

D. Residential Zoning Districts.

1. Purpose.

The purposes of the various residential zoning districts are as follows:

- a. **RMOD District -** To provide areas for moderate density residential development.
- b. **RMED District -** To provide areas for medium density residential development.
- c. **RH District -** To provide for areas of high-density residential development. Also permitted are businesses of a type which serve nearby residents.
- d. **RO District -** To provide for office uses in residential neighborhoods containing large houses to make continued use of these properties feasible; and to provide a buffer between residential and commercial areas.

2. Uses.

a. Permitted and Special Exception Uses.

Uses in these districts shall be permitted, permitted by special exception in accordance with general and specific performance criteria found in Section U of this Article, Sub-Section 8, or not permitted, as enumerated in Section Z of this Article.

b. Special Exception Use Conditions.

No special exception use shall be granted by the Board of Zoning Appeals unless the use is found to be in accordance with the following requirements:

- (1) The off-street parking requirements of Section O.
- (2) The specific performance criteria of individual special exception uses (if applicable) as found in Section U.8.a(7) of this Ordinance.
- (3) The site plan requirements of Section S, Sub-Section 2, if applicable, following the Board's granting of the special exception.

c. Accessory Uses.

The following accessory structures and uses shall be permitted in residential zoning districts:

- (1) Private detached garages and accessory buildings subject to limitations in Subsections D.4 and D.5.b, below.
- (2) Uses and structures customarily and incidental to any principal-permitted use or authorized special exception.
- (3) Home day care of up to 4 children, not including the children or relatives of the resident provider (not permitted in an apartment dwelling unit).
- (4) Use of detached accessory residential garages by non residents of the property, provided:
 - (a) The use shall be limited to parking of vehicles and personal storage that does not involve generation of noise from the garage, and shall not be used for storage for any commercial or institutional purpose, and
 - (b) Two off-street parking spaces are provided for each dwelling on the subject property for each non-owner-occupied dwelling on the property.
- (5) Home Workstations, subject to the provisions of Section K.7 of this Article.
- (6) See Section K of this Article regarding fowl and farm animals.

3. Parking Requirements.

a. When New Parking is Required.

Off street parking shall be provided in accordance with Section O of this Ordinance. However, in the RO District, existing residential buildings shall not be altered or modified for the purpose of creating additional residential units unless two (2) parking spaces per unit for all the units in the building can be provided or created in the rear yard of the property or in the rear yard of contiguous property under perpetual easement.

b. Parking and Storage of Unregistered Vehicles.

Motor vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any property in a residential or mixed use district used for residential purposes other than in completely enclosed buildings. This provision shall also apply to residential elements of PUD Developments.

c. Parking and Storage of Commercial Vehicles.

One commercial vehicle shall be permitted to be parked on a transient basis on a residential lot or parcel, provided:

- (1) The vehicle is currently registered, displays valid license plates and is regularly used by a resident of the property to commute to and from and used in the course of their employment, and
- (2) The vehicle may be an automobile, pick up truck, sport utility vehicle or van up to 3/4 ton, and
- (3) The vehicle does not exceed 20 feet in length. Tow trucks (including “rollback trucks”) are not permitted.
- (4) In the parking lots of multi-family developments, commercial vehicles shall be permitted to be parked in accordance with subsections a.(1) through (3) above, provided that only those spaces that are available after providing two parking spaces for each dwelling unit on the property are used.
- (5) Vehicles used by publicly-supported emergency responders (fire, police, EMS) shall not be subject to the limitations of this provision.

4. Height Limitations.

No principal permitted structure shall exceed the following:

Zoning District	RMOD	RMED	RH	RO
Height	3 stories or 35 feet	3 stories or 35 feet	5 stories or 60 feet	3 stories or 40 feet

No accessory structure shall exceed one story in height.

5. Minimum Lot Area, Locational, Lot Width and Yard (Setback) Requirements.

The minimum lot area, lot width and yard (setbacks) requirements for residential districts shall be as stated in the following chart (see next page). Yards shall be measured and determined in accordance with the standards set forth in Section K.6 of this Ordinance.

a. Bulk Requirements Chart and Regulations.

RESIDENTIAL DISTRICT DIMENSIONAL REQUIREMENTS (minimum)								
	Lot Area (square feet)	Lot Width (feet)	Lot Area Per Dwelling Unit (square feet)	Front Yard Depth (feet) (or to estab. line on same side of street for in-fill)	Rear Yard Depth (feet)	Minimum Aggregate Width of Side Yards (feet)	Minimum Width of Side Yards (feet)	Number of Side Yards Required
Single-family dwellings, RMOD District	7,500	50	7,500	25	35	15	4	2

RESIDENTIAL DISTRICT DIMENSIONAL REQUIREMENTS (minimum)								
	Lot Area (square feet)	Lot Width (feet)	Lot Area Per Dwelling Unit (square feet)	Front Yard Depth (feet) (or to estab. line on same side of street for in-fill)	Rear Yard Depth (feet)	Minimum Aggregate Width of Side Yards (feet)	Minimum Width of Side Yards (feet)	Number of Side Yards Required
Single-family dwellings, RMED and RO Districts	5,000	40	5,000	15	30	---	5	2
Single-family dwellings, RH District	4,000	40	4,000	15	30	---	5	2
Two-family dwellings RMOD District	10,000	75	5,000	25	35	20	10	2
Two-family dwellings RMED, RH and RO Districts	8,000	50	4,000	15	30	--	5	2
Single-family semi-detached dwellings RMOD District	5,000	37.5	5,000	25	35	N/A	10	1
Single-family semi-detached dwellings RMED, RH and RO Districts	3,000	25	3,000	15	30	N/A	5	1
Townhomes	7,500	20	2,500	15	30	N/A	8 (or to established line in neighborhood, if less)	1 for end units
Mansion Apartments in existing buildings	existing	existing	n/a, with 1 unit per 1,500 gross square feet of floor area of building	existing	30 or existing building	20 feet or existing	10 feet or existing	2 or existing
Courtyard, new construction mansion house and stacked apartment units	20,000	100	2,700	0	20 -- 35 when adjacent to RMOD and RMED	---	10	2
Schools	20,000	75	---	25	50	50	25	2
Hospitals	5 acres	---	---	150	50	200	75	2

