

Article 7. Use Provisions

Table of Contents

Sec. 7.1. Use Classification.....	<u>7-37-5</u>	Sec. 7.6. Industrial Uses.....	<u>7-637-65</u>
7.1.1. Principal Uses.....	<u>7-37-5</u>	7.6.1. Craft Manufacturing.....	<u>7-637-65</u>
7.1.2. Accessory Uses.....	<u>7-37-5</u>	7.6.2. Data Center.....	<u>7-637-65</u>
7.1.3. Temporary Uses.....	<u>7-37-5</u>	7.6.3. Heavy Industrial.....	<u>7-757-77</u>
7.1.4. Principal Uses Not Listed.....	<u>7-37-5</u>	7.6.4. Light Industrial.....	<u>7-757-77</u>
7.1.5. Accessory Uses Not Listed.....	<u>7-47-6</u>	7.6.5. Research and Development.....	<u>7-777-79</u>
7.1.6. Legacy Uses.....	<u>7-47-6</u>	7.6.6. Storage Lot.....	<u>7-777-79</u>
7.1.7. Use Table Key.....	<u>7-57-7</u>	7.6.7. Self-Service Storage.....	<u>7-787-80</u>
Sec. 7.2. Allowed Use Table.....	<u>7-67-8</u>	7.6.8. Warehouse and Distribution.....	<u>7-787-80</u>
7.2.1. Allowed Use Table.....	<u>7-67-8</u>	7.6.9. Waste Related Services.....	<u>7-787-80</u>
Sec. 7.3. Residential Uses.....	<u>7-147-16</u>	7.6.10. Wholesale.....	<u>7-807-82</u>
7.3.2. Household Living.....	<u>7-147-16</u>	Sec. 7.7. Agricultural Uses.....	<u>7-827-84</u>
7.3.3. Group Living.....	<u>7-187-20</u>	7.7.1. Agriculture, General.....	<u>7-827-84</u>
7.3.4. Large Lot Subdivision.....	<u>7-217-23</u>	7.7.2. Equestrian Center.....	<u>7-827-84</u>
Sec. 7.4. Public/Institutional Uses.....	<u>7-237-25</u>	7.7.3. Agri-entertainment Events.....	<u>7-827-84</u>
7.4.1. Civic.....	<u>7-237-25</u>	7.7.4. Farm Winery.....	<u>7-847-86</u>
7.4.2. Parks and Open Space.....	<u>7-247-26</u>	7.7.5. Sawmill.....	<u>7-847-86</u>
7.4.3. Major Utilities.....	<u>7-257-27</u>	Sec. 7.8. Accessory Uses.....	<u>7-857-87</u>
7.4.4. Small Wireless Facilities and Antennas.....	<u>7-267-28</u>	7.8.1. General.....	<u>7-857-87</u>
7.4.5. Telecommunications Antennas and Towers.....	<u>7-367-38</u>	7.8.2. Accessory Structure.....	<u>7-857-87</u>
Sec. 7.5. Commercial Uses.....	<u>7-517-53</u>	7.8.3. Accessory Dwelling Unit (ADU).....	<u>7-857-87</u>
7.5.1. Adult Establishment.....	<u>7-517-53</u>	7.8.4. Caretaker's Residence.....	<u>7-867-88</u>
7.5.2. Day Care.....	<u>7-517-53</u>	7.8.5. Drive-Thru Facility.....	<u>7-867-88</u>
7.5.3. Event Facility.....	<u>7-527-54</u>	7.8.6. Garage, Private.....	<u>7-867-88</u>
7.5.4. Indoor Recreation.....	<u>7-527-54</u>	7.8.7. Garden.....	<u>7-867-88</u>
7.5.5. Lodging.....	<u>7-537-55</u>	7.8.8. Guest House.....	<u>7-867-88</u>
7.5.6. Medical.....	<u>7-547-56</u>	7.8.9. Home-Based Business.....	<u>7-877-89</u>
7.5.7. Office.....	<u>7-547-56</u>	7.8.10. Institutional Accessory Uses.....	<u>7-917-93</u>
7.5.8. Personal Service.....	<u>7-557-57</u>	7.8.11. Keeping of Livestock and Poultry.....	<u>7-917-93</u>
7.5.9. Outdoor Recreation.....	<u>7-577-59</u>	7.8.12. Modular Offices/Classrooms.....	<u>7-917-93</u>
7.5.10. Eating and Drinking Establishment.....	<u>7-587-60</u>	7.8.13. On-Site Parking.....	<u>7-917-93</u>
7.5.11. Retail Sales.....	<u>7-587-60</u>	7.8.14. Outdoor Storage, Minor.....	<u>7-917-93</u>
7.5.12. Vehicular.....	<u>7-607-62</u>	7.8.15. Outdoor Storage, Major.....	<u>7-927-94</u>
		7.8.16. Religious Accessory Uses.....	<u>7-937-95</u>
		7.8.17. Short Term Rental.....	<u>7-937-95</u>

