

## CHAPTER 6. USE DEFINITIONS AND STANDARDS

### Article 6.1. Allowed Uses

In order to regulate use, categories of uses have been established. Use categories provide a systematic basis for assigning land uses to appropriate categories with other similar uses. Use categories classify land uses and activities based on common functional, product or physical characteristics. Characteristics include the type and amount of activity, the characteristics of customers or residents, how goods or services are sold or delivered, and certain site factors. The use categories provide a systematic basis for assignment of present and future uses to zones. The decision to allow or prohibit a use in the various zones is based on the goals and action strategies of the City of Venice Comprehensive Plan.

(a) For the purpose of this chapter, certain terms or words used in this chapter shall be interpreted as follows:

- (1) The word "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.
- (2) The word "shall" is mandatory; the word "may" is permissive.
- (3) The words "used or occupied" include the words "intended, designed or arranged to be used or occupied."
- (4) The word "lot" includes the words "plot," "parcel" and "tract."
- (5) The word "structure" means anything constructed or erected, exceeding six inches in height, the use of which requires more or less a permanent location on land, or an addition to something having a permanent attachment to land.
- (6) The word "land" includes the words "water," "marsh" and "swamp."

(b) Any word not specifically defined herein shall be interpreted as meaning its most commonly used definition.

#### *Sec. 6.1.1. Classification of Uses*

(a) *Considerations.*

(1) Uses are assigned to the category whose description most closely describes the nature of the primary use. The characteristics subsection of each use category describes the characteristics of each use category. Developments may have more than one primary use. Developments may also have one or more accessory uses. Developments with more than one primary use are addressed in subsection (b) below. Accessory uses are addressed in subsection (c) below.

(2) The following items are considered to determine what use category the use is in, and whether the activities constitute primary uses or accessory uses:

- a. The description of the activity(ies) in relationship to the characteristics of each use category;
- b. The relative amount of site or floor space and equipment devoted to the activity;
- c. Relative amounts of sales from each activity;
- d. The customer type for each activity;

- e. The relative number of employees in each activity;
- f. Hours of operation;
- g. Building and site arrangement;
- h. Vehicles used with the activity;
- i. The relative number of vehicle trips generated by the activity;
- j. Signs;
- k. How the use advertises itself; and
- l. Whether the activity would be likely to be found independent of the other activities on the site.

(b) **Developments with multiple primary uses.** When all the primary uses of a development fall within one use category, then the development is assigned to that use category. For example, a development that contains a retail bakery and a cafe would be classified in the retail sales and service category because all of the primary uses are in that category. When the primary uses of a development fall within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.

(c) **Accessory uses.** Accessory uses are allowed by right in conjunction with the primary use unless stated otherwise in the regulations. Also, unless otherwise stated, they are subject to the same regulations as the primary use.

(d) **Examples.** Examples are listed for each definition. Examples are intended to provide a base for consideration of a similar use (if a similar use is not listed).

(e) **Exceptions.** Exceptions are listed to exclude uses which may be commonly confused with another use.

(f) **Use Standards.** Use standards for a particular use may be found with the definition of the use.

(g) **Grouping of Uses.** Uses have been grouped into the following categories:

- (1) Residential
- (2) Public and Institutional
- (3) Commercial
- (4) Office
- (5) Employment
- (6) Other

*Sec. 6.1.2. Use Determination*

If any proposed use is not listed in a use category, but is similar to a listed use, the Planning Services Director may consider the proposed use part of that use category. The Director shall consider characteristics of the proposed use, intensity of use, number of employees and customers, hours of operation, vehicle trips generated, impact on surrounding properties, and type of vehicles used and parking requirements.

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## Article 6.2. Residential Uses

### A. Dwelling, Single Family Detached.

(1) Characteristics. A building containing only one dwelling unit, to be occupied by one family. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.

(2) Accessory uses. Accessory uses commonly found are recreational facilities, parking of autos for the occupants, piers and docks, and home occupations.

(3) Examples. Examples include single family homes on a variety of lot sizes and types.

(4) Exceptions.

a. Guesthouses that contain kitchen facilities are prohibited as accessory to household living uses.

b. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see commercial categories).

(5) Use Standards.

a. All accessory and uses shall be clearly incidental to permitted single family use.

b. Noncommercial plant nurseries, greenhouses, servants quarters, private garages, tool houses and garden sheds, garden work centers, children's play areas and play equipment, private barbecue pits, private swimming pools, private docks and the like are permitted.

c. Cluster housing may be permitted as a conditional use, provided that:

1. Minimum area for development is five acres.
2. A site and development plan is required
3. Total developed density shall not exceed that of the district in which the cluster housing is located.

d. Home occupations shall be limited to professional or business offices or studios. No customers may come to and from the location. All home occupations shall be conducted within the principal structure. There shall be no outside change in appearance. No home occupation shall occupy more than 20 percent of the first floor area of the residence, exclusive of the area of any open porch or attached garage. A home occupation shall be subject to all applicable city occupational license and other business taxes.

**B. Dwelling, Townhouse/ Attached Single Family/ Duplex**

(1) Characteristics. A building containing multiple dwelling units that are attached or semi attached, to be occupied by one family. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.

(2) Accessory uses. Accessory uses commonly found are recreational facilities, parking of autos for the occupants, home occupations.

(3) Examples. Examples include multiple family homes on a variety of lot sizes and types.

(4) Exceptions.

a. Guesthouses that contain kitchen facilities are prohibited as accessory to household living uses.

b. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see commercial categories).

(5) Use Standards.

a. All accessory and uses shall be clearly incidental to permitted single family use.

b. Noncommercial plant nurseries, greenhouses, private garages, tool houses and garden sheds, garden work centers, children's play areas and play equipment, private barbecue pits, private swimming pools, private docks and the like are permitted.

c. Cluster housing may be permitted as a conditional use, provided that:

1. Minimum area for development is five acres.
2. A site and development plan is required
3. Total developed density shall not exceed that of the district in which the cluster housing is located.

d. Home occupations shall be limited to professional or business offices or studios. No customers may come to and from the location. All home occupations shall be conducted within the principal structure. There shall be no outside change in appearance. No home occupation shall occupy more than 20 percent of the first floor area of the residence, exclusive of the area of any open porch or attached garage. A home occupation shall be subject to all applicable city occupational license and other business taxes.

**C. Dwelling, Multifamily.**

(1) Characteristics. Multifamily dwelling units are characterized by a building that contains three or more dwelling units. This definition includes condominiums, multiplex or multifamily apartments. Tenancy is arranged for periods longer than one week. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the commercial categories). Condominiums, apartment complexes that have accessory services such as food service, dining rooms, and housekeeping are included as multifamily dwellings.