RESIDENTIAL DISTRICT DIMENSIONAL REQUIREMENTS (minimum)								
	Lot Area (square feet)	Lot Width (feet)	Lot Area Per Dwelling Unit (square feet)	Front Yard Depth (feet) (or to estab. line on same side of street for in-fill)	Rear Yard Depth (feet)	Minimum Aggregate Width of Side Yards (feet)	Minimum Width of Side Yards (feet)	Number of Side Yards Required
Churches, Nursery schools, day-care centers and funeral homes	20,000	75	---	25	50	20	10	2
Other permitted or special exception uses in RMOD and RH Districts	20,000	100	---	25	40	20	10	2
Other permitted or special exception uses in RMED and RO Districts	15,000	80	---	25	20	20	10	2
Mobile Home Parks (see Section D, Subsection 5.g)								
Accessory buildings*	---	---	---	25	5	8	4	2

* Accessory buildings located within 3 feet of a principal structure shall be considered part of the principal building for setback purposes. Accessory buildings on the same lot located within 3 feet of another accessory building shall be considered cumulatively as if they were attached for bulk regulations purposes.

b. Detached Garages and Accessory Buildings.

Private detached garages for not more than three (3) motor vehicles and accessory buildings cumulatively totaling not over nine hundred (900) square feet. In addition to such buildings, accessory buildings shall be permitted that are cumulatively not more than 240 square feet in area.

c. Lot Averaging on Residential In-fill Lots.

Where at least sixty-six (66%) percent of all lots on the same side of the same street block as the subject lot have been developed:

- (1) The front yard setbacks of the subject lot shall conform to the average established front yard setbacks, and
- (2) The side yard setbacks of the subject lot shall not be less than the average side yard setbacks, and

- (3) For single-family residences, the lot area and width requirements shall be not less than the average lot area and width of all lots on that side of the same street block.

Lot Averaging Not to be Used For Lot Area and Width on Two-family and Semi-Detached Dwellings. Regardless of whether sixty-six (66%) per cent of the block has been developed, for the construction of two-family and semi-detached residences, the lot area and widths of the subject lot shall conform to the minimum lot area and width requirements established for the zoning district.

c. Projections Into Yards and Additions to the Rear of Semi-Detached Dwellings and Townhouses.

- (1) If attached to the main building, a one-story, open porch, with or without a roof may extend into a front yard not more than thirty (30%) percent of the existing front yard depth.
- (2) Projections such as bay windows, chimneys, entrances, vestibules, balconies, eaves, and leaders may extend into any required yard not more than four (4) feet, provided that such projections (excepting eaves) are not over ten (10) feet in length and no closer than four (4) feet to any property line.
- (3) If attached to the dwelling, a one-story open deck without a roof may extend into the required rear yard not more than thirty-five (35%) percent of the required setback.
- (4) No addition shall be made to the rear of an existing semi-detached dwelling or townhouse unless a 3 foot setback is provided along the interior lot line (in the case of a semi-detached dwelling or end-unit townhouse) or each side lot line (in the case of an interior townhouse) adjacent to the addition.

d. All Public Street Frontages Are Front Yards. On corner lots and through lots, all sides of a lot adjacent to streets shall be considered front yards, but only the side of the lot opposite the frontage of the building shall be considered the rear yard.

e. Townhouse Developments.

- (1) Streets, storm water management facilities, and parking lots shall be excluded from the required lot area.
- (2) The minimum horizontal distance between facing walls of any two (2) buildings on one (1) lot shall be twenty five (25) feet.
- (3) Where common open space is provided for a townhouse development in the RO District, the minimum lot size may be reduced to two thousand (2,000) square feet provided the gross density does not exceed fifteen (15) dwelling

units per acre.

f. Stacked and Mansion Apartment Developments.

Mansion house apartments in existing buildings in locally designated historic districts in the R-MED, RO and CC-MU Districts shall be permitted only under the following conditions:

- (1) the building was constructed prior to October 1, 1956;
- (2) the building shall be at least 4,500 square feet in area; and
- (3) the number of units is limited to one per 1,500 square feet of floor area as reflected on Department of Assessments and Taxation assessment records.
- (4) Except in the CC-MU Zoning District, the property shall be located in a locally designated historic district or in a designated landmark.
- (5) In the CC-MU Zoning District, these provisions shall be in addition to the minimum requirements for the size of units, based on number of bedrooms, found in Section E.6.a.

g. Mobile Homes.

Mobile homes shall be permitted outside of a mobile home park only when the dwelling is placed on and secured to a fully enclosed masonry foundation as set forth in the building code.

The following minimum requirements shall be observed for mobile home parks:

- (1) Minimum Area of Park: 10 acres
- (2) Building Setbacks :
 - (a) From external public street right-of-way and property lines: 50 feet
 - (b) Rear of unit to rear of unit: 60 feet
 - (c) Between structures: 20 feet
 - (d) From surface of internal access roads fronting pad: 10 feet
 - (e) Across an internal access road between structures: 40 feet
 - (f) Minimum lease area on which a home can be located 1,000 s.f.

Covered entryway steps may project not more than 5 feet from the unit and

decks without roofs may be added to a unit provided that a distance of at least 10 feet is maintained between the deck and other mobile homes or decks thereof.