7.8.18. Swimming Pool, Hot tub, and Spa....7-937-95

Sec. 7.9. Temporary Uses.....7-947-96

7.9.1. Farmers' Market 7-947-96

7.9.2. Mobile Food Establishment 7-947-96

7.9.3. Garden Market.....7-947-96

7.9.4. Temporary Buildings.....7-947-96

7.9.5. Temporary Events 7-967-98

7.9.6. Yard/Garage Sales 7-977-99

7.8.18. Swimming Pool, Hot tub, and Spa ...
7-937-95

Sec. 7.9. Temporary Uses.....7-947-96

7.9.1. Farmers' Market 7-947-96

7.9.2. Mobile Food Establishment.....7-947-96

7.9.3. Garden Market.....7-947-96

7.9.4. Temporary Buildings 7-947-96

7.9.5. Temporary Events.....7-967-98

7.9.6. Yard/Garage Sales.....7-977-99

Sec. 7.1. Use Classification

7.1.1. Principal Uses

- A.** In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product or physical characteristics.
- B.** Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The Director has the responsibility for categorizing all uses.
- C.** The allowed use table in Sec. 7.2. establishes permitted uses by zoning district. No building or lot may be used except for a purpose permitted in the district in which it is located. Principal uses not specifically listed must be approved by the Director in accordance with Sec. 7.1.4.
- D.** Permitted uses may be further restricted as specified in Article 6 (Special and Overlay Districts).
- E.** Use definitions and use standards for principal uses are specified in Sec. 7.3. (Residential Uses) through Sec. 7.7. (Agricultural Uses).

7.1.2. Accessory Uses

- A.** An accessory use is any use that is subordinate in both purpose and size, incidental to and customarily associated with a permitted principal use located on the same lot.
- B.** The allowed use table in Sec. 7.2. establishes permitted accessory uses by

district, except as may be further restricted in Article 6 (Special and Overlay Districts).

- C.** Use definitions and use standards for accessory uses are specified in Sec. 7.8.

7.1.3. Temporary Uses

- A.** A temporary use is a use that is in place for a limited period only.
- B.** The allowed use table in Sec. 7.2. establishes permitted accessory uses by district, except as may be further restricted in Article 6 (Special and Overlay Districts).
- C.** Use definitions and use standards for temporary uses are specified in Sec. 7.9.

7.1.4. Principal Uses Not Listed

- A.** A principal use not specifically listed is prohibited unless the Director determines the use to be part of a use category as described below.
- B.** The Director is responsible for categorizing all principal uses. If a proposed use is not listed but is similar to a listed use, the Director may consider the proposed use part of that use category. When determining whether a proposed use is similar to a listed use, the Director must consider the following criteria:
 1. The actual or projected characteristics of the proposed use;
 2. The relative amount of site area or floor area and equipment devoted to the proposed use;
 3. Relative amounts of sales;
 4. The customer type;
 5. The relative number of employees;

6. Hours of operation;
 7. Building and site arrangement;
 8. Types of vehicles used and their parking requirements;
 9. The number of vehicle trips generated;
 10. How the proposed use is advertised;
 11. The likely impact on surrounding properties; and
 12. Whether the activity is likely to be found independent of the other activities on the site.
- C.** Where a use not listed is found by the Director not to be similar to any other permitted use, the Director may petition the Planning Commission for review and consideration of such determination. (See Sec. 11.2.).
- D.** Where a use not listed is found by the Planning Commission not to be similar to any other permitted use, the use is only permitted following a text amendment to this UDC.