(2) Accessory uses. Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles, home occupations.

(3) Examples. Uses include living in apartments, condominiums, retirement center, and apartments.

(4) Exceptions.

a. Guesthouses that contain kitchen facilities are prohibited as accessory to household living uses.

b. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see the commercial categories).

(5) Use Standards.

a. Home occupations shall be limited to professional or business offices or studios. No customers may come to and from the location. All home occupations shall be conducted within the principal structure. There shall be no outside change in appearance. No home occupation shall occupy more than 20 percent of the first floor area of the residence, exclusive of the area of any open porch or attached garage. A home occupation shall be subject to all applicable city occupational license and other business taxes.

**D. Dwelling, Manufactured Home Park**

(1) Characteristics. The premises where manufactured homes are installed for nontransient living. Manufactured homes are built on an integral chassis and are used as a dwelling unit.

(2) Accessory uses. Accessory uses commonly found in a manufactured home park include recreational activities, hobbies, open space, amenities, parking of occupants' vehicles.

**E. ALF (Assisted Living Facility)**

(1) Characteristics. ALF (Assisted Living Facility) provide residential facilities with on-site 24-hour medical care for seniors. This use category describes building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator (see F.S. ch. 400). This includes nursing homes.

(2) Accessory uses. Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles.

(3) Examples. Uses include living in nursing homes, skilled nursing facilities, assisted living facilities, convalescent care facilities, and other senior living facilities.

(4) Exceptions.

a. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see commercial categories).

(5) Use Standards.

- a. No structure shall be closer than 50 feet to any boundary line of the property and no off-street parking shall be located closer than 25 feet to any boundary line of property.
- b. A landscaped buffer is required on all nonstreet property lines.

**F. ILF (Independent Living Facilities)**

(1) Characteristics. ILF (Independent Living Facility) provide residential facilities with limited medical care for seniors. This use category describes building or buildings, section or distinct part of a building, private home, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator (see F.S. ch. 400).

(2) Accessory uses. Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles.

(3) Examples. Uses include living in nursing homes, skilled nursing facilities, assisted living facilities, convalescent care facilities, and other senior living facilities.

(4) Exceptions.

- a. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see commercial categories).

(5) Use Standards.

- a. No structure shall be closer than 50 feet to any boundary line of the property and no off-street parking shall be located closer than 25 feet to any boundary line of property.
- b. A landscaped buffer is required on all nonstreet property lines.

**G. CCF (Convalescent Care Facilities)**

(1) Characteristics. CCF (Convalescent Care Facilities) provide short-term care and recovery for patients after surgeries and long-term illness. Convalescent care is transitional form of care and may be a home-like environment. This use category describes building or buildings, section or distinct part of a building, private home, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator (see F.S. ch. 400).

(2) Accessory uses. Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles.

(3) Examples. Uses include living in nursing homes, skilled nursing facilities, assisted living facilities, convalescent care facilities, and other senior living facilities.

(4) Exceptions.

a. Lodging where tenancy is arranged for one week or less are considered to be a form of transient lodging (see commercial categories).

(5) Use Standards.

a. No structure shall be closer than 50 feet to any boundary line of the property and no off-street parking shall be located closer than 25 feet to any boundary line of property.

b. A landscaped buffer is required on all nonstreet property lines.

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## Article 6.3. Public and Institutional Uses

### A. Essential Services and Public Utilities.

(1) Characteristics. Public or private infrastructure serving a limited area possibly having on-site personnel. Basic utilities are infrastructure services that need to be located in or near the area where the service is provided. Basic utility uses generally do not have regular employees at the site. Services may be public or privately provided. All public safety facilities are basic utilities.

(2) Accessory uses. Accessory uses may include parking; control, monitoring, data or transmission equipment; and holding cells within a police station.

(3) Examples. Examples include water and sewer pump stations; electrical substations; water towers and reservoirs; regional stormwater retention and detention facilities; telephone exchanges; mass transit stops or turn arounds, light rail stations, transit centers, park-and-ride facilities for mass transit; and public safety facilities, including fire and police stations, and emergency communication broadcast facilities.

(4) Exceptions.

a. Services where people are generally present, other than mass transit stops or turn arounds, light rail stations, transit centers, park-and-ride facilities for mass transit; and public safety facilities, are classified as community services or offices.

b. Utility offices where employees or customers are generally present are classified as offices.

c. Bus and light rail barns are not essential services or public facilities.

### B. Open Space/ Parks.

(1) Characteristics. Parks and open areas are uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures.

(2) Accessory uses. Accessory uses may include clubhouses, maintenance facilities, concessions, caretaker's quarters, and parking.

(3) Examples. Examples include parks, a cemetery, public squares, plazas, recreational trails, botanical gardens, boat launching areas, and nature preserves.

(4) Use Standards.

a. Cemeteries, columbaria and mausoleums may not have any structure closer than 25 feet to any boundary line of the property.

### C. Assembly Hall/ Clubs/ Community Centers.

(1) Characteristics. Facilities used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership

qualifications, payment of fees and dues, regular meetings, and constitution and bylaws. Facilities may contain one or more buildings and structures operated only for the benefit of its members and their guests. Occasional special event activities may be open to the public.

(2) Accessory uses. Accessory uses include offices; meeting rooms; indoor restaurant; bar; lounge; cabanas; boat docks; parking; indoor or outdoor recreation such as: swimming pools, tennis courts, fitness center, sauna, and other similar facilities.

(3) Examples. Examples may include fraternal organizations such as lodges or guilds, recreation clubs, country clubs or yacht clubs.

(4) Exceptions.

a. Any organization primarily operated for the purpose of teaching a particular form of martial arts, dance or music class and health clubs or spas are classified as commercial use.

(5) Use Standards.

a. No parking areas may be closer than 100 feet, and no building or structure 200 feet, from any other residentially zoned property.

#### **D. Library/ Museum**

(1) Characteristics. Uses of a public or nonprofit nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis.

(2) Accessory uses. Accessory uses may include offices; meeting areas; food preparation areas; parking, and cafes.

(3) Exceptions.

a. Commercial museums (such as a wax museum) are in commercial use categories.

b. Parks are in open space/ parks.

#### **E. Post Office**

(1) Characteristics. Includes any facility which accepts customers to mail or deliver letters, packages, and goods.

(2) Accessory uses. Accessory uses may include a cafeteria for staff, parking for workers and customers, parking area for mail or delivery trucks.

