of Section X.9.4 as applicable.

X.9.3 Use Matrix

- A. Table 1: Use Matrix identifies the principal, temporary, and accessory uses allowed within each zoning district.
- B. **P** indicates that the use is a permitted principal use by-right in the district. **T** indicates that the temporary use is permitted in the district. **A** indicates that the accessory use is permitted in the district. If a cell is blank, that use is not allowed in the district.

Table X.8: Use Matrix

PRINCIPAL USE	TOD-H1	TOD-H2	TOD-M1	TOD-M2	PRESCRIBED CONDITIONS
RESIDENTIAL USES					
Dormitory	P	P	P	P	
Dwelling – Multi-Family	P	P	P	P	
Residential Care Facility	P	P	P	P	
COMMERCIAL USES					
Amusement Facility - Indoor	P	P	P	P	X.9.4.A.1
Animal Care Facility	P	P	P	P	X.9.4.A.2
Art Gallery	P	P	P	P	
Arts or Fitness Studio	P	P	P	P	
Bar	P	P	P	P	X.9.4.A.1
Bicycle Sharing Station	P	P	P	P	
Body Modification Establishment	P	P	P	P	
Broadcasting Facility - No Antennae	P	P	P	P	
Convention Center	P		P		
Day Care Center	P	P	P	P	X.9.4.A.4
Financial Institution	P	P	P	P	
Gas Station				P	X.9.4.A.6
Hotel/Motel	P		P		
Industrial Design	P	P	P	P	
Live Performance Venue	P	P	P	P	X.9.4.A.1
Lodge/Meeting Hall	P	P	P	P	
Medical/Dental Office	P	P	P	P	
Micro-Brewery/Micro-Distillery/Micro-Winery	P	P	P	P	X.9.4.A.7
Office	P	P	P	P	
Open Air Fresh Food Market	P	P	P	P	
Personal Service Establishment	P	P	P	P	
Reception Facility	P	P	P	P	
Research and Development	P	P	P	P	
Restaurant	P	P	P	P	X.9.4.A.1
Retail Goods Establishment	P	P	P	P	
Retail Goods: Showroom	P	P	P	P	
Self-Storage Facility: Enclosed				P	
Specialty Food Service	P	P	P	P	
Vehicle Dealership – Enclosed				P	
Vehicle Rental – Enclosed	P	P	P	P	
INSTITUTIONAL & GOVERNMENTAL USES					
Cultural Facility	P	P	P	P	
Community Center	P	P	P	P	
Educational Facility - Pre-School/Kindergarten	P	P	P	P	X.9.4.A.4
Educational Facility - Primary or Secondary	P	P	P	P	
Educational Facility - University or College	P	P	P	P	

Table X.8: Use Matrix

PRINCIPAL USE	TOD-H1	TOD-H2	TOD-M1	TOD-M2	PRESCRIBED CONDITIONS
INSTITUTIONAL & GOVERNMENTAL USES (CONTINUED)					
Educational Facility - Vocational	P	P	P	P	
Government Office/Facility	P	P	P	P	
Place of Worship	P	P	P	P	
Public Safety Facility	P	P	P	P	
Public Works Facility	P	P	P	P	
PUBLIC HEALTH & SOCIAL SERVICE USES					
Alternative Correction Facility	P	P	P	P	
Children's Home	P	P	P	P	
Domestic Violence Shelter	P	P	P	P	
Drug/Alcohol Treatment Facility, Residential	P	P	P	P	
Emergency Shelter	P	P	P	P	X.9.4.A.5
Food Bank	P	P	P	P	
Food Pantry	P	P	P	P	
Halfway House	P	P	P	P	
Healthcare Institution	P	P	P	P	
Homeless Shelter	P	P	P	P	
Social Service Facility	P	P	P	P	
TRANSPORTATION USES					
Bicycle-Sharing Station	P	P	P	P	
Parking Lot (Principal Use)				P	
Parking – Structured Facility (Principal Use)	P		P		
Transit Station	P	P	P	P	
OPEN SPACE USES					
Community Garden	P	P	P	P	X.9.4.A.3
Public Park	P	P	P	P	
INFRASTRUCTURE					
Public Utility (Includes Transmission & Distribution)	P	P	P	P	X.9.4.A.8
Wireless Telecommunications	P	P	P	P	
TEMPORARY USES					
Mobile Food Vendor	T	T	T	T	X.9.4.B.1
Real Estate Project Sales Office/Model Unit	T	T	T	T	X.9.4.B.2
Temporary Contractor's Office and Contractor's Yard	T	T	T	T	X.9.4.B.3
Temporary Outdoor Entertainment	T	T	T	T	X.9.4.B.4
Temporary Outdoor Sales	T	T	T	T	X.9.4.B.5
Temporary Outdoor Storage Container	T	T	T	T	X.9.4.B.6
ACCESSORY USES					
Drive-Through Facility				A	X.9.4.C.1
Helistop	A		A		X.9.4.C.2
Outdoor Entertainment	A	A	A	A	X.9.4.C.3
Outdoor Seating/Activity Area	A	A	A	A	X.9.4.C.3
Outdoor Sales and Display	A	A	A	A	X.9.4.C.4