- (3) Individual accessory buildings (sheds) are not permitted on individual dwelling pads. Common storage facilities for use by residents may be designed into an overall park site plan.
- (4) A heavy landscaped buffer, dominated by evergreen plantings, shall be installed in an area not less than 20 feet in width in all areas subject to the setback required in (2)(a) above.
- (5) Parking shall be prohibited on driveways unless designed to a width that allows two vehicles to pass in addition to the designated parking lane.
- (6) Parking of boats, campers, trailers, recreational vehicles and other similar vehicles shall be prohibited on the individual unit lease area. The developer may design and designate a common parking area within the mobile home park for such vehicle parking and storage.
- (7) No camper, recreational vehicle or similar vehicle shall be interpreted as a mobile home for the purposes of this subsection.

h. Construction On Lots That Do Not Front Public Streets.

On lots in residential zoning districts that do not front a public street, one garage, residential in size and scale, shall be permitted as a principal use, provided:

- (1) The lot shall front on an existing paved alley.
- (2) The garage shall not exceed 900 square feet in area;
- (3) The garage shall not exceed one story in height;
- (4) The garage shall be designed architecturally and so located to appear to be an accessory structure in the neighborhood in which it is located; and
- (5) The garage may be used by an owner or lessee for parking and personal use storage only. The garage shall not be used for business or institutional purposes and shall not generate activity other than the delivery or retrieval of vehicles or personal materials stored in the garage.
- (6) No outdoor storage of any kind is permitted.
- (7) The garage shall not be constructed closer than 5 feet to any property line or alley right of way.

i. Distance Requirements on Commercial and Private Membership Outdoor Swimming Pools.

The following setback requirements for the pool shall be required:

- (1) Distance of pool to property lines: 75 feet.
- (2) Any existing dwelling: 125feet.

6. Cluster Development.

a. Description. Clustering is an alternative type of development in the RMOD Zoning District which provides for reduction in minimum lot size for residential development. It permits a reduction in the size of individual lots while maintaining the maximum gross density allowed in the district in which it is located. This land development technique involves siting clusters of home sites on smaller lots than those permitted under conventional development regulations with the remaining “saved” land being retained as common open space.

b. Use of Open Space. The permanent, common open space, legally dedicated through subdivision plat recordation and deed restriction, can be used for natural conservation and/or recreational facilities for benefit of the residents of the development. Such open space may also be made available for the use and enjoyment of the general population if public dedication of the open space is accepted by the Mayor and City Council.

c. Site Design Criteria.

(1) Subdivision Approval for Cluster Development.

- (a) No cluster development may be constructed except in accordance with a Development Plan and Final Subdivision Plat approved by the Planning Commission under the Subdivision Regulations.
- (b) Wherever the yard and lot dimensional requirements are less than those required in non-cluster developments, they shall be shown and identified on the Development Plan and Final Subdivision Plats.

(2) Open Space.

- (a) Lot reduction shall be compensated for by the provision of one (1) square foot of open space for each square foot of area that each lot in the subdivision is reduced below non-cluster lot area requirements, providing such minimum open space is configured

for the use and enjoyment of the residents of the subdivision as the Planning Commission determines to be suitable to meet the intent of this Ordinance. Such open space shall not be comprised of accumulations of leftover remnants of land on the site, but shall constitute meaningful contiguous areas of land which provide for the preservation of significant natural features on the land, and/or provide recreational amenities for the use of the residents of the development. The Planning Commission must be furnished satisfactory evidence as a condition of approval that such open space area will be continued and that perpetual maintenance is provided for.

- (b) Up to twenty-five (25%) percent of this area may be designated forest retention areas intended to meet the requirements of the Forest Conservation Ordinance, provided that at least seventy-five (75%) percent of the forest conservation requirement is being met within the development (retention, afforestation and street trees). The Planning Commission may consider a deviation from this forest conservation standard to allow up to fifty (50%) percent of open space area designated for forest retention areas intended to meet the requirements of the Forest Conservation Ordinance, provided that one hundred (100%) percent of the Forest Conservation requirement is being met within the proposed development.
 - (c) "Open space" does not include public or private streets, rights of way, or off-street parking.
 - (d) The open space shall be either publicly or privately owned. A deed with covenants or other legal arrangements shall specify ownership of the cluster open space; method of maintenance; responsibility for maintenance; maintenance taxes and insurance; compulsory membership and compulsory assessment provisions; guarantees that any association formed to own and maintain cluster open space will not be dissolved without the consent of the Planning Commission and any other specifications deemed necessary by the Planning Commission. Unless specifically agreed to by the Mayor and Council, approval of the cluster open space does not commit the City to maintenance of the cluster open space.
- (3) Buffer Zones.

Buffer zones shall, where appropriate, be included to prevent or minimize adverse impacts from adjoining areas having different types or densities of development by providing separation and barriers to objectionable views, glare, and noise. Several types of buffers may be required by the Planning Commission.

- (a) Landscaping and buffer strips may be required to reduce noise or visual impacts between developments.
 - (b) Common open space, if appropriately located, may be used in satisfying buffer requirements, provided that the open space is adequately landscaped to prevent or minimize the adverse effects of the proposed development.
- (4) Cluster dimensional requirements.
- (a) Lot area requirements shall be based on the average for the entire development.
 - (b) Maximum number of townhouse units per building: eight (8).
 - (c) The minimum lot area, lot width and yard requirements for dwellings in cluster subdivisions shall be in accordance with the requirements set forth in the following chart.