#### **F. School (private/ public).**

(1) Characteristics. This category includes public and private schools at the primary, kindergarten, elementary, middle, junior high, or high school level that provide state mandated basic education.

(2) Accessory uses. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school daycare.

(3) Examples. Examples include public and private daytime schools, boarding schools and military academies.

(4) Exceptions.

a. Preschools are classified as daycare uses

**G. Religious Institutions.**

(1) Characteristics. Religious institutions are intended to primarily provide meeting areas for religious activities.

(2) Accessory uses. Accessory uses include Sunday school facilities, parking, caretaker's housing, and group living facilities such as a convent.

(3) Examples. Examples include churches, temples, synagogues, and mosques.

(4) Use Standards.

a. In residential districts, religious institutions shall be larger than two acres.

**H. Other Government Uses**

(1) Characteristics. Government uses contain public or civic uses of special significance to residents, employees, or visitors. This includes offices, storage, maintenance, and other facilities for the operation of local, state, or federal government.

(2) Accessory uses. Accessory uses may include meeting areas; food preparation areas; parking, and fitness areas.

**I. University, College, and Vocational Schools**

(1) Characteristics. Universities, colleges, or vocational schools are higher learning establishments. These educational institutions provide post public school (including associate, bachelor, graduate, doctoral), vocational, or technical degrees and skills.

(2) Accessory uses. Accessory uses may include associated offices, parking, cafeteria, facilities such as a cafeteria, fitness facility, and on campus retail intended to be utilized by employees or students.

(3) Examples. Examples include a trade school, secondary education, career center, vocational college.

(4) Use Standards.

a. All activities associated with a vocational school (or trade school) shall be within a completely enclosed building.

## Article 6.4 Commercial Uses

### A. General Retail (Single use greater than 35,000 square feet)

(1) Characteristics. General retail sales and service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.

(2) Accessory uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.

(3) Examples. Stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary; food sales, sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks, and other recreational vehicles, photographic studios; photocopy and blueprint services; hair, tanning, and personal care services; business; taxidermists; mortuaries; and animal grooming.

(4) Exceptions.

a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as wholesale sales.

b. Sales of landscape materials, including bark chips and compost, is classified as wholesale sales.

c. Sales, rental, or leasing of heavy trucks and equipment is classified as wholesale sales.

### B. General Retail (Single use less than 35,000 square feet but more than 15,000 square feet)

(1) Characteristics. Typical retail at this level consist of neighborhood retail sales and service firms are involved in the sale, lease or rent of new or used products supporting the surrounding neighborhood. They may also provide small scale personal services or provide product repair or services for consumer goods.

(2) Accessory uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.

(3) Examples. Stores selling, leasing, or renting consumer, home goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pet food, pharmaceuticals, plants, printed material, stationary, and videos; photographic studios, hair, tanning, and personal care services; business, and animal grooming.

(4) Exceptions.

a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as wholesale sales.

b. Sales of landscape materials, including bark chips and compost, is classified as wholesale sales.

c. Sales, rental, or leasing of heavy trucks and equipment is classified as wholesale sales.

**C. General Retail (Single use less than 15,000 square feet)**

(1) Characteristics. Typical retail at this level consist of minor neighborhood retail sales and service firms are involved in the sale, lease or rent of new or used products supporting the surrounding neighborhood. They may also provide small scale personal services or provide product repair or services for consumer goods.

(2) Accessory uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.

(3) Examples. Stores selling, leasing, or renting consumer, home goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pet food, pharmaceuticals, plants, printed material, stationary, and videos; photographic studios, hair, tanning, and personal care services; business, and animal grooming.

(4) Exceptions.

a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as wholesale sales.

b. Sales of landscape materials, including bark chips and compost, is classified as wholesale sales.

c. Sales, rental, or leasing of heavy trucks and equipment is classified as wholesale sales.

**D. Convenience Store w/ fueling stations**

(1) Characteristics. Convenience stores with fueling stations are involved in the retail sale of fuel for motor vehicles, and convenience items including but not limited to food, beverages, tobacco products, and other similar products as its primary sales.

(2) Accessory uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.

(3) Examples. Motor vehicle fuel stations with one or more fuel pump selling fuel for motor vehicles and selling items which generally serve the day-to-day retail needs of residents. Examples of such stores may include but are not limited to convenience stores, drug stores, liquor stores.

(4) Exceptions.

a. General retail stores as defined above.

b. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as wholesale sales.

- c. Sales of landscape materials, including bark chips and compost, is classified as wholesale sales.
- d. Sales, rental, or leasing of heavy trucks and equipment is classified as wholesale sales.
- e. Vehicle service or motor vehicle repair is classified as Car, Boat, Other Vehicle Sales and Rentals (w/ accessory service).
- f. Car wash is classified as Convenience Store w/ Car Wash or Car Wash.

(5) Use Standards.

- a. In non mixed use areas, convenience stores w/ fueling stations shall feature a front setback of 20' for all structures and 15' for gas pumps; a side yard setback of 8' for all structures, a 25' side yard setback for gas pumps from residentially zoned properties and 15' side yard setback from all other properties; a rear yard setback of 10' for all structures, a 25' rear yard setback from all residentially zoned properties for a gas pump and 15' rear yard setback from all other properties for a gas pump.

**E. Convenience Store w/ Car Wash**

- (1) Characteristics. Convenience stores with car wash are involved in the retail sale of convenience items including but not limited to food, beverages, tobacco products, and other similar products and commercial activity for the washing of motor vehicles, either full or self service.
- (2) Accessory uses. Accessory uses may include offices, storage or repackaging of goods for on site sale, and parking.
- (3) Examples. Convenience stores selling items which generally serve the day-to-day retail needs of residents with a car wash. Examples of such stores may include but are not limited to convenience store with associated car wash facilities, whether automated or self serve, which commercial activity is used primarily for the washing of motor vehicles.
- (4) Exceptions.
  - a. General retail stores as defined above.
  - b. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as wholesale sales.
  - c. Sales of landscape materials, including bark chips and compost, is classified as wholesale sales.
  - d. Sales, rental, or leasing of heavy trucks and equipment is classified as wholesale sales.
  - e. Vehicle service or motor vehicle repair is classified as Car, Boat, Other Vehicle Sales and Rentals (w/ accessory service).
  - f. Fuel station is classified as convenience store with fueling stations.

(5) Use Standards.

- a. A car wash lane may not abut a residential use. The car wash lane must be placed on a site to ensure it is not directly abutting a residential use.
- b. No vehicular openings providing access to the enclosed building shall face a residential use.
- c. Hours of operation for the car wash may not exceed 10:00 PM.