or display of such vehicles on-site. A motor vehicle rental establishment may maintain an inventory of the vehicles for sale or lease off-site.

Wireless Communications. Wireless communications infrastructure is defined in Section 12.108.(8) of this Ordinance.

X.9.4 Prescribed Conditions

Where applicable, principal uses are required to comply with all prescribed conditions of this section in addition to all other regulations of this Ordinance.

A. Principal Uses

1. Amusement Facility – Indoor, Bar, Live Performance Venue, Restaurant

- a. When such uses have indoor live performances between the hours of 11:00 p.m. and 8:00 a.m all windows and doors must remain closed.
- b. Such uses that include outdoor seating/ activity areas and/or outdoor entertainment are subject to the standards for such accessory uses of Section X.9.4.C.3.

2. Animal Care Facility

- a. All exterior areas must be located at least 300 feet from any lot in a residential zoning district or in residential use. This does not include residential uses in the UMUD, MUDD, or TOD Districts. Distances are measured from the closest edge of any exterior exercise area to the nearest property line of a lot in a residential zoning district or in residential use.
- b. Animal care facilities must locate exterior exercise areas in the rear or interior side yard only.
- c. All exterior exercise areas must be completely fenced.
- d. Animal care facilities must locate all overnight boarding facilities indoors.

3. Community Garden

- a. Community gardens are exempt from dimensional and design requirements of the applicable TOD District. They must meet the following:
 - i. No areas of cultivation may be located in a required build-to zone. All areas in cultivation must be set back a minimum of five feet from all other lot lines lot line.
 - ii. Accessory structures are limited to 15 feet in height. Accessory structures are limited to 120 square feet in area, with the exception of greenhouses and farmstands that are limited to 300 square feet in area.
- b. Where a community garden abuts a street lot line, a fence of 60% open construction, a minimum of five and a maximum of six feet in height, is required.
- c. Farmstands are permitted and are limited to sales of items grown at the site. Farmstands must be removed from the premises during that time of the year when the use is not open to the public. Only one farmstand is permitted per community garden.

4. Day Care Center and Educational Facility - Pre-School/Kindergarten

- a. Each facility must comply with all applicable state and federal regulations. The operator must be licensed and such license displayed publicly.
- b. Outdoor play space and equipment must be located in the rear yard in all residential districts but outside any required buffers. In non-residential districts, outdoor play space and equipment must be located outside of any required setbacks and any required buffers.
- c. There is no limit on the hours of operation of a child care center, but no outdoor play shall be permitted after sundown.

- d. When a facility is part of a multi-tenant development, the pickup/drop off area must not interfere with vehicle circulation in the parking lot, including blocking of the drive aisle.

5. Emergency Shelter

- a. The facility operator must provide continuous on-site supervision by an employee(s) and/or volunteer(s) during hours of operation.
- b. The shelter must be accessed by 4 Lane+ Avenue/ Boulevard.
- c. The shelter may only provide temporary housing to people and/or families during times of severe life-threatening weather conditions (including, but not limited to hurricanes, natural disasters, extreme temperatures) or other emergency conditions.