7.1.5. Accessory Uses Not Listed

- A.** An accessory use not specifically listed is prohibited unless the Director determines the accessory use:
1. Is clearly incidental to and customarily found in connection with an allowed principal use;
 2. Is subordinate to and serving an allowed principal use;
 3. Is subordinate in area, extent, and purpose to the principal use served;
 4. Contributes to the comfort, convenience or needs of occupants, business or industry in the principal use served; and

5. Is located on the same lot as the principal use served.

7.1.6. Legacy Uses

An applicant may establish or expand a business in any zoning district where the below criteria are met, irrespective of the limitations of the Allowed Use Table in Sec. 7.2. These criteria are intended to allow existing commercial buildings to be utilized to incubate small businesses and artisans reflective of their traditional roles as community focal points, as a tool for economic development, and as an important component of the local identity.

- A.** Legacy Uses are considered conditional uses permits and as such are subject to approval from the Planning Commission in accordance with Sec. 11.2.
- B.** The use is limited to any of the following:
1. Restaurant.
 2. General retail.
 3. Craft manufacturing.
 4. Office.
- C.** The use will occupy a principal building constructed prior to January 1, 1978; which was built or modified to include commercial space that faces and is directly accessible from the adjacent public right-of-way; and where it can be shown that a lawful commercial use occupies, or previously occupied, the commercial space.
- D.** The use must meet all parking requirements of this UDC.
- E.** The use may re-use an existing nonconforming sign, but new signs must comply with the sign provisions of this UDC. Request for re-use of such nonconforming signs must be included in the application

for Legacy Use submitted to the Department of Planning and Zoning.

- F. Any nonconforming outdoor lighting, fence, or parking lot must be brought into conformance with this UDC prior to the issuance of a certificate of occupancy.

7.1.7. Use Table Key

A. Permitted Use (P)

Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of this UDC.

B. Special Use Permit (SUP)

Indicates a use may be permitted in the respective district only where approved by the County Board of Commissioners in accordance with Sec. 11.2. Special uses are subject to all other applicable requirements of this UDC, including any applicable use standards, except where the use standards are expressly modified by the County Commission as part of the approval.

C. Conditional Use Permit (CUP)

Indicates a use is permitted in the respective district only when approved by the Planning Commission and subject to all other applicable requirements of this UDC, including the standards for such uses, except where the use standards are expressly modified by the Planning Commission as a part of the conditional use permit approval.

D. Use Not Permitted

A “--” in a cell indicates that a use is not permitted in the respective district.

Sec. 7.2. Allowed Use Table

Key: P = Permitted Use SUP = Special Use Permit CUP = Conditional Use Permit “--” = Not permitted																
	Rural		Residential								Mixed-Use & Business					
Use Category	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-SF	R-TH	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1
Specific Use																
Residential Uses																
All household living, as listed below:																Sec. 7.3.2.A7-3.1.A
Single-family detached dwelling	P	P	P	P	P	P	P	--	P	--	P	CUP	--	--	P	--
Mobile home	P	P	--	P	--	--	--	--	--	--	P	--	--	--	--	--
Manufactured home	P	P	--	P	--	--	--	--	--	--	P	--	--	--	--	--
Two-family dwelling	--	--	--	--	--	P	--	--	P	--	--	CUP	--	--	P	--
Townhouse	--	--	--	--	--	--	--	P	P	--	--	CUP	--	--	P	--
Multi-family dwellings	--	--	--	--	--	--	--	--	P	P	--	CUP	--	--	P	--
Live-Work	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	CUP	--	--	CUP	--
Cottage Court	--	--	--	--	--	--	--	--	CUP	--	--	--	--	--	CUP	--
All group living, as listed below:																Sec. 7.3.37-3.2
Boardinghouse	SUP	SUP	SUP	SUP	SUP	--	SUP	SUP	SUP	SUP	--	--	--	--	--	--
Community Residence	P	P	P	P	P	P	P	P	P	SUP	P	--	--	--	--	--
Group home	SUP	SUP	SUP	SUP	SUP	--	SUP	SUP	SUP	SUP	--	--	--	--	--	--
Institutional residential	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	--	P	--	--	--	--
Emergency Shelter	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	--
Large Lot Subdivision	P	P	--	P	--	--	--	--	--	--	--	--	--	--	--	--
Public/Institutional Uses																
All civic, as listed below:																Sec. 7.4.1.A
Fraternal organization and club, non-profit	--	CUP	CUP	--	--	CUP	--	--	--	CUP	--	P	P	P	P	P