**F. Car Wash**

(1) Characteristics. Car washes are involved with a commercial activity used primarily for the washing of motor vehicles, providing car washing and car cleaning services, either full or self-service. A car wash is a free standing use and does not include fueling stations.

(2) Accessory uses. Accessory uses may include offices, parking, retail sales of items associated with the cleaning of motor vehicles.

(3) Examples. Car Wash examples include full service, self-service facilities which may or may not include an automatic car wash.

(4) Exceptions.

- a. Vehicle service or motor vehicle repair is classified as Car, Boat, Other Vehicle Sales and Rentals (w/ accessory service).
- b. Car wash with fuel stations, classified as convenience store w/ fueling stations.

(5) Use Standards.

- a. A car wash lane may not be adjacent a residential use. The car wash lane must be placed on a site to ensure it is not directly abutting a residential use.
- b. No vehicular openings providing access to the enclosed building shall face a residential use.
- c. Hours of operation for the car wash may not exceed 10:00 PM.

**G. Appliance Repair**

(1) Characteristics. Appliance repair stores are involved with the repair of home appliances including but not limited to cooking devices, cleaning devices, electronics and personal computer devices.

(2) Accessory uses. Accessory uses may include associated office, storage or repackaging of goods for limited on-site sale, and parking.

(3) Examples. Appliance Repair examples include establishments that fix and repair kitchen appliances, home laundry appliances, electronics and personal computer devices.

**H. Laundromat (no one-site dry cleaning)**

(1) Characteristics. Laundromat (no on-site dry cleaning) establishments are involved with the retail activity of renting equipment, on-site, for the cleaning and washing of laundry to individual customers.

(2) Accessory uses. Accessory uses may include associated office, storage or repackaging of goods used for the establishment, and parking.

(3) Examples. Laundromats featuring the use of equipment to clean laundry to individual customers.

(4) Exceptions.

a. On-site dry cleaning

**I. Pawn Shop**

(1) Characteristics. Pawn shops are involved with the retail sales of secondhand merchandise and may offer personal loans secured by consumer goods or other personal property.

(2) Accessory uses. Accessory uses may include limited retail sales.

(3) Examples. Pawn shops that may deal in items such as coins, jewelry, and secondhand merchandise and deal in personal loans secured by personal property.

**J. Car, Boat, Other Vehicle Sales and Rentals (w/o accessory service)**

(1) Characteristics. Establishments that are involved with the sale or lease of motor vehicles (including but not limited to cars and boats), renting of motor vehicles, and display of these motor vehicles.

(2) Accessory uses. Accessory uses may include ancillary indoor storage, associated office, showroom, vehicle fueling (for vehicles for sale or lease, not open to the general public), car wash (for vehicles for sale or lease, not open to the general public), and limited retail sales of items associated with motor vehicles.

(3) Examples. Examples include but are not limited to car dealerships, boat dealerships, motor vehicle dealerships dealing in recreational vehicles, car rental establishments, moving vehicle rental establishments.

(4) Exceptions.

a. Accessory service is classified in Car, Boat, Other Vehicles Sales and Rentals (w/ accessory service) and Minor Vehicle Service.

b. Vehicle parts sale as a principal use is defined in General Retail.

c. Fueling stations open to the general public is classified in Convenience Store w/ fueling stations.



d. Car wash open to the general public is classified in Convenience Store w/ Car Wash and Car Wash.

e. Outdoor storage or stockpiling of vehicles, vehicle parts, tires, or associated vehicle accessories.

(5) Use Standards.

a. Vehicle displays shall not be artificially elevated above the general topography of the site.

b. No outdoor speaker systems are allowed.

c. Vehicle display areas with frontage along a street right-of-way shall be buffered per the definition of this code.

**K. Car, Boat, Other Vehicle Sales and Rentals (w/ accessory service)**

(1) Characteristics. Establishments that are involved with the sale or lease of motor vehicles (including but not limited to cars and boats), renting of motor vehicles, and display of these motor vehicles for sale or lease. These establishments may feature accessory service facilities.

(2) Accessory uses. Accessory uses may include ancillary indoor storage, associated office, showroom, vehicle service, towing, vehicle fueling (for vehicles for sale or lease, not open to the general public), car wash (for vehicles for sale or lease, not open to the general public), and limited retail sales of items associated with motor vehicles.

(3) Examples. Examples include but are not limited to car dealerships, boat dealerships, motor vehicle dealerships dealing in recreational vehicles, car rental establishments, moving vehicle rental establishments. These establishments may feature accessory services open to the general public such as (but not limited to) minor vehicle service such as quick lubrication facilities, auto detailing, painting and body repairs, provided accessory service is within a completely enclosed building.

(4) Exceptions.

a. Vehicle parts sale as a principal use is defined in General Retail.

b. Fueling stations open to the general public is classified in Convenience Store w/ fueling stations.

c. Car wash open to the general public is classified in Convenience Store w/ Car Wash and Car Wash.

d. Outdoor storage or stockpiling of vehicles, vehicle parts, tires, or associated vehicle accessories.

**L. Minor Vehicle Service**

(1) Characteristics. Minor vehicle service establishments are involved with the body detailing, mechanical repairs, or the painting of automotive vehicles. These repairs should be minor in nature and any services rendered on site should be minor in nature as well.

(2) Accessory uses. Accessory uses may include limited sale of parts or vehicle accessories, towing, associated office, parking, repackaging of goods for on-site sale or use.

(3) Examples. Examples of services to be rendered include quick service such as (but not limited to) lubrication, battery sales and installation, auto detailing, minor scratch and dent repair, tire alignment, and fluid replacement.

(4) Exceptions.

a. Vehicle parts sale as a principal use is defined in General Retail.

b. Fueling stations open to the general public is classified in Convenience Store w/ fueling stations.

c. Car wash open to the general public is classified in Convenience Store w/ Car Wash and Car Wash.

d. Outdoor storage or stockpiling of vehicles, vehicle parts, tires, or associated vehicle accessories.

**M. Restaurant: Sit down (Casual, Fine Dining)**

(1) Characteristics. Establishments that prepare and sell food for on-premises consumption or off-premises consumption. Includes a customer service area consisting of tables, chairs, or customer counters.

(2) Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking, valet parking facility, bar seating, limited catering.

(3) Examples. Examples include sit down restaurants such as a diner, café, or fine dining restaurants.

(4) Exceptions.

a. Drive-throughs are classified in Fast Food with or without a drive-through and All restaurant uses without a drive-through.

b. Brewing or distilling is classified in Brewpub or Microbrewery w/ Restaurant.

(5) Use Standards.

a. No outdoor entertainment after 10:00 PM.