6. Gas Station

- a. Gasoline pump islands must be located as follows. This includes any area of a pad upon which a gas pump is installed.
 - i. Located no closer than 15 feet to any street lot line when constructed parallel to the pavement edge.
 - ii. Located no closer than 30 feet to any street lot line when constructed perpendicular to the pavement edge.
 - iii. Set back 15 feet from all lot lines other than a street lot line.
- b. Gas station canopies cannot be constructed closer than 15 feet from any street lot line.
- c. Build-to lines, build-to zones, and minimum building height regulations do not apply to gas station pump islands.
- d. The accessory use of a retail goods establishment and one car wash bay are permitted in connection with the principal gas station use.

7. Micro-Brewery/Micro-Distillery/Micro-Winery. Micro-breweries, micro-distilleries, and micro-wineries are subject to the following:

- a. The establishment must include a restaurant, bar, and/or tasting room within the same building. The minimum size of the restaurant, bar, and/or tasting room must be 20% of the total square footage of the structure or 1,500 square feet, whichever is less.
- b. Maximum size for the establishment and the restaurant and/or bar is 15,000 square feet. To encourage the adaptive reuse of older or underutilized buildings, the maximum size is increased to 25,000 square feet, if the establishment is located in a building constructed prior to 1980.
- c. If the establishment is located on a public or private street, public path, or rapid transit line, the restaurant and/or bar must have fenestration through vision glass, doors, or active outdoor spaces along 30% percent of the length of the building side that fronts the public right-of-way, private street, or rapid transit line. If the building architecture or site prohibits meeting the above condition, the Planning Director may approve alternative approaches.

8. Public Utility

a. Public Utility Structures

- i. Public utility structures must be set back 20 feet from all lot lines.
- ii. Minimum building height regulations do not apply to public utility structures.
- iii. Building design standards for structures on a site apply, unless it can be shown that incorporating certain elements impacts operations and/or creates a public safety issue. The Planning Director must verify the exceptions to design standards.

- iv. A buffer yard as per Section X.7.5 is required along all interior side and rear lot lines.
 - v. Public utility structures must be screened from view when located adjacent to a public or private street or public path with an open fence a minimum of six feet and a maximum of eight feet in height. Such fence must be setback seven feet from the lot line. Shrubs must be planted, a minimum of one shrub for every three feet, along the outside of the fence.
- b. Public Utility Transmission and Distribution Lines.** All on-site utility distribution lines or service from utility distribution lines serving the site, which deliver service to the end user from a transmission line providing service to an area larger than the individual site, must be installed underground unless terrain, subsurface, or surface obstructions inhibit installation.
- 9. Wireless Communications.** All wireless communications infrastructure must comply with Section 12.108(8) of the Zoning Ordinance.
- B. Temporary Uses.** The temporary uses listed in this section are permitted on private property in the TOD Districts. All temporary uses require a zoning use permit unless specifically cited as exempt in the prescribed conditions.
- 1. Mobile Food Vendor**
- a. A zoning use permit is valid for 365 consecutive calendar days, and may be renewed on an annual basis.
 - b. Mobile food vendors cannot be located in a required build-to zone or street frontage setback, sight distance triangle, or required buffer, and cannot block driveways or other access to buildings.
- c. The property owner must submit a site plan for zoning review by Planning Director, Charlotte Department of Transportation, and the City of Charlotte Fire Department if four or more vendors locate on a site. The site plan approval is valid for the duration of the use.
 - d. The property where four or more mobile food vendors are located must abut a four or more lane boulevard or avenue, Main Street, or non-residential local street.
 - e. Mobile food vendor cannot be located within 50 feet of any restaurant and/or bar serving food, measured from the closest point of the entrance to the closest mobile food vehicle or trailer, with two exceptions:
 - i. The mobile food vendor is under the same ownership as the restaurant and/or bar serving food, and operated on the same lot; or
 - ii. The vendor has written approval from all restaurants and/or bars establishment tenant(s) located within 50 feet of the mobile food vendor(s).
- 2. Real Estate Project Sales Office/Model Unit**
- a. A real estate sales model unit(s) is allowed for a residential development.
 - b. The real estate sales office must be removed and/or closed within 30 days after the sale or rental of the last unit of the development.
 - c. The model unit(s) must be closed within 30 days after the sale or rental of the last unit of the development.
- 3. Temporary Contractor's Office and Contractor's Yard**
- a. A temporary contractor's office is allowed incidental to a construction project and the zoning use permit is valid for the life of the project.