Key: P = Permitted Use SUP = Special Use <u>Permit</u> CUP = Conditional Use Permit “--” = Not permitted																		
	Rural		Residential									Mixed-Use & Business						
Use Category	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-SF	R-TH	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	Definition/ Standards
Specific Use																		
Place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.1.C
Community center	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	P	Sec. 7.4.1.D
Colleges, public or private	P	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	Sec. 7.4.1.E
Non-profit private clubhouse	P	P	P	P	P	P	P	P	P	P	P	--	--	--	P	--	--	Sec. 7.4.1.F
Public buildings and uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.1.G
Museum, library, private	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	--	Sec. 7.4.1.H
School, private	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	--	Sec. 7.4.1.I
All parks and open space, as listed below:																		Sec. 7.4.2.A
Cemetery, private	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	--	--	P	P	--	P	P	Sec. 7.4.2.B
Marina	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	--	--	P	P	P	P	P	Sec. 7.4.2.C
Parks, plaza, square	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	Sec. 7.4.2.D
Playground	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	SUP	--	--	Sec. 7.4.2.E
Open space, private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	Sec. 7.4.2.F
Major utilities, private	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	Sec. 7.4.3
Major utilities, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.3
Small wireless facilities and antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.4.4
Telecommunications antennas and towers	SUP	SUP	--	--	--	--	--	--	--	--	--	--	SUP	SUP	--	SUP	SUP	Sec. 7.4.5
Commercial Uses																		
Adult establishment	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	Sec. 7.5.1
All day care, as listed below:																		Sec. 7.5.2
Adult care centers	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	--	P	--	--	P	P	P	Sec. 7.5.2.B
Day care centers	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	--	Sec. 7.5.2.C
Family day care facility	P	P	P	P	P	P	P	P	P	P	P	SUP	--	--	P	--	--	Sec. 7.5.2.D

Key: P = Permitted Use SUP = Special Use Permit CUP = Conditional Use Permit “--” = Not permitted																		
	Rural		Residential									Mixed-Use & Business						
Use Category Specific Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-SF	R-TH	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	Definition/ Standards
Group day care facility	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	--	P	P	P	P	P	--	Sec. 7.5.2.E
Nursery, kindergarten	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P	P	P	--	Sec. 7.5.2.F
All event facilities	--SU	--SU	--SU	--	--	--	--	--	--	--	--	PSU	PSU	PSU	PSU	PSU	P--	Sec. 7.5.3
Indoor Recreation, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	CUP	P	P	P	P	P	Sec. 7.5.4
Commercial amusement, indoor	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.4.B
Concert hall, auditorium	--	--	--	--	--	--	--	--	--	--	--	CUP	P	P	CUP	P	P	Sec. 7.5.4.C
Indoor shooting range	--	--	--	--	--	--	--	--	--	--	--	SUP	--	SUP	--	P	P	Sec. 7.5.4.E
Theater	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.4.G
Hotels, motels	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	Sec. 7.5.5.B
Bed and breakfast	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	--	--	--	--	CUP	CUP	--	--	Sec. 7.5.5.C
All medical, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.6
Hospital	--	--	--	--	--	--	--	--	--	--	--	SUP	--	SUP	--	SUP	--	Sec. 7.5.6
All office, except as listed below	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.7.A
Financial institutions	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	Sec. 7.5.7.B
Radio, film, recording, and television studios and stations	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.7.C
Trade, vocational, business school	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.7.D
All personal service, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.5.8.A
Animal care (indoor)	CUP	CUP	--	--	--	--	--	--	--	--	--	P	P	P	CUP	P	P	Sec. 7.5.8.B
Animal care (outdoor)	CUP	CUP	--	--	--	--	--	--	--	--	--	CUP	CUP	P	--	P	P	Sec. 7.5.8.C
Catering service	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	Sec. 7.5.8.D
Funeral home	--	--	--	--	--	--	--	--	--	--	--	P	--	P	--	P	P	Sec. 7.5.8.F
Private morgue, mortuary, crematorium	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	Sec. 7.5.8.G

