

Planning and Zoning Code- Section 60

Online version is NOT official, it is only for use as a reference.

Official copies can be viewed or purchased at the

Department of Planning, Conservation, and Development.

[Return to Zoning Code- Table of Contents](#)

SECTION 60- RESIDENTIAL ZONES AND SOME T.D. ZONE USE SCHEDULES-

60.00- No land shall be used or occupied and no structure shall be erected, constructed, reconstructed, altered or used, except for any use of the following permitted uses, special exception uses, accessory use, permitted Residential Unit Business Pursuit uses, or uses by temporary uses.

In any case where a use is alleged to be similar to a specified use referred to in the following schedule its status shall be determined by the Commission by reference to the most clearly similar use or uses that are specifically referred to in the use schedule or declared that the use is not similar. When the status of a use has been so determined, such determination shall thereafter have general applicability to all uses of the same type.

60.01- PERMITTED USES- The following uses may be operated as Permitted Uses:

- 60.01.01- Single-Family Dwelling, detached
ZONES: RPZ, R-30, R-45, R-60, TD*, M, MX, R-1, R-15
- 60.01.02- Two-Family Dwelling
ZONES: RPZ, TD*, M, MX