CLUSTER SUBDIVISION MINIMUM DIMENSIONAL REQUIREMENTS SCHEDULE									
	Minimum Lot Size Permitted in Non-Cluster	Minimum Lot Area (sq. ft.)	Lot Width (minimum) (feet)	Minimum Lot Area Per Dwelling Unit (sq.ft.)	Front Yard Depth (feet)	Rear Yard Depth (feet)	Minimum Aggregate Width of Side Yards (feet)	Minimum Width of Side Yards (feet)	Number of Side Yards Required
Single-family dwellings	7,500	5,000	40	5,000	15	30	10	4	2
Two-family	10,000	5,000	65	2,500	15	30	10	4	2
Triplex	6,000 (A)	4,500	65	1,500	15	30	10	5	2
Quadraplex	8,000 (A)	6,000	65	1,500	15	30	10	5	2
Townhouse	3,500	1,500	20	1,500	10	30	10 between bldgs.	5	1 (end unit)
Accessory					15	5		4*	

NOTES:

(A) Triplexes and quadraplexes permitted in cluster developments only. This shall be applied as if they were permitted in other districts, and in accordance with the provisions of Subsection 6.c(2) above.

* Accessory structure side setback shall not apply on lots containing attached dwellings, along the lot line containing a party wall if the accessory structure is a garage attached to another garage on the adjacent property or a storage shed attached to another storage shed on the adjacent property.

7. Zero Lot Line Development.

Zero lot line development as defined in this Chapter, is not permitted within the limits of the City of Hagerstown.

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H. Industrial Districts.

1. Purpose.

The purposes of the three industrial zoning districts are as follows:

- a. **IR (Industrial Restricted)** - To provide locations for offices and light industrial uses which do not require special measures to control odor, dust or noise and which do not involve hazardous waste and whose environmental impacts are contained within the property limits.
- b. **IG (Industrial General)** - To provide for those manufacturing, processing and storage uses which should be separated from other uses by reason of characteristics which may conflict with other uses. The exclusion of residential and commercial uses is intended to promote the economic welfare of the city by reserving especially suited areas for industry and by controlling the intermingling of incompatible uses.
- c. **I-MU (Industrial Mixed-Use)** - To provide locations for light industrial parks, office parks, research and development facilities, hi-tech communication and technology facilities, trucking and distribution facilities, and minor commercial uses that support job centers.

2. Uses.

a. Permitted and Special Exception Uses.

Uses in these districts shall be permitted, permitted by special exception in accordance with general and specific performance criteria found in Section U, Sub-Section 8, or not permitted as enumerated in Section Z of this Article.

b. Conditions for Kennels in the I-MU Zoning District.

- (1) Use area must be set back at least one hundred (100) feet from any nearby property containing a residential dwelling unit, religious organization's place of worship, educational service facility, residential care facility, hospital, assisted living facility or nursing home.
- (2) Exterior exercise/play areas must be enclosed with solid fencing, at a minimum of six feet in height.
- (3) The total number of dogs permitted at any one time shall not exceed one (1) dog per one hundred (100) square feet of combined interior/exterior lease area.

c. Special Exception Uses.

Compliance With Use and Development Requirements - Any special exception use granted by the Board of Zoning Appeals shall only be approved when the use is found to be in accordance with the following requirements:

- (1) The off-street parking requirements of Section O.
- (2) The specific performance criteria of individual special exception uses (if applicable) as found in Section U.8.a(7) of this Article.
- (3) The site plan requirements of Subsection S.2 if applicable, following the Board's granting of the special exception.

d. Accessory Uses.

- (1) Uses and structures customarily accessory and incidental to any principal permitted use or authorized special exception.
- (2) Home workstations, subject to the provisions of Section K.7 of this Article.
- (3) Home day care of up to 4 children, not including the children or relatives of the resident provider (not permitted in an apartment dwelling unit).

3. Parking Requirements. As applicable under Section O of this Ordinance.

4. Height Limitation Chart.

	IR	IG	I-MU
Height	60 feet	100 feet	9 stories or maximum of 100 feet

5. Minimum Lot Area, Lot Width and Yard (Setback) Requirements.

The minimum lot area, lot width and yard (setbacks) requirements for industrial districts shall be as stated in the following chart:

INDUSTRIAL DISTRICT DIMENSIONAL REQUIREMENTS				
All Buildings				
District	Front Yard Depth (feet)	Rear Yard Depth (feet)	Minimum Width of Side Yards (feet)	Number of Side Yards Required
IR	50*	25*	25*	2
IG	50*	25**	25**	2
I-MU	35	25***	15***	2

* Where adjoining an "R" District: 100 feet
 ** Where adjoining an "R" District: 200 feet
 *** Where adjoining an "R" District, the setback shall be one (1) foot for each foot of building height, but not less than thirty-five (35) feet.

Yards shall be measured and determined in accordance with the standards set forth in Section K.6 of this Article. Increased setbacks assigned when adjacent to residential zoning shall be applied when property is adjoining only, and is not to be applied across public street rights-of-way.

6. All Public Street Frontages Are Front Yards.

On corner lots and through lots, all sides of a lot adjacent to streets shall be considered front yards, but only the side of the lot opposite the frontage of the building shall be considered the rear yard.

7. Industrial Performance Standards.

The following industrial performance standards shall be met in the industrial districts for any industrial use prior to the issuance of a zoning permit:

- a. **Control of Smoke, Dust and Dirt, Fumes, Vapors, Gases and Odors.** The Maryland air pollution control standards shall be used to control the emission of smoke, dust, dirt, fly ash, fumes, vapors, gases or odors.
- b. **Control of Heat and Glare.** No use shall carry on an operation that will produce heat or constant glare which will adversely affect the uses of an adjacent property.
- c. **Vibration Control.** Machines or operations which cause vibration shall be permitted, but in no case shall any such vibration adversely affect the uses of an adjacent property.
- d. **Radiation of Electrical Emissions, Radioactivity or Electrical Disturbance.** Activities which may emit dangerous radioactivity beyond closed areas shall comply with state and federal codes. No electrical disturbances (except from domestic household appliances) shall be permitted to affect adversely at any point any equipment other than that of the creator of such disturbance.
- e. **Electric, Diesel, Gas or Other Power.** Every use requiring power shall be so operated that any service line, substation, etc., shall conform to the highest applicable safety requirements. They shall be constructed, installed, etc. so that they will be an integral part of the architectural features of the building or, if visible from abutting residential properties, shall be concealed by evergreen planting.
- f. **Wastewater and Waste Treatment.** All methods of wastewater and industrial waste treatment and disposal shall be approved by the Department of Utilities and shall be in accordance with all applicable regulations.
- g. **Storage of Materials.**
 - (1) No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces, nor shall

any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation or which will destroy aquatic life be allowed to enter any stream or watercourse.