Key: P = Permitted Use SUP = Special Use Permit CUP = Conditional Use Permit “--” = Not permitted																
	Rural		Residential								Mixed-Use & Business					
Use Category Specific Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-SF	R-TH	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1
Laundry and Dry Cleaning	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P
Psychic, fortune teller	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP	--	P
Tattoo parlor or body piercing	--	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	--	SUP
Outdoor recreation, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	SUP	SUP
Outdoor shooting range	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP
Travel trailer park, campground, recreational vehicle park	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	--	--	--	--	--	--
All eating and drinking, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	SUP	P	P	P	--
Brewpub	--	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	SUP
Drive-in restaurant	--	--	--	--	--	--	--	--	--	--	--	--	P	P	SUP	--
All retail, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P
Bakery	CUP	CUP	--	--	--	--	--	--	--	--	--	--	P	P	P	--
Pawn shop, pawn broker, title pawn, title loan, check cashing	--	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	P
Smoke or vape shop	--	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	P
All vehicular, as listed below:																Sec. 7.5.12
Boat and recreational vehicle sales, rental, or service	--	--	--	--	--	--	--	--	--	--	--	--	P	P	SUP	P
Car wash	--	--	--	--	--	--	--	--	--	--	--	--	P	P	SUP	P
Fuel sales	--	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	P
Service Station	--	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	P
Truck stop	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP	--	P
Vehicle sales, rental, or auction	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	P
Vehicle repair, minor	--	--	--	--	--	--	--	--	--	--	--	--	SUP	P	--	P

Key: P = Permitted Use SUP = Special Use Permit CUP = Conditional Use Permit "--" = Not permitted																
	Rural		Residential								Mixed-Use & Business					
Use Category	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-SF	R-TH	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1
Specific Use																I-2
Vehicle repair, major	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP	--	P
Industrial Uses																
All craft manufacturing	CUP	CUP	--	--	--	--	--	--	--	--	--	--	CUP	CUP	--	P
All data center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP
All heavy industrial, except as listed below	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P
Asphalt emulsion	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP
Airport	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP
Airfield, private	SUP	SUP	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP
All light industrial uses, except as listed below	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P
Brewery, winery, distillery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P
Micro-brewery	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	P
Micro-distillery	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	P
All research and development	SUP	--	--	--	--	--	--	--	--	--	--	SUP	--	--	--	P
All storage lots, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP	--	P
Storage of soil, mulch or lumber, including the splitting of logs	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	P
Truck terminal	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP	--	P
Truck yard	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP	--	P
All self-service storage	--	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	--	P
All warehouse and distribution	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP	--	P
All waste related services, except as listed below:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P
Composting of organic materials	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	P
Junk or salvage yard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP
Slow rate land treatment system	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP

Key: P = Permitted Use SUP = Special Use Permit CUP = Conditional Use Permit “--” = Not permitted																
	Rural		Residential								Mixed-Use & Business					
Use Category	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-SF	R-TH	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1
Specific Use																I-2
Waste-related energy recovery or production	SUP	--	--	--	--	--	--	--	--	--	--	--	--	--	--	SUP
All wholesale	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P
Agricultural Uses																
Agriculture, general	P	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--
Equestrian center	SUP	SUP	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Agri-entertainment events	SUP	SUP	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Farm winery	SUP	SUP	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Sawmill	SUP	SUP	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Accessory Uses																
Accessory uses not listed below, as determined by the Director	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory structure	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	P
Accessory dwellings units (ADU).	P	P	P	P	P	--	P	--	P	--	--	--	--	--	P	--
Caretaker's residence	SUP	SUP	--	--	--	--	--	--	--	--	--	SUP	--	SUP	--	SUP
Drive-thru facility	--	--	--	--	--	--	--	--	--	--	--	P	P	P	SU	P
Garage, private	P	P	P	P	P	P	P	--	P	P	P	--	--	--	P	--
Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Guest house	P	P	P	P	P	--	P	--	P	--	--	--	--	--	--	--
Home-based business, as listed below																Sec. 7.8.9
Home office	P	P	P	P	P	P	P	P	P	P	P	--	--	--	P	--
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	--	--	P	--
Residential business	P	CUP	CUP	--	CUP	CUP	CUP	--	--	CUP	--	--	--	--	CUP	--
Rural business	P	CUP	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Institutional accessory uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Key: P = Permitted Use SUP = Special Use Permit CUP = Conditional Use Permit “--” = Not permitted																		
	Rural		Residential									Mixed-Use & Business						
Use Category	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-SF	R-TH	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	Definition/ Standards
Specific Use																		
Keeping of livestock and poultry	P	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--	P	Sec. 7.8.11
Modular offices/classrooms	SUP	SUP	SUP	SUP	SUP	SUP	SUP	--	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	Sec. 7.8.12
On-site parking	P	P	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.8.13
Outdoor storage, minor	P	P	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.8.14
Outdoor storage, major	--	--	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	SUP	P	P	Sec. 7.8.15
Religious accessory uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.8.16
Short-term rental	P	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	Sec. 7.8.17
Swimming pool, hot tub, spa	P	P	P	P	P	P	P	P	P	P	P	--	--	--	P	--	--	Sec. 7.8.18
Temporary Uses																		
Farmer’s market	P	P	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	SUP	SUP	SUP	Sec. 7.9.1
Mobile food establishment	CUP	CUP	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	Sec. 7.9.2
Garden market	P	P	--	--	--	--	--	--	--	--	--	SUP	SUP	SUP	SUP	SUP	SUP	Sec. 7.9.3
Temporary buildings, as listed below																		
Construction trailer, 12 months or less	CUP	CUP	CUP	CUP	CUP	CUP	P	P	CUP	CUP	CUP	P	P	P	P	P	P	Sec. 7.9.4.B
Construction trailer, more than 12 months	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	Sec. 7.9.4.B
Sales office, 12 months or less	--	--	P	P	P	P	P	P	P	P	P	--	--	--	P	--	--	Sec. 7.9.4.C
Temporary events, 90 days or less	P	P	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	Sec. 7.9.5
Temporary events, more than 90 days	CUP	CUP	--	--	--	--	--	--	--	--	--	CUP	CUP	CUP	CUP	--	--	Sec. 7.9.5
Yard/garage sales	P	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	Sec. 7.9.6
Other																		
Conservation Subdivision	--	--	SU	--	SU	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 4.10
Subdivision, residential	SU	SU	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	--	SUP	--	--	SUP	--	Article 9