- b. The temporary contractor's office and/or yard must be removed within 30 days of completion of the construction project.
- c. Temporary contractor yards must be screened on all sides by a fence a minimum of five feet to a maximum of six feet in height. The fence must be an open fence. Barbed wire fence is prohibited. Fencing is not required on shared lot lines if the abutting lot also has a fence or other barrier that prohibits entry onto the lot. In no instance will shrubbery be used to substitute for fencing.

4. Temporary Outdoor Entertainment

- a. The event, including all sale and display items cannot be located in any required build-to zone or build-to line, any sight distance triangle, or required buffer yard.
- b. The operator temporary outdoor entertainment event must receive a permit from Planning, Design, and Development that describes the type of event involved, and the duration of the event.
- c. No one event may be longer than 14 days, including set-up and breakdown time.
- d. No detached signs are permitted
- e. The event cannot locate in any minimum required parking spaces for other businesses on the site when such businesses are open.
- f. The event must have adequate parking facilities based upon the size of the area used for the event. Parking spaces may be shared with other uses on the site, unless the Zoning Administrator determines that parking congestion problems will be present on the site during the times of the event. The Zoning Administrator may require additional parking to alleviate the congestion. If enough parking cannot be provided, the use may not be located on the site.

5. Temporary Outdoor Sales

- a. The event, including all sale and display items cannot be located in any required build-to zone or build-to line, any sight distance triangle, or required buffer.
- b. Any operator of a temporary outdoor sales event must receive a permit from Planning, Design, and Development that describes the type of event involved, and the duration of the event.
- c. No one event may be longer than 14 days, including set-up and breakdown time. However, a temporary seasonal sale, such as Christmas tree lots or pumpkin patches, are allowed 60 days per sale.
- d. No detached signs are permitted
- e. Hours of operation are limited to between 8:00 a.m. and 9:00 p.m.
- f. The temporary outdoor sales event cannot locate in any minimum required parking spaces for other businesses on the site when such businesses are open.
- g. The event must have adequate parking facilities based upon the size of the area used for the event. Parking spaces may be shared with other uses on the site, unless the Zoning Administrator determines that parking congestion problems will be present on the site during the times of the event. The Zoning Administrator may require additional parking to alleviate the congestion. If enough parking cannot be provided, the use may not be located on the site.

6. Temporary Outdoor Storage Container

- a. The use of an outdoor storage container is limited to no more than 90 consecutive days in a calendar year. This does not apply to when an outdoor storage container is part of an active construction site within a temporary contractor's yard.

- b. Outdoor storage containers cannot be placed in required build-to zone or build-to line abutting a street, unless there is a physical hardship or characteristic of the property that will not allow the placement of the container in any other location, which must be approved as part of the temporary use permit.

C. Accessory Uses. The accessory uses listed in this section are permitted as part of a principal use in the TOD Districts.

1. Drive-Through Facility

- a. All drive-through facilities must provide a minimum of four stacking spaces per lane or bay, unless additional stacking spaces are specifically required by this Ordinance. Restaurants must provide a minimum of five stacking spaces per lane or bay. The space at the service window is counted in this minimum number of spaces.
- b. A stacking space must be a minimum of nine feet in width and 18 feet in length.
- c. All drive-through facilities, including but not limited to menuboards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-through facility, must be located to the rear of the building. Drive-through windows and lanes may not be placed between the street and the associated building.

2. Helistop. The helistop must meet all standards of the United States Department of Transportation, Federal Aviation Administration and the North Carolina Department of Transportation, and must be designed and constructed in accordance with all state and federal regulations.