- (2) All materials or wastes which may cause fumes or dust or which may be edible or otherwise attractive to rodents or insects shall be stored only if enclosed in containers which are adequate to eliminate such hazards.

8. I-MU District Use Limitation, Development and Design Standards.

a. Limitations on Retail and Service Uses.

Uses identified in the I-MU District in the Use Chart cited in Section Z of this Article as a permitted use, but marked with an asterisk shall:

- (1) Not exceed twenty five (25%) percent of the gross floor area of the building, or
- (2) Not exceed in the aggregate twenty (20%) percent of the gross floor area of a group of buildings designed and approved as a unified development, as designated on the approved Site Plan.
- (3) Gasoline service stations (4471) are not permitted in the I-MU District, including incidental sales associated with a convenience store.
- (4) Retail shall not be the sole occupant of a structure.

b. Street Graphics.

Regulation of street graphics in the I-MU shall be in accordance with Section I.2 of this Article.

I. Street Graphics.

1. Prohibitions.

The following types of graphics are not permitted:

- a. Animation, changeable copy, bare-bulbs, digital, digital media or flashing illumination. All lighting shall be steady, stationary, and/or shielded light sources directed solely onto the message.
- b. Roof mounted graphics and temporary portable street graphics.
- c. Temporary signs, except banners for government, libraries, museums and other non-profit organizations to announce special events and exhibits.

2. Street Graphics in the POM and I-MU Zoning Districts.

Site plan applicants are required to present a Program for Graphics as part of a required site plan that integrates the design of street graphics with the design of the building (and/or development) on which they will be displayed and with the surrounding area. An office park may display no more than one (1) freestanding street graphic at each exit and entrance. Dimensional and Design Requirements are as follows:

Dimension or Design Element		Requirement
(a)	Freestanding street graphics for entrances and single-use buildings: [i] A ground mounted type. [ii] Maximum Height (feet): [iii] Maximum Width (feet): [iv] Construction: The style, color and materials consistent with the main structure.	 ✓ 10 10 ✓
(b)	Freestanding Street Graphic for multi-use building: [i] A multi-use building shall have no more than one (1) freestanding street graphic facing each street or highway on which the building has frontage. [ii] Maximum Height (feet): [iii] Maximum Width (feet):	 ✓ 15 10
(c)	Wall Graphic: [i] A multi-use building shall have no more than one (1) wall graphic facing each street or highway on which the building has frontage. [ii] Maximum Height (feet):	 ✓ 3

Dimension or Design Element	Requirement
(c) Wall Graphic (continued): [iii] Maximum Width (percent of the wall on which it is mounted): [iv] For projects subject to a required site plan, the Planning Commission may consider exceptions for an established logo that will not fit within these dimensions on a case by case basis.	60 ✓
(d) Projecting Graphics: [i] Maximum Height (feet): [ii] Maximum Width (feet): [iii] Maximum Projection (inches from building wall) or within 2 feet of the curb line. [iv] Minimum Vertical Clearance (feet): [v] Maximum Vertical Clearance (feet):	2 4 52 8 12

3. Street Graphics in the CC-MU, N-MU and CL Zoning Districts and the LC Overlay Zoning District.

Street Graphics in the CC-MU, N-MU and CL Zoning Districts and the LC Overlay Zoning District districts should be done to clearly provide information, should be at an appropriate scale to the buildings, and should focus on the proximity of the slow vehicle and pedestrian traffic. Where possible, the graphic should be an integral part of the building. Creativity is encouraged. Graphics may be fabricated of mixed media, including metal reverse illuminated letters, suspended neon letters, illuminated individual letters, graphics etched or cutout of solid material such as wood or brass and illuminated from behind.

- a. Windows can have painted or etched lettering for the business.
- b. Graphics shall be centered between architectural elements and shall be placed facing primary pedestrian streets.
- c. Wall-mounted graphics shall not project more than six inches from the building.
- d. Building-mounted or wall graphics for retail shops shall be located in the store front area above the door height and below canopy, typically eight feet above the floor.
- e. Overhanging, building mounted, or projecting graphics which hang from the canopy, arcade or building front are permissible. Such graphics shall not have an area of more than eight square feet or exceed two inches in thickness. The bottom of the graphic should not be lower than eight feet above the ground.
- f. Channel letter height shall not exceed eighteen inches. Larger first letters up to twenty four inches will be permitted.