Key: P = Permitted Use SUP = Special Use Permit CUP = Conditional Use Permit “-” = Not permitted																		
	Rural		Residential									Mixed-Use & Business						
Use Category Specific Use	AG-1	AR-1	V-C	R-1-L	R-1	R-TF	R-SF	R-TH	R-X	R-MF	MHP	O-I	S-S	H-B	M-U	I-1	I-2	Definition/ Standards
Subdivision, non-residential	-	-	-	-	-	-	-	-	-	-	-	SUP	SUP	SUP	SUP	SUP	SUP	Article 9
Minor subdivision	P	P	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	-	-	-	-	-	Sec. 12.2

7.3.4. Large Lot Subdivision

A. Purpose

The purpose of this section is to encourage the development and preservation of larger residential lots in appropriate areas of Hall County in order to maintain rural character, preserve open land, reduced development fragmentation, and provide land-use benefits that may support more efficient patterns of residential growth elsewhere in the County.

B. Permitted Districts

1. Residential 1 Low Density (R-1-L)
2. Agricultural Residential 1 (AR-1)
3. Agricultural (AG-1)

C. Minimum Lot Side: 1 acre

D. Maximum Lots: A large lot subdivision shall contain no more than six (6) lots.

1. Lots created pursuant to this section shall not be further subdivided unless the resulting subdivision complies with all applicable requirements of the UDC in effect at the time of such subdivision and does not rely upon the Large Lot Development incentive.

E. Access

1. The overall parent tract for the proposed large lot subdivision shall meet the minimum road frontage standard as required by the Hall County UDC. All existing lots of record may be considered for this use given that all other applicable standards of this code section are met.
2. A Large Lot Development Subdivision containing six (6) lots or fewer may utilize a single Shared Access Driveway to provide access to the lots, subject to the requirements of Hall County Code

of Ordinance, Chapter 12.40, Common Access Driveways, as modified by this section.

3. The Shared Access Driveway shall be permitted to serve all lots within the Large Lot Development Subdivision, notwithstanding any limitation on the number of lots or parcels served by a common access driveway otherwise established in Chapter 12.40.

4. Interior lots served by an approved Shared Access Driveway shall not be required to have individual frontage on a public road.

5. All required easements and access rights shall be established and recorded prior to any approval of the final plat.

6. Large lot Development Subdivisions shall be exempt from section 9.2.4. and 9.7.6.A.1.

F. Fire Access

1. All access serving a Large Lot Development Subdivision shall be reviewed and approved by the Hall County Fire Marshal and shall comply with applicable fire access requirements of the International Fire Code, State of Georgia requirements, and Hall County regulations.