**N. Restaurant: Fast Food with or without a Drive-Through**

(1) Characteristics. Establishments which feature walk-up counter and carryout trade as primary portion of the facility. Includes fast food, food delivery, carryout.

(2) Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining, parking, valet parking facility, limited catering.

(3) Examples. Examples include (but are not limited to) counter service fast food establishments, sandwich shops, pizza take out and delivery.

(4) Exceptions.

a. Drive-throughs are classified in Fast Food with or without a drive-through and All restaurant uses without a drive-through.

b. Brewing or distilling is classified in Brewpub or Microbrewery w/ Restaurant.

(5) Use Standards.

a. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use.

**O. Restaurant: All Restaurant Uses w/ Drive-Through**

(1) Characteristics. Establishments where provision is made for the on premises selling of food and drink in a manner where a customer orders from a vehicle. Characterized by drive-through lanes.

(2) Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining, parking, valet parking facility.

(3) Examples. Examples include (but are not limited to) counter service fast food establishments which also feature drive-through facility.

(4) Use Standards.

a. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use.

**P. Bar and Tavern**

(1) Characteristics. Any business or commercial establishment which is devoted primarily to the retailing and on-premises consumption of alcoholic beverages (not made on-site) and which is licensed by the state to dispense or sell alcoholic beverages. As defined by Sec. 6-31, subject to locational requirements in use table and conditions in Chapter 6.

(2) Accessory Uses. Selling of food, Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining, parking, valet parking facility.

(3) Examples. Bars, taverns, cocktail lounges.

(4) Exceptions.

a. Brewing or distilling is classified in Brewpub or Microbrewery w/ Restaurant.

**Q. Brewpub**

(1) Characteristics. Any establishment that produces beer, ale, or other alcoholic beverages for the purpose of on premises consumption, and which may include accessory uses such as tours, limited associated retail sales, and/or on-site consumption, e.g., “taproom.” May also prepare and sell food for on-premises consumption or off-premises consumption. May not include wholesale of beer of its own production for off-site consumption.

(2) Accessory uses. Restaurant, ancillary indoor storage, associated office, deck, patio for outdoor seating or dining, parking, valet parking facility.

(3) Examples. Gastropub, small batch microbrew without wholesale for beer of its own production, brewpub.

(4) Exceptions

a. Wholesale of beer

**R. Microbrewery w/o Restaurant**

(1) Characteristics. Subject to locational requirements in Use Table. A microbrewery is an establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages, and which may include accessory uses such as tours of the microbrewery, limited retail sales, and/or on-site consumption, e.g., “taproom.” This classification allows a microbrewery to sell beer at retail and/or act as wholesaler for beer of its own production for off-site consumption with appropriate licenses.

(2) Accessory uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining, parking, valet parking facility, limited retail sales, tours of microbrewery facility.

(3) Examples: Microbrewery

(4) Exceptions

a. Restaurant

**S. Rooftop Dining**

(1) Characteristics. A restaurant which features a customer service area on the roof of a building where provision is made for the on premises selling of food and drink.

(2) Accessory uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining, parking, valet parking facility.

(3) Examples. Rooftop lounge, rooftop fine dining.

**T. Theater**

(1) Characteristics. A building, playhouse, room, hall or other place having a permanent stage upon which dramatic, theatrical, vaudeville or similar performances are given, whose primary function is to give such performances, and, if food, drink or other merchandise is served, sold or offered for sale, such service, sale or offer to sell is merely incidental to the performance.

(2) Accessory uses. Accessory uses may include offices, storage, parking, minor fabrication services, and food and beverage sales.

**U. Artist Studio**

(1) Characteristics. A building or portion of a building, used as a place of work by an artist primarily engaged in painting, sculpting, graphic art and other similar art forms. This shall not include live performance space, unless otherwise permitted.

(2) Accessory uses. Accessory uses may include offices, living quarters, product repair, storage, parking, minor fabrication services, and repackaging of goods.

(3) Examples. Examples include painters, sculptors, photography studios.

(4) Exceptions:

a. Dance and music classes are retail uses.

**V. Lodging: Hotel**

(1) Characteristics. Transient accommodation units arranged for short term stays of less than 30 days for rent or lease. This does not include patient transient accommodations, shelters for the homeless or short-term rentals.

(2) Accessory uses. Ancillary indoor storage, associated office, bar or tavern, food preparation and dining facility, laundry facility, meeting facility, off-street parking, restaurant, swimming pool, other recreational facility.

(3) Examples. Examples include hotels and motels.

**W. Lodging: Bed and Breakfast**

(1) Characteristics. A transient accommodation that is a house (or portion of a house) where lodging rooms and meals are provided on a daily or weekly basis.

(2) Accessory uses. Ancillary indoor storage, associated office, food preparation and dining facility, laundry facility, off-street parking, restaurant, swimming pool, other recreational facility.

(3) Exceptions

a. Short term rentals as regulated per Section 87.

**X. Short Term Rentals**

(1) Short term rentals are outlined in its own section of the LDC.

**Y. Child Care/Adult Day Care (Less Than 8)**

(1) Characteristics. Childcare use includes day or evening care of two or more children outside of the children's homes, for a fee. Daycare uses also include the daytime care of teenagers or adults who need assistance or supervision.

(2) Accessory uses. Accessory uses include offices, play areas, and parking.

(3) Examples. Examples include small day cares or adult care.

(4) Exceptions. Daycare use does not include care given by the parents, guardians, or relatives of the children, or by babysitters. Daycare use also does not include care given by a family daycare provider as defined by F.S. § 402.302. Family daycare is care regularly given in the family living quarters of the provider's home.

## **Z. Child/Adult Day Care (9 and Above)**

(1) Characteristics. Care for children or adult in a number greater than 9 persons.

(2) Accessory uses. Accessory uses include offices, play areas, parking.

(3) Examples. Examples include preschools, nursery schools, latch key programs, and adult daycare programs.

(4) Use Standards.

a. A fenced area of not less than 3,000 square feet shall be provided for the first 20 or fewer children, with 200 square feet additional for each additional child.

b. A landscaped buffer area is required on all non-street property lines.

## **AA. Fitness, Athletic, Health Club**

(1) Characteristics. Any establishment or facility in which memberships or fees are required in a program of physical exercise and physical wellness. May include the privilege to use facilities such as a weightlifting room, exercise machines and similar physical exercise devices and/or regimens.

(2) Accessory uses. Ancillary indoor storage, associated office, limited retail sales of health and wellness goods, indoor restaurant; bar; lounge.