3. Outdoor Entertainment and Outdoor Seating/Activity Area. If at any time between the hours of 11:00 p.m. and 8:00 a.m., food and/or beverages are consumed in an outdoor seating/activity area or outdoor entertainment occurs, it must meet the following:

- a. The outdoor seating/activity area or outdoor entertainment must be separated by a distance of at least 100 feet from the nearest property line of a vacant lot or a residential use, excluding multi-family, when such vacant lot or residential use is located in a single-family zoning district.
- b. If the outdoor seating/activity area or outdoor entertainment is less than 100 feet from the nearest property line of a vacant lot or a residential use, excluding multi-family, when such vacant lot or residential use is located in a single-family zoning district, then the area must be separated by a Class A buffer (see Section 12.302) along all corresponding side and rear property lines.
- c. Distances are measured from the closest edge of any outdoor seating/activity area or outdoor entertainment to the nearest property line of a vacant lot or a residential use, excluding multi-family, when located in a single-family zoning district.

4. Outdoor Sales and Display

- a. Retail goods establishments are permitted accessory outdoor sales and display of merchandise.
- b. All outdoor display of merchandise must be located adjacent to the storefront and not in drive aisles, loading zones, or fire lanes. It may be located in a parking lot so long as the minimum number of required parking spaces remain unobstructed.
- c. No display may be placed within three feet of either side of an active door, or within 15 feet directly in front of an active door.
- d. A minimum clear width for pedestrian traffic of five feet is provided and maintained along any interior private sidewalk.
- e. Outdoor sales and display must take place entirely within the lot.

X.9.5 Principal, Accessory, and Temporary Use Definitions

Alternative Correctional Facility. A facility for adults or minors that is court ordered as an alternative to incarceration, also referred to as community correctional centers.

Amusement Facility - Indoor. A facility for spectator and participatory uses conducted within an enclosed building including, but not limited to, movie theaters, indoor sports arenas, bowling alleys, skating centers, escape room/physical adventure game facilities, and pool halls. Indoor amusement facilities do not include live performance venues. An indoor amusement facility may include additional uses as part of the principal use such as, but not limited to, concession stands, restaurants, and retail sales.

Animal Care Facility. An establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, animal training centers and clubs, and pet boarding facilities, where animals are boarded during the day and/or for short-term stays. Animal care facilities do not include animal breeding facilities or public facilities that shelter and train canine and/or equine units of public safety agencies.

Art Gallery. An establishment that sells, loans and/or displays paintings, sculpture, photographs, video art, or other works of art. Art gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculpture, photographs, video art, or other works.

Art or Fitness Studio. An establishment where an art or activity is taught, studied, or practiced such as dance, martial arts, photography, pottery, metalsmithing, music, painting, gymnastics, pilates, or yoga. An art and fitness studio also includes private exercise studios for private sessions with trainers and/or private classes.

Bar. An establishment where the primary purpose is the sale of alcoholic beverages for consumption on the premises. Snack foods or other prepared food may be available for consumption on the premises. A bar also includes establishments serving alcoholic beverages for consumption on the premises where areas have been designed for live performances and/or dancing within permanent enclosed areas.

Bicycle-Sharing Station. Facilities that store and offer bicycles for rental.

Body Modification Establishment. An establishment that offers tattooing services, body piercing, and/or non-medical body modification. Body modification establishment does not include an establishment that offers only ear piercing service.

Broadcasting Facility. Commercial and public communications facilities, including radio, internet, television broadcasting and receiving stations, and studios.

Children's Home. An institutional residential facility that provides housing for and care to minors who are wards of the state, whose parents or guardians are deceased or otherwise unable or unwilling to care for them. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Community Center. A facility used as a place of meeting, recreation, or social activity, that is open to the public and is not operated for profit, and offers a variety of educational and community service activities.

Community Garden. The cultivation of fruits, flowers, vegetables, or ornamental plants by one or more persons, households, or organizations. Community gardens do not include the raising of any livestock or poultry or the use of heavy machinery.

Convention Center. A facility designed and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with other operations such as, but not limited to, temporary outdoor displays and food and beverage preparation and service for on-premise consumption.

Cultural Facility. A facility open to the public that provides access to cultural exhibits and activities including, but not limited to, museums, cultural or historical centers, non-commercial galleries, historical societies, and libraries. A cultural facility may include additional uses as part of the principal use such as, but not limited to, retail sales of related items and restaurants.