G. Access and Maintenance Agreement

1. A recorded access and maintenance agreement shall be required for any Shared Access Driveway. The agreement shall establish responsibility for the construction, maintenance, repair, and replacement of the Shared Access Driveway and associated drainage improvements. The Access and Maintenance Agreement will be required before the final plat of the subdivision.

Formatted: Indent: Left: 0"

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: List123, Indent: Left: 0"

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Bold

Formatted: Font: Not Bold

Formatted: Outline numbered + Level: 5 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: Not Bold

Formatted: Font: Bold

H. Lots

1. Each lot shall permit one (1) principal dwelling unless otherwise permitted by the underlying zoning district.
2. Connection to sewer shall not be required.
3. Internal sidewalks shall not be required.

I. Open Space and Natural Resources Projection

1. Open space shall prioritize preservation of Steep slopes; Mature Forest; Agricultural land and pasture; Wildlife corridors; and other significant natural or scenic resources. In addition to the required stream and stream buffer, floodplain and wetlands preservation.

J. Stormwater

1. If the subdivision is creating over 5,000 square feet for a shared access driveway, the stormwater detention regulations of UDC 10.5 Post-Construction Stormwater Management will be required.

K. Shared Access Driveways

1. The homeowners of the subdivision will be responsible for the maintenance of the Shared Access Driveway. This responsibility will be a plat note on all subdivision plans.
2. The Shared Access Driveway will follow the construction standards of Hall

County Code of Ordinance 12.40.220.
Common Access Driveways.

3. All lots must have direct access to either a public/private roadway or a Shared Access Drive

L. Environmental

1. All UDC requirements for Environment Project including but not limited to Erosion, Sedimentation, Flood Protection, Stream Buffer Protection and Stormwater management will be required.

M. Contiguous Development

1. No large lot subdivision may be within 100-foot radius of another larger lot subdivision.

N. Bridges and Elevated Surfaces

1. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges where required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces that are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

Formatted: Font: Bold

Formatted: List ABC

Formatted: Font: Bold

Formatted: List ABC

Formatted: Font: Bold

Formatted: List ABC

Formatted: Font: Bold

Formatted: List ABC

Formatted: Font: Bold

Formatted: List ABC

Formatted: Font: Bold

Formatted: List ABC

Formatted: Font: Bold

Formatted: List ABC

Formatted: Left, Indent: Left: 0", Space After: 8 pt, Don't keep lines together

Formatted: Left, Indent: Left: 0", Space After: 8 pt, Don't keep lines together

supervision and care for not less than seven or more than 18 children under 18 years of age, for less than 24 hours and without transfer of legal custody.

F. Nursery, Kindergarten

1. Defined

Any facility licensed or registered with the State of Georgia to provide early childhood education for children ages three through six.

2. Use Standards

- A minimum of 100 square feet of outdoor play area must be provided for each child.
- Play areas must be enclosed by a fence at least 42 inches in height.

7.5.3. Event Facility

A. Defined

A building, portion of a building, or designated outdoor area principally used and made available for rent or lease as a venue for organized public or private gatherings, including weddings, receptions, corporate meetings, celebrations, and similar events. The use may include accessory areas and facilities, such as dressing rooms, preparation rooms, green rooms, lounges, and similar spaces that support the hosting of events. This use does not include a dwelling or short-term rental property where the hosting of gatherings is incidental to its use for residential occupancy or lodging, provided that the property is not separately advertised, rented, leased, or otherwise operated as a venue for organized gatherings or events.

~~A facility available for lease by private parties or special events, such as weddings.~~

7.5.4. Indoor Recreation

A. Defined

A commercial or non-profit facility providing daily or regularly scheduled recreation-oriented activities in an indoor setting. Indoor recreation includes the following:

- Commercial amusement, indoor.
- Concert Hall, auditorium.
- Health spa, gym.
- Indoor shooting range.
- School of the arts.
- Theaters.

B. Commercial Amusement, Indoor

1. Defined

A place where recreational activity such as arcades, billiards, game rooms, bowling alleys, skating rinks, sporting activities and other recreational amusements are conducted within a building.

C. Concert Hall, Auditorium

1. Defined

A place of assembly that customarily charges an entrance fee to the public for concerts, plays or other similar live entertainment within a building or portion of a building.

D. Health Spa, Gym

1. Defined

An establishment that for-profit or gain provides as one of its primary purposes services or facilities which are purported to assist patrons to improve their physical condition or appearance. Not included within this definition are facilities operated by nonprofit organizations, facilities wholly