- g.** Length of the graphic shall not be more than two-thirds of the overall leased facade area. Each graphic is calculated separately and shall conform to all applicable maximum area limitations. Calculated maximum areas are not transferable to other facades. No more than two facades, per business, may have graphics.
- h.** Graphics displayed on awnings are allowed.
- i.** A multi-use building shall have no more than one freestanding street graphic facing each street or highway on which the building has frontage, limited to a maximum height of 12 feet and a maximum width of 8 feet.
- j.** Projecting graphics in the CC-MU, N-MU and CL Zoning Districts and the LC Overlay Zoning District shall be as follows:

 - (1) Before any projecting graphic, as defined in Article 3, over two and one-half (2½) square feet shall be placed or altered in size or location a building permit and a zoning certificate must be issued.
 - (2) Size. A total graphic area of eight (8) square feet shall be allowed. For the purposes of computing the allowable area, it will be the sum of the area of one (1) face of the graphic.
 - (3) Location. No graphic shall project more than fifty-two (52) inches from the building wall or within two (2) feet of the curb line. A vertical clearance of at least eight (8) feet shall be provided below all parts of a graphic and no portion of a graphic shall extend higher than twelve (12) feet above the sidewalk or public thoroughfare.
 - (4) Advertisement. No graphic shall be erected on a site or remain on a site that advertises an activity, business, product, or service no longer produced or conducted on site. No graphic may remain on a site for more than thirty (30) days if that sign advertises an activity, business, product or service no longer conducted or produced on that site. Upon removal of any graphic, all unused brackets and conduits also shall be removed. All holes or other damage shall be patched or repaired and shall be painted as necessary to match the existing wall surface.
 - (5) Nonconforming graphics. Projecting signs existing at the time of the enactment of this subsection and not conforming to its provisions, but which did conform to previous laws, shall be regarded as nonconforming signs which may be continued if properly maintained as provided by any other relevant ordinance. Nonconforming signs which are structurally altered, relocated or replaced shall comply immediately with all provisions of this subsection.

The key to the symbols used below is found on page 4-117. Refer to pages 4-6 and 4-7 for explanation of district name abbreviations.																	
USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
RESIDENTIAL USES																	
One single-family dwelling per unit of land existing as of January 1, 2012.	P																
Dwelling, single family, subject to minimum lot requirements		P	P	P	P	P@	P@	P									P
Dwelling, two-family, subject to minimum lot requirements		P	P	P	P	P@	P@	P									P
Dwelling, single-family semi-detached, subject to minimum lot requirements		P	P	P	P	P@	P@	P									P
Dwelling, townhouse, subject to minimum lot requirements			P	P	P	P@	P@										P
Dwelling, quadraplex, in cluster developments only, subject to minimum lot requirements			P	P	P												P
Dwelling, triplex, in cluster developments only, subject to minimum lot requirements			P	P	P												P
Dwelling, new construction mansion house apartment, subject to minimum lot requirements				P	SE	P@	P@	P									P, but not in RMOD
Dwelling, stacked apartment, subject to minimum lot requirements				P		P@	P@	P							P		P, not in RMOD
Dwelling, courtyard apartment, subject to minimum lot requirements				P		P@											P, not in RMOD

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USE	ZONING DISTRICT														OVERLAY ZONING DISTRICT		
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
RESIDENTIAL USES (CONT.)																	
Dwelling, mansion house, in an existing building subject to performance requirements cited in Section D.5.f.3			P*		P*		P*										
College Dormitories							P										
Artist Live-Work Space in large former commercial, industrial or institutional buildings						P	P								P		
Artist Live-Work Space in buildings approved for a Local Conversion District Overlay, without regulation on the size and composition of resident household.																P	
Up to two dwelling units in a building that previously contained no dwelling units, provided that commercial uses as outlined in the LC districts are included within the building																P	
Apartment dwellings legally in existence as a permitted, special exception or non-conforming use, where there is no increase in the number of dwelling units in a building that contains commercial uses, or will contain commercial units (Local Conversion only)																P	
Mobile Home Parks, subject to the design requirements found in Section D.5.g.				P													

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
RESIDENTIAL USES (CONT.)																	
Model home sales office in dwellings or trailers in new home developments for use within the development, provided the type and location are shown on the approved site plan or development plan.		P	P	P	P	P	P	P							P		P
One garage per lot that does not front a public street, subject to provisions of Section D.5.h		P	P	P	P	P	P										P
PUBLIC AND INSTITUTIONAL USES																	
Municipal parking lots and decks		P	P	P	P	P	P		P								
Commercial parking lots and decks						P	P		P								
Primary and secondary schools, public and private, provided all setback, parking and other regulations are met without variance.		P	P	P	P	P	P	P	P	P	P	P					P
Primary and secondary schools, public and private, for which setback, parking or other regulations cannot be met without variance.		SE	SE	SE	SE	SE	P		SE		SE	P					

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
PUBLIC AND INSTITUTIONAL USES (CONT.)																	
Religious sanctuaries (8131) (church, synagogue, mosque, etc.) with traditional accessory uses, provided all setback, parking and other regulations are met without variance or waiver and reuse of existing structures comply with setbacks.		P	P	P	P	P	P	SE	P						SE		P
Religious sanctuaries (8131) other than those described in the previous line, or not meeting all site design requirements.		SE	SE	SE	SE	P	P	SE	P						SE		P
Public Parks		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Private Parks, Playgrounds and community gardens		SE	SE	SE	SE	P	P										P
Cemetery, columbarium and mausoleum for humans (not pet cemeteries) and crematoriums		SE	SE	SE	SE		SE						P	P			P
Country clubs, golf courses and summer camps.	P																P
Commercial and Private Membership Outdoor Swimming Pools, Provided the Pool Meets Distance Requirements Cited in Section D.5.i		P*	P*	P*													P
Ambulance Services (621910), Fire Protection (922160) and Police Protection (922120)		SE	SE	SE	SE	SE	SE	SE	P	P	P	P	P	P	SE		
Adult Day Care Services (624120)		SE	SE	SE	SE		P	SE	P		P	P			SE		