Day Care Center. A facility where, for a portion of a 24-hour day, care and supervision is provided for children or elderly and/or functionally-impaired adults in a protective setting that are not related to the owner or operator.

Domestic Violence Shelter. A facility that provides temporary shelter, protection, and support for those escaping domestic violence and intimate partner violence, including victims of human trafficking. A domestic violence shelter also accommodates the minor children of such individuals. The facility may also offer a variety services to help individuals and their children including counseling and legal guidance. Domestic violence shelters may distinguish populations served by age and/or gender.

Dormitory. A building intended or used principally for sleeping accommodations where such building is related to an educational or public institution, including religious institutions.

Drug/Alcohol Treatment Facility, Residential. A licensed care facility that provides 24-hour medical and/or non-medical/therapeutic care of persons seeking rehabilitation from a drug and/or alcohol addiction. Such facilities include medical detoxification. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Drive-Through Facility. That portion of a business where transactions occur directly with customers via a service window that allows customers to remain in their vehicle

Dwelling – Multi-Family. A structure containing five or more dwelling units.

Educational Facility - Pre-School/Kindergarten. An educational establishment that offers early childhood education prior to the start of required education at the primary school level.

Educational Facility - Primary or Secondary. A facility that offers instruction at the elementary, junior high, and/or high school levels.

Educational Facility - University or College. A facility for post-secondary higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. Educational facilities – university or college may include additional uses as part of the principal use such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, and similar uses.

Educational Facility - Vocational. A facility that offers instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school. Educational facility - vocational also applies to privately operated schools that do not offer a complete educational curriculum.

Emergency Shelter. A shelter or facility that provides temporary housing to people and/or families during times of severe life-threatening weather conditions including, but not limited to, hurricanes, natural disasters, extreme temperatures, or other emergency conditions.

Financial Institution. A bank, savings and loan, credit union, or mortgage office. Financial institutions also include alternative financial service (AFS) that are provided outside a traditional banking institution, including check cashing establishments, and currency exchanges.

Food Bank. A non-profit organization that collects and distributes food to hunger relief organizations. Food is not distributed to those in need from a food bank.

Food Pantry. A non-profit organization that provides food directly to those in need. Food pantries receive, buy, store, and distribute food. Food pantries may also prepare meals to be served at no cost to those who receive them. A food pantry may be part of a place of worship, social service facility, and/or homeless shelter.

Gas Station. An establishment where fuel for vehicles is stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. A gas station may also include retail uses and an accessory car wash bay.

Government Office/Facility. Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public, such as city offices and post offices. Government offices do not include public safety or public works facilities.

Halfway House. A residential facility for persons who have been institutionalized for criminal conduct and require a group setting to facilitate the transition to society. Residency at a halfway house may or may not be court ordered.

Healthcare Institution. Facilities for primary health services and medical or surgical care to people, primarily in-patient overnight care, and including, as part of the institution, related facilities such as laboratories, outpatient facilities, dormitories, educational facilities, cafeterias, retail sales, and similar uses.

Helistop. Land or part of a structure used for the landing of helicopters.

Homeless Shelter. A facility that provides overnight, temporary, or transitional shelter to the homeless in general. Homeless shelters may distinguish populations served by age and/or gender.

Hotel/Motel. A commercial facility that provides sleeping accommodations for a fee and customary lodging services. Related accessory uses include, but are not be limited to, meeting facilities, restaurants, bars, and recreational facilities for the use of guests.

Industrial Design. An establishment where the design, marketing, and/or brand development of various products are researched and developed typically integrating the fields of art, business, science, and/or engineering. An industrial design establishment may create prototypes and products, but cannot mass manufacture products on the premises.

Live Performance Venue. A facility for the presentation of live entertainment, including musical acts (including disc jockeys), theatrical plays, stand-up comedy, and similar performances. Performances are scheduled in advance and tickets are required for admission and available for purchase in advance, though tickets may be purchased at the venue's box office on the day of the performance. A live performance venue is only open to the public when a live performance is scheduled. A live performance venue may include classroom and/or rehearsal space utilized during hours it is not open to the public for a performance. A live performance venue may include concession stands, including sale of alcohol, but only when it is open to the public for a performance. This does not include any adult establishments as defined in Section 2.201.