(3) Examples. Examples include a gym, kickboxing, karate, martial arts, indoor cycling, running club.

## **BB. Airport**

(1) Characteristics. Any State Licensed Federal Aviation Administration (FAA) approved airport, or privately owned state licensed airport.

## **CC. Marinas**

(1) Characteristics. Commercial establishment within a waterfront location for the rental of boat slips or dock space or storage space rental and the sale of boats and boat motors, repair and maintenance of boats, and accessory equipment for boats. Shall provide minimum sanitary facilities on-shore to ensure compliance with all mandated requirements.

(2) Accessory uses. Accessory uses may include marine fuel and lubricants, bait and fishing equipment, small boat hauling or launching facilities, limited retail sales.

(3) Use Standards.

- a. Boat storage lots are not permitted.

**DD. Commercial Parking Lots & Structures**

(1) Characteristics. Parking area or structure which is available to the public for a fee, but may also be used to accommodate employees, customers, and clients.

(2) Accessory uses. Valet parking, restaurants (?), retail (?)

(3) Examples. Examples include a commercial parking lot and a parking garage.

(4) Use Standards.

- a. A landscaped buffer area is required on all nonstreet property lines.

- b. No parking of automotive vehicles other than passenger automobiles and no parking of automobiles for periods of longer than 24 hours.

## Article 6.5 Office Uses

### A. Professional Office

(1) Characteristics. A building, or portion of a building, wherein activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and, where in the case of professions such as dentists, physicians, lawyers or engineers, the facility where such professional services are rendered.

(2) Accessory uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(3) Examples. Examples include professional services such as lawyers, accountants, engineers, or architects; real estate agents; travel agencies, employment agencies, data processing; sales offices; and TV and radio studios.

(4) Exceptions.

a. Offices that are part of and are located with a firm in another category are considered accessory to the firm's primary activity.

b. Contractors and others who perform services off-site are included in the office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

### B. Personal & Financial Services w/o Drive-Through

(1) Characteristics. Office uses are characterized by activities conducted in an office setting and generally focusing on personal or financial services.

(2) Accessory uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(3) Examples. Accessory uses may include beauty salons, barber shops, spas, banks, lenders, or brokerage houses.

### C. Personal & Financial Services w/ Drive-Through

(1) Characteristics. Office uses are characterized by activities conducted in an office setting and generally focusing on personal or financial services.

(2) Accessory uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(3) Examples. Accessory uses may include banks, lenders, or brokerage houses.

(4) Use Standards.

a. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use.



**D. Tattoo and Piercing Parlors**

- (1) Characteristics. Any establishment in which tattooing or piercing is carried out.
- (2) Accessory uses. Accessory uses may include ancillary indoor storage, associated office, limited retail sales of items relating to tattoos or piercings.

**E. Palmist and Fortune Tellers**

- (1) Characteristics. Any establishment which performs the act of predicting a person's future by using palmistry, a crystal ball, or similar methods.
- (2) Accessory uses. Accessory uses may include ancillary indoor storage, associated office.
- (3) Examples. Examples include palm readers, fortune tellers, carrot card reader.

**F. Taxidermists**

- (1) Characteristics. Any establishment which practices the process of taxidermy, the preserving of an animal or a previously living entity.
- (2) Accessory uses. Accessory uses may include ancillary indoor storage, associated office, parking.

**G. Funeral Home**

- (1) Characteristics. A facility used for the preparation of the deceased and the display of the deceased, connected to human funeral services. The facility may include space and facilities for embalming and preparation of the dead for burial, performance of autopsies, the storage of caskets and funeral supplies.
- (2) Accessory uses. Accessory uses may include ancillary indoor storage, associated office, parking, storage of funeral vehicles, internal crematorium facility.

**H. Medical/ Dental Office**

- (1) Characteristics. A facility engaged in the examination, diagnosis and treatment of medical chiropractic, ophthalmologic, dental, and pediatric or other health care patients; includes administrative and clerical operations of the practice; does not include overnight facilities for patients.
- (2) Accessory uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
- (3) Examples. Examples include medical and dental clinics, medical and dental labs, urgent care facilities without ambulatory care, outpatient facilities without ambulatory care; and blood-collection facilities.

**I. Veterinarian/ Animal Hospital**

- (1) Characteristics. A facility where animals are provided medical care.

(2) Accessory uses. Accessory uses may include parking, limited retail sales of animal goods, limited sale of medicine and prescriptions for animal use, associated office, ancillary indoor storage.

(3) Examples. Examples include a vet clinic, private veterinarian practice, small animal hospital.

(4) Exceptions

a. Animal Boarding/Kennel is classified in Other Uses, Boarding (Animal).

(5) Use Standards.

a. Animals may stay overnight if required for medical reasons, only within a completely enclosed building.

#### **J. Hospital**

(1) Characteristics. An establishment which primarily engages in providing medical treatment, including (but not limited to) diagnostic services, surgical services, as well as continuous nursing services. The facility may feature emergency room care and ambulatory care.

(2) Accessory uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees.

(3) Examples. Examples may include a hospital, freestanding emergency room with ambulatory care, detoxification centers.

(4) Exemptions.

a. Medical office, private doctor office, dental office, urgent care facility without ambulatory care (classified as Medical/Dental Office)

(5) Use Standards.

a. No hospital may be on a lot area of less than 2.5 acres.

b. No building in connection with no hospital shall be closer than 50 feet to the lot line of any adjoining property.

#### **K. Pain Management Clinic**

(1) Characteristics. A privately owned establishment which engages and advertises as being in pain management practice, prescribing and/or dispensing a controlled substance for the treatment of pain. Must meet definition as set forth in F.S. § 458.3265. Refer to Section XX.

(2) Accessory uses. Accessory uses may include ancillary indoor storage, parking, associated office.

(3) Exemptions.

a. Hospital or facility pursuant to F.S. statutes

(4) Use Standards.

- a. The on-site sale, provision, or dispensing of controlled substances at a pain management clinic is prohibited except as specifically authorized by applicable federal or state law.
- b. No loitering or outside gatherings.
- c. No queuing of vehicles in the right-of-way.
- d. No consumption of alcoholic beverages.
- e. Pain management clinics and pharmacies shall not be on the same property.
- f. Hours of operation are limited between 8:00 am and 5:00 pm. It may stay open for a medical emergency only, beyond those hours.
- g. The facility shall comply with all federal and state laws, Sarasota County regulations and City of Venice Land Development Code, as amended.
- h. The requirements for separation distances as outlined in this section shall be prospective only from the effective date of the ordinance codified herein, and therefore existing clinics in the city which do not meet the separation distance requirements shall be granted nonconforming status.