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
PUBLIC AND INSTITUTIONAL USES (CONT.)																	
Child Day Care Services (624410)		SE	SE	SE	SE	P	P	SE	P	P	P	P**			P		
Community Centers, including but not limited to cultural, civic and educational centers		SE	SE	SE	SE	P	P	SE	P	P					SE		P
Fitness and Recreational Sports Centers		SE	SE	SE	SE	P	P	SE	P	P	P*	P**	P	P	P		P
Museums (712) except zoological parks		SE	SE	SE	SE	P	P		P	P			P	P	P		
Libraries						P	P		P								
Civic and Social Organizations (8134)						SE	P	SE	P	P					SE		
Public Administration (92), Except Correctional Institutions (922120)					P	P	P	SE	P	P	P	P	P	P	P		
Social Assistance - Services for the Elderly and Persons with Disabilities (624120)									P		P	P					
OFFICE AND PROFESSIONAL USES																	
Ambulatory Health Care Services, with exception of Outpatient Substance Abuse Centers (621420)					P*	P	P	SE	P	P	P	P	P	P	P	P	
Professional, Scientific & Technical Services (54), except Veterinary Services.					P*	P	P	SE	P	P	P	P	P	P	P	P	
Veterinary Services (54194), Completely enclosed						SE	SE	SE	P	P	P	P			P		

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
OFFICE AND PROFESSIONAL USES (CONT.)																	
Veterinary Services (54194), with outdoor runs, not kennels (as defined in Article 3 and permitted in other districts)									SE				P	P			
Large Animal Veterinary Clinic (541940)														P			
Offices, Business and Professional (55 and 56), except Waste Management and Remediation Services (562)					P	P	P	SE	P	P	P	P	P	P	P	P	
Administrative Support Services (561).					P	P	P	SE	P	P	P	P	P	P	P	P	
Banks, Savings Institutions & Credit Unions (521-522), except pawn shops						P	P	P	P	P	P	P				P	
Finance and Insurance (52), Monetary Authorities - Central Bank, Credit Intermediation and Related Activities (521-522), except Pawn Shops (522298)					P*	P	P	SE	P	P	P	P	P	P	SE		
Colleges, Universities, Trade and Commercial Schools, except primary and secondary schools (611)		SE	SE	SE	SE	P	P	SE	P	P	P	P	P	P	P		
Funeral Homes (81221) including accessory crematories		SE	SE	SE	P*		P	SE	P	P					SE		
Hospitals, including psychiatric, substance abuse and specialty hospitals (622)		SE	SE	SE	SE		P	SE	P		P	P					

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
OFFICE AND PROFESSIONAL USES (CONT.)																	
Nursing Homes and Residential Care Facilities for the Elderly		SE	SE	SE	P		P	SE	P		P	P					
Residential facilities with in-house professional care for up to three residents with mental and/or physical disabilities	P	P	P	P	P	P	P	P									
Transitional residential facilities with in-house professional care for up to three transitional residents being treated for substance abuse issues, provided it is not within 300 feet of the same use or 1,000 feet from a school.									SE		SE	SE					
Medical and Diagnostic Laboratories (6215)							P				P						
Offices for bonding, probation and parole of defendants in the criminal justice system, not within 500 feet of Public Square or within 250 feet of another such use.							P		P		P	P	P	P			
ENTERTAINMENT AND HOSPITALITY USES																	
Adult Entertainment Business Uses, Subject to the Provisions of Section F.2.b.5									P								
Agri-Tourism	P																
Bed & Breakfast Inns (721191)		SE	SE		SE	P	P	P	P								

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
ENTERTAINMENT AND HOSPITALITY USES (CONT.)																	
Catering kitchens, for preparation of food for off-site delivery and associated office and storage use. (722320)						P	P	P	P	P						P	
Restaurants (722110 and 722211)						P	P		P	P	P#	P**					
Restaurants (7222110 and 7222211) not to exceed 3,000 square feet per establishment								P								P	
Amusement and Recreation Establishments (713120, 71395 and 713990)						P	P		P	P							
Drinking Places (722410) within the Smart Growth A & E District							P										
Drinking Places (722410) outside the Smart Growth A & E District						SE	SE	SE	P	P					SE		
Promoters of Performing Arts, Sports and Similar Events with or without Facilities (7113)							P						P	P			
Entertainment Club						SE	SE		SE	P							
Night Clubs						SE	P		P	P			P	P			
Performing Arts Companies (7111)							P										
Theaters, Movie (512131)							P		P	P							
Theaters, Performing Arts (711310)							P										
Visual and Performing Arts Studios							P										

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
ENTERTAINMENT AND HOSPITALITY USES (CONT.)																	
Hotels and Motels (72111)							P		P	P	P	P			P		
BROADCAST AND PRODUCTION																	
Broadcasting (515)							P					P	P	P			
Broadcasting (515) except transmission points.									P	P	P						
Telecommunications (517)							P				P	P	P	P			
Motion Picture and Sound Recording Industries (512)							P		P	P	P	P	P	P	P		
SERVICE AND SALES INDUSTRIES																	
Uses permitted by right in the CL District in a location to serve the needs of the surrounding residential area.				SE											P		P
Farms in existence on the date of adoption of this ordinance, or at the time of annexation into the city, may continue in use; Commercial farming operations may not be expanded with respect to area or intensity of usage, nor may the type of commercial agricultural use be altered.	P																
Pawn Shops (522298), subject to location limitations in Section F,.2.b.4									P								
Tattoo parlors and massage parlors, steam baths and saunas (812199).							P		P								

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USE	ZONING DISTRICT														OVERLAY ZONING DISTRICT		
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
SERVICE AND SALES INDUSTRIES (CONT.)																	
Mixed Use Building of Commercial & Residential Units				SE													
Convenience Stores without Fuel Pumps (445120)						P	P										
Automobile and Truck Sales limited in the CG District to a minimum use area of 40,000 square feet or larger. (441110)									P	P							
Wholesale and Retail Trade (44-45) excluding Auto and Other Motor Vehicle Dealers unless all vehicle storage is indoors and excluding adult businesses, up to 5,000 square feet in net floor area per business. Regulation of specific trade uses that are found elsewhere in this chart shall prevail.								P								P	
Same as above, up to 15,000 square feet in net floor area per business.						P						P**					
Same as above, up to 75,000 square feet in net floor area per business.							P		P								
Same as above, no limit in floor area.										P							
Wineries and Vineyards (312130)	P																
Uses permitted by right in the CL District, subject to design requirements enumerated in overlay district															P	P	