Lodge/Meeting Hall. A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business.

Medical/Dental Office. A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical/dental offices also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation.

Micro-Brewery. A facility for the production and packaging of malt beverages of alcoholic content for wholesale distribution and including a bar/tasting room and/or restaurant for consumption and tasting on-premises. It may also include retail to purchase beverages manufactured on-site and related items. A tasting room is an area within the premises of the brewery's production facilities where guests may sample the brewery's products. A micro-brewery may also offer sales of other alcoholic beverages for consumption off the premises.

Micro-Distillery. A facility for the production and packaging of alcoholic spirits and including a bar/ tasting room and/or restaurant for consumption and tasting on-premises. It may also include retail to purchase beverages manufactured on-site and related items. A tasting room is an area within the premises of the distillery's production facilities where guests may sample the distillery's products.

Micro-Winery. A facility for the production and packaging of any alcoholic beverages obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, and including a bar/tasting room and/or restaurant for consumption and tasting on-premises. It may also include retail to purchase beverages manufactured on-site and related items. A tasting room is an area within the premises of the winery's production facilities where guests may sample the winery's products.

Mobile Food Vendors. Mobile food vendor is a motor vehicle or food trailer towed by another vehicle, designed and equipped to sell food and/or beverages directly to consumers. It does not include wholesale food distributors. The vendor physically reports to and operates from an off-site kitchen for servicing, restocking, and maintenance each operating day.

Office. An establishment that engages in the processing, manipulation, or application of business information or professional expertise. Such an office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor engaged in the repair or sale of products for immediate purchase and removal from the premise by the purchaser. An office does not include financial institution, government office/facility, or industrial design.

Open Air Fresh Food Market. A market located on private property which involves booths, tables, platforms, mobile units, or similar displays where producers and/or growers sell fresh produce and/or value-added products at stalls or mobile units in an open air location. Individual vendors may operate one or more booths, under the supervision of a market proprietor, who rent or otherwise arrange for assigned space(s) for each vendor.

Outdoor Entertainment. Outdoor entertainment as an accessory use means presentation of live entertainment, including musical acts (including disc jockeys), theatrical plays, stand-up comedy, and similar live performances, or the presentation of a live or pre-recorded major sporting event, media event, movie, or similar. Outdoor entertainment occurs on the premises of, but outside a restaurant, bar, amusement facility, or similar uses. Entertainment occurs outdoors when it is outside a permanent enclosed area.

Outdoor Sales and Display. Part of a lot used for outdoor sales and/or display of goods accessory to the principal use.

Outdoor Seating/Activity Area. An outdoor seating/activity area as an accessory use is located outside the permanent enclosed area, and is used for seating, for food and/or beverage consumption, and/or participatory activities such as trivia or skill games like darts. This includes, but is not limited to, areas such as patios, decks, rooftops, and open areas.

Parking Lot (Principal Use). A lot, which excludes any public or private street, used for the storage of operable vehicles, whether for compensation or at no charge.

Parking - Structured Facility (Principal Use). A structure or portion of a structure used for the parking or storage of operable vehicles, whether for compensation or at no charge. A roofed structure of one level of parking is also considered a Structured Parking Facility.

Personal Service Establishment. An establishment that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, health clubs, dry cleaners, and tailors.

Place of Worship. A facility where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may include additional uses as part of the principal use such as day care facilities, meeting rooms, food preparation and dining areas, auditoriums, and/or classrooms for religious instruction.

Public Park. A publicly-owned facility that serves the recreational needs of residents and visitors. Public park includes, but is not limited to, playgrounds, ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, skateboard parks, passive recreation areas, and gymnasiums. Public parks may also include non-commercial indoor or outdoor facilities, including zoos, recreational centers, and amphitheaters, additional uses such as, but not limited to, restaurant and retail establishments, and temporary outdoor uses such as festivals and performances.

Public Safety Facility. A facility operated by and for the use of public safety agencies, such as the fire department and the police department, including the dispatch, storage, and maintenance of police and fire vehicles. Public safety facilities include shelter and training facilities for canine and equine units of public safety agencies.