## Article 6.6. Employment Uses

### A. **Warehouse Distribution; logistics**

(1) Characteristics. A firm or facility involved in the storage and/or movement of items for other firms. Typically storing and preparing for transit goods, wares, merchandise, and/or commodities, whether for the owner or for others, generally delivered to other firms or the final customer. These may consist of uses such as (but not limited to) bulk storage, freight storage, outdoor storage yard, transfer and storage businesses, and commercial packing for food items.

(2) Exceptions.

a. Warehouse storage, classified as Warehouse Storage – Indoor Only.

b. Self storage or mini-warehouses, classified as Self Storage/Mini-Warehouse.

(3) Use Standards.

a. Outdoor storage yard shall not be located closer than 25 feet to any public street. Outdoor storage yards shall be completely enclosed by a fence or wall not less than six feet. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

### B. **Heavy Industrial**

(1) Characteristics. Firms involved in development activities which may be potentially dangerous or noxious or offensive to neighboring uses. Typically emphasized industrial business or manufacturing.

(2) Accessory uses. Accessory uses may include (but are not limited to) ancillary office, associated office, cafeteria, repackaging of goods, warehouse, storage, on-site repair facility, residential unit for security purposes.

(3) Examples. Examples include (but are not limited to) animal processing, production of chemicals, fabrication of metals, concrete batching or asphalt processing, earth moving and heavy construction equipment, waste-related services, landfill, recycling facility.

### C. **Light Industrial & Advanced Manufacturing**

(1) Characteristics. Firms involved in the light manufacturing or repair of industrial or consumer equipment, manufacturing from previously prepared materials of finished products. May also include contractor companies which perform services off-site but store equipment and materials on-site.

(2) Accessory uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes.

(3) Examples. Examples include (but are not limited to) building or landscaping contractors who perform work off site, clothing or textile manufacturing, printing or publishing firm, bottling, welding or machine firm, woodworking.

(4) Use Standards.

a. Outdoor storage yard shall not be located closer than 25 feet to any public street. Outdoor storage yards shall be completely enclosed by a fence or wall not less than six feet. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

#### **D. Research & Development**

(1) Characteristics. Any activity involved with the research or development in such fields as (but not limited to) chemical, pharmaceutical, medical, electrical, or engineering, provided the activities occur within a completely enclosed building and produce no detectable nuisance outside the building.

(2) Accessory uses. Accessory uses may include ancillary indoor storage, associated office, cafeteria, parking, day-care facilities for employee use.

(3) Examples. Aerospace engineering research and development firm.

#### **E. Warehouse Storage – Indoor Only**

(1) Characteristics. A structure or premises where the principal use is the indoor storage of merchandise, products, goods, or materials in bulk, for a fee or charge.

(2) Accessory uses. Accessory uses may include associated office, parking, and accessory wholesale sales.

(3) Exceptions.

a. No uses identified and classified under Heavy Industrial or warehouse distribution.

#### **F. Self Storage/Mini-Warehouse**

(1) Characteristics. Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal items or wares.

(2) Accessory uses. Accessory uses may include associated office, ancillary indoor storage, rental of light or medium trucks.

(3) Examples. Self service storage facilities.

(4) Exceptions

a. Outdoor storage

#### **G. Flex**

(1) Characteristics. Facilities providing a mix of uses including office, light manufacturing, retail, professional services.

(2) Accessory Uses. Accessory uses may include parking, associated offices, ancillary indoor storage.

#### **H. Major Vehicle Service**

(1) Characteristics. Facility dealing in more than minor vehicle service as defined. Major vehicle service includes an auto body shop, repair of motor vehicles components such as engines and transmission.

(2) Accessory Uses. Accessory uses may include (but are not limited to) associated office, ancillary indoor storage, towing, outdoor storage of vehicles.

(3) Examples. Examples include auto collision repair shops.

(4) Use Standards.

- a. Outdoor storage yard shall not be located closer than 25 feet to any public street. Outdoor storage yards shall be completely enclosed by a fence or wall not less than six feet. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

#### **I. Wholesale**

(1) Characteristics. Firms involved in the sale or rent of products to industrial or commercial businesses only. Not intended for private customers. Uses emphasize on-site sales or order taking. Firm may or may not be open to the general public. Sales to private customers and general public are not permitted.

(2) Accessory Uses. Accessory uses may include (but are not limited to) accessory medical clinic, ancillary indoor storage, associated office, cafeteria, day care for employee use, parking, repackaging of goods, showroom, warehouse, residential unit for security purposes.

(3) Examples. Sale of machinery, janitorial supplies, restaurant equipment supplies.

## Article 6.7. Other Uses

### A. **Mining/Resource Extraction**

(1) Characteristics. Characterized by uses that include any activities, facilities, or work involved with the development, extracting, or transporting and processing of mineral deposits or reclamation of lands disturbed by oil or natural gas operations.

(2) Accessory uses. Accessory uses include (but are not limited to) ancillary office, associated office, warehouse, storage.

(3) Exceptions.

a. Fracking is not permitted in the City of Venice.

### B. **Agriculture**

(1) Characteristics. Characterized by uses that create or preserve areas intended primarily for the raising of animals and crops, conservation, and the secondary industries associated with agricultural production.

(2) Accessory uses. Accessory uses include housing for ranch or farm labor, scenic and sightseeing tours, sales of agricultural products, u-pick facilities, farm tours, hay rides, pony rides, on-site agriculturally related artistry, community agriculture.

(3) Examples. Examples include poultry slaughtering and dressing, retail or wholesale sales of agriculturally-related supplies and equipment, and stables.

### C. **Indoor Entertainment and Recreation excluding Adult Oriented Businesses.**

(1) Characteristics. Commercial uses providing daily or scheduled recreation-oriented activities in an indoor setting.

(2) Accessory uses. Accessory uses include ancillary indoor storage, associated office, concession, dining area or cafeteria, pro-shop and limited sales of goods related to on-site activities.

(3) Examples. Examples include indoor entertainment activity such as a pool hall, bowling alley, indoor sports facility, gymnastic facility, karate, dance studio.

### D. **Adult Oriented Businesses**

(1) Characteristics. Any establishment featuring an activity that excludes juveniles and caters exclusively to adult oriented uses such as adult books, adult films, or adult novelty items.

(2) Accessory uses. Accessory uses include ancillary indoor storage, associated office, bar or restaurant featuring a customer service area.

(3) Examples. Examples include an adult book store, adult film store, adult theaters, adult exotic dancing establishment.

(4) Use Standards.