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
SERVICE AND SALES INDUSTRIES (CONT.)																	
Sale of Fireworks only from single-user, freestanding buildings, not to exceed 5,000 square feet of floor area. (453998)													P	P			
Retail and wholesale sale of home improvement materials and supplies, with a minimum floor area of 25,000 square feet and a maximum of 75,000 square feet (444110)													P	P			
Nurseries and Greenhouses. The raising of plants for sale with an attached commercial outlet. (444220)	P								P			SE	SE	P			
Farm Equipment and Supply Stores (444220)									P	P							
Produce Stands (445230)	P					P	P	P	P	P	P	P	P	P			
Kennels (812910)	P																
Kennels, day boarding and over-night boarding, subject to conditions enumerated in Subsection F.2.a(8) (812910)									P	P							
Kennels, day boarding and over-night boarding, subject to conditions in I-MU enumerated in Subsection H.1.b. (812910)												P	P	P			
Dry-cleaning and Laundry Services (8123)						P	P	P	P	P	P#	P**	P	P		P	
Tanning and Depilatory Salons (812199)						P	P	P	P	P	P	P**				P	

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
SERVICE AND SALES INDUSTRIES (CONT.)																	
Hair, nail and skin care stores (81211) and dog grooming establishments					SE												
Hair, nail and skin care stores, ear piercing services, hair replacement services, permanent makeup salons (81211) and dog grooming establishments						P	P	P	P	P	P	P**				P	
Internet Publishing and Broadcasting (516)						P	P		P	P	P	P	P	P			
Internet Service Providers, Web Search Portals and Data Processing Services (518)						P	P		P	P	P	P	P	P			
Personal and Household Goods Repair and Maintenance (8114)						P	P	P	P	P		P	P	P		P	
Photo Finishing (81292)						P	P		P	P	P	P					
Newspaper Publishers (511110)							P		P	P	P	P					
AUTOMOBILE AND TRANSPORTATION RELATED USES																	
Parking Lots & Garages (81293), private, commercial and municipal, including offsite parking lots maintained by and designated for a permitted or special exception use on a lot located within 500 feet.						P	P		P	P	P		P	P			

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
	AT	RMOD	RMED	RH	RO	N-MU	CC-MU	CL	CG	CR	POM	I-MU	IR	IG	C	LC	PUD
AUTOMOBILE AND TRANSPORTATION RELATED USES (CONT.)																	
Commercial Bus Stops and Terminals, provided indoor waiting areas and restroom facilities are provided at all times buses may stop at the facility and buses pull entirely off of public streets to pick up and discharge passengers.							P		P				P	P			
Motor Vehicle Impound and Storage Lots, provided that a six-(6-) foot opaque fence encloses the storage yard and landscaped buffers are provided as required by Article 5, Section I.4.j when adjacent to residential, commercial or mixed-use zoning districts.													P	P			
Transit and Ground Transportation (485) provided area for parking vehicle fleets be enclosed with an opaque fence at least 6 feet in height (8 feet for buses and large trucks), maintained in good repair, with landscaping outside of the fence in accordance with the requirements of Article 5, and not including bus stations or terminals.													P	P			
Automotive Repair & Maintenance (8111)								SE	P	P			P	P	SE		
INDUSTRIAL, MANUFACTURING AND HEAVY LAND USES																	
Manufacturing, Light							SE				SE	P	P	P	P		

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USE	ZONING DISTRICT													OVERLAY ZONING DISTRICT			
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INDUSTRIAL, MANUFACTURING AND HEAVY LAND USES (CONT.)																	
Manufacturing, General												SE	P	P			
Manufacturing, Heavy														P			
Blacksmithing and Farrier Services	P												P	P			
Butchering									P			P	P	P			
Carpet and upholstery cleaning services (56174)												P	P	P			
Construction and Landscaping Contractors with Storage Yards													P	P			
Fossil fuel electric power generation (221112)													P	P			
Foundries (3315)														SE			
Livestock Auction Facilities														SE			
Landfills and Rubble Fills (562212)														SE			
Motor vehicle supplies and new parts wholesalers (42112)													P	P			
Natural gas distribution (2212)														SE			
Other support activity for road transportation (48849)													P	P			
Petroleum and petroleum products wholesalers (4227)													SE	SE			

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INDUSTRIAL, MANUFACTURING AND HEAVY LAND USES (CONT.)																	
Rail Transportation Facilities with Outdoor Storage but Without On-Site Processing													P	P			
Recycling Operation														P			
Remediation Service (562910)													SE	SE			
Research and development facilities.							SE				P	P	P	P			
Self-Storage Mini-Warehouse Facilities (531130)													P	P			
Septic Tank and Related Service (562991)													SE	SE			
Solid waste collection (562111)														SE			
Vocational Rehabilitation Services (624310)											P	P	P	P			
Warehousing and storage (493)												P	P	P			
Warehousing & Storage (493) in buildings erected prior to October 1, 1956.)							P										
Warehouse/Flex space, provided such space does not exceed more than 50% of the total gross floor area of the building.											SE	P					
Wastewater treatment facilities (22132)													P	P			

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INDUSTRIAL, MANUFACTURING AND HEAVY LAND USES (CONT.)																	
Wholesale and retail sales of products manufactured or stored on the premises in conjunction with any other princ. perm. use.												P	P	P			
TEMPORARY USES																	
Temporary Contractor Staging Facility, subject to provisions in Article 4, Section K	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Uses, subject to provisions in Article 4, Section R	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P