Public Utility (Includes Transmission and Distribution).

An electricity or gas substation, water or wastewater pumping station, telephone repeater station, water storage tank, reservoir, recycling collection center, cellular and telephone transmission facilities, or similar structure used as an intermediary switching, boosting, distribution, or transfer station for electricity, water, wastewater, cable television, or telephone services between the point of generation and the end user, or a wastewater treatment plant, but not including satellite dish antennas, facilities for the handling of solid waste (except for recycling collection centers), or radio, television, or microwave transmission or relay towers.

Public Works Facility. A facility operated by the municipal public works departments and other governmental agencies to provide municipal services, including dispatch, storage, and maintenance of municipal vehicles.

Real Estate Project Sales Office/Model Unit. A residential unit or other structure within a development that is temporarily used for display purposes as an example of dwelling units available for sale or rental in a residential development, or sales or rental offices for commercial spaces and/or dwellings within the development.

Reception Facility. A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may occur as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

Research and Development. A facility where research and development is conducted in industries that include, but are not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication, and information technology, electronics and instrumentation, and computer hardware and software.

Residential Care Facility. A licensed care facility that provides 24-hour medical and/or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing care, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum. Residential care facility does not include a residential drug/alcohol treatment facility. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

Restaurant. An establishment where food and drinks are provided to the public for on-premises consumption by seated patrons or for carry-out service. Incidental entertainment, which is defined as live or pre-recorded background music, is permitted within a restaurant within the permanent enclosed area.

Retail Goods Establishment. An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. Retail goods establishment do not include specialty food service.

Retail Goods Showroom. An establishment where products are displayed for sale, such as furniture, appliances, carpet, tile, or furnishings. Products are available for purchase but are typically not available for immediate removal from the premises and are rather delivered to the purchaser.

Self-Storage Facility: Enclosed. A facility for the storage of personal property where individual renters control and access individual storage spaces located within a fully enclosed building that is climate controlled. Accessory retail sales of related items, such as moving supplies, and facility offices may also be included.

Social Service Facility. A service establishment that provides assistance for those recovering from chemical or alcohol dependency; survivors of abuse seeking support; those transitioning from homelessness or prior incarceration; and those with health and disability concerns. It does not include in-patient, overnight, or living quarters for recipients of the service or for the staff. Such service does not include medical examinations or procedures, or medical detoxification, dispensing of drugs or medications, or other treatments normally conducted in a medical office.

Specialty Food Service. Specialty food service includes preparation, processing, canning, or packaging of food products where all processing is completely enclosed and there are no outside impacts. Such business specializes in the sale of specific food products, such as a bakery, candy maker, meat market, catering business, cheesemonger, coffee roaster, or fishmonger, and offers areas for retail sales or restaurants that serve the products processed on-site.

Temporary Contractor's Office and Contractor's Yard. A temporary, portable, or modular structure utilized as a watchman's quarters, construction office, or equipment shed during the construction of a new development. This may include a contractor's yard where materials and equipment are stored in conjunction with a construction project.

Temporary Outdoor Entertainment. A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows, carnivals/circuses, temporary worship services, and others.

Temporary Outdoor Sales. Temporary uses, which may include temporary structures, where goods are sold, such as consignment auctions, arts and crafts fairs, flea markets, rummage sales, temporary vehicle sales, and holiday sales, such as Christmas tree lots and pumpkin sales lots. This temporary use category does not include outdoor sales related to a retail goods establishment where such goods are part of the establishment's regular items offered for purchase.

Temporary Outdoor Storage Container. Temporary self-storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for.

Transit Station. Any structure or transit facility that is primarily used, as part of a transit system, for the purpose of loading, unloading, or transferring passengers, or accommodating the movement of passengers from one mode of transportation to another.

Vehicle Dealership - Enclosed. An establishment that sells or leases new or used automobiles, vans, pick-ups, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles with no outdoor storage or display of such vehicles on-site but may maintain an inventory of the vehicles for sale or lease off-site.

Vehicle Rental - Enclosed. An establishment that rents automobiles and vans, including incidental parking and servicing of rental vehicles with no outdoor storage