- a. Adult oriented businesses may not be located within one thousand feet, as directly measured, of any two other properties on which other such establishments are located.
- b. May not be located within one thousand feet, as directly measured, of any property used as a school or religious institution.
- c. May not be located within five hundred feet, as directly measured, of any residentially zoned property.

**E. Outdoor Entertainment (excluding public and private parks)**

(1) Characteristics. Uses which provide recreation-oriented activities wholly outdoors. May vary in size and feature generally commercial uses.

(2) Accessory Uses. Accessory uses include ancillary indoor storage, associated office, concession, clubroom, equipment storage, food preparation area, restaurant, pro-shop and limited sales of goods related to on-site activities.

(3) Examples. Examples may include extreme sports facility, outdoor paintball, outdoor recreation such as an archery range, miniature golf.

(4) Use Standards.

- a. The facility and activities on site will not have a substantial adverse impact on surrounding properties.
- b. Nearby properties must be protected from sound amplification and lighting.

**F. Golf Course/Par-3/Driving Range**

(1) Characteristics. Tract of land for playing golf, improved with tees, greens, fairways, and/or other similar golf improvements. A golf course may include a driving range.

(2) Accessory uses. Accessory uses may include a clubhouse, restaurant, shelter, similar accessory buildings, associated office, ancillary indoor storage, storage of vehicles relating to upkeep and operation.

(3) Exemptions.

- a. Minigolf, classified as Outdoor Entertainment

(4) Use Standards.

- a. Golf course and country clubs must be at least 110 acres of land in one parcel. Any required parking must be at least 100 feet and any building or structure at least 300 feet from any other residentially zoned property.
- b. A Par 3 golf course must be at least 60 acres of land in one parcel. Any required parking must be at least 100 feet from any other residentially zoned property.



**G. *Boarding (Animal)***

(1) *Characteristics.* The use of land for the purpose of boarding animals for compensation. May include a Pet Resort which provides day care for pets in addition to grooming and training.

(2) *Accessory uses.* Accessory uses include ancillary indoor storage, associated office, outdoor play area.

(3) *Examples.* Examples include a pet resort, animal boarding facility.

(4) *Use Standards.*

a. All exterior areas utilized by pets roam must be fenced for the safety of the animals and general public.

b. If abutting a residential use, no structure or outdoor area utilized by pets shall be closer than 50 feet to the property line.

**H. *Clean Energy Production***

(1) *Characteristics.* This use may be seen alongside a variety of primary uses as an accessory use, or as a primary use, providing energy generation through solar, wind, geothermal, biomass or other sustainable means.

(2) *Accessory uses.* Accessory uses may include associated office (if clean energy production is the primary use on a site), ancillary indoor storage.

(3) *Examples.* Examples may include a solar array.

**I. *Live-Work***

(1) *Characteristics.* Live-work typically occurs within a building used jointly for commercial or industrial and residential purposes. Live-work buildings are generally constructed for commercial or industrial uses and allow for both living and work space uses. All permitted uses may occupy any story of a live-work building. Customers are permitted to come to and from. The occupations must provide a service or product that is conducted wholly within a residential dwelling that allows employees and customers to visit.

(2) *Accessory uses.* Accessory uses may include associated office, ancillary indoor storage, parking for resident and customer cars.

(3) *Examples.* Examples may include a commercial or industrial building built out to include units which allow for commercial activity and a residential use. This may include lofts which feature a workshop and bedroom so the owner/occupant of the unit may run a business and also live where they conduct the business. General examples of business conducted in a live-work may be an artist workshop or gallery, wood or metal workshop (using only the use of hand tools and small-scale, light equipment), demonstration kitchens, office, resale of items such as antiques and clothing made or altered on site.

(4) *Exemptions.*

a. Home-occupation. Home occupations are an accessory use to a residential primary use and do not allow customers to come to and from.

(3) Use Standards.

a. A live-work business shall be subject to all applicable city occupational license and other business taxes.

b. Any potential resident must be legally notified that the structure is a live-work structure and allows for commercial activity in units within the structure.

c. A minimum of one individual must occupy the live-work unit as their primary residence.

d. The live-work unit may not employ more than 2 individuals (not including the primary resident) not living on the premises at any one time.

e. Occupations or businesses catering to groups may not have any groups larger than 5 persons at one time. No more than 5 customers at once are to be permitted inside.

f. NO storage or warehousing of material is permitted outdoors.

g. No visible evidence of the occupation inside (other than a permitted sign).

h. Permitted signs are limited to 1 unlit wall sign no larger than 2 square feet.

i. Only one vehicle used in connected with the live-work use shall be parked on premises. The vehicle shall not be over 6,000 lbs. NO advertising for the business may be on the vehicle.

j. Live work units must be on additional parking space for unit.

**J. Rooftop Uses**

(1) Characteristics. Rooftop uses may be a range of activities or uses on the roof of structures.

(2) Accessory uses. Rooftop uses are an accessory use to the primary use of the building.

(3) Examples. Examples may include rooftop patio space, restaurants, viewing areas, pools.

(4) Use Standards.

a. Rooftop uses are subject to a conditional use permit per the Allowable Use Table.

**K. Farmer's Market**

(1) *Characteristics*. Farmers' markets are intended to provide a location where agricultural and organic items and related goods and services may be offered for sale. These markets are not intended to be craft fairs or flea markets.

(2) *Accessory uses*. Accessory uses may include recycling of materials, parking, and repackaging and transshipment of by-products.

*(3) Limitations to Products and Vendors.* Unprocessed agricultural products such as fruits, vegetables, grains, flowers, and plants. Processed agricultural products such as milk, cheese, oils, vinegars, meats, poultry, eggs, honey, spices, coffee, jams, nuts, sauces, pasta, soaps, ice cream, herbal preparations, jellies; Prepared foods such as ready-to-eat baked goods, breads, meats, cheeses, cakes, and pies; Food booths where preparation of food occurs on site, Agriculture-related crafts, such as handmade wreaths, swags, dry flower arrangements, pressed flowers, scented sticks and potpourri; candles, scented sticks; Items designed to promote water, soil, or energy conservation, such as rain barrels, organic fertilizer, compost boxes, and related educational materials, Miscellaneous vendors such as art works, health arts products, massage, fitness, holistic healing may be allowed provided that no more than ten percent of the total vendors/booths are comprised of these types of vendors; Musical entertainment may occur only at one location within the market area, may consist of no more than three performers, and must comply with noise ordinances; and other goods and services determined by the City Council to be substantially similar to the above vendor types.

*(4) Prohibited Products and Vendors: Used goods, antiques, collectibles, and all other goods and services not expressly set forth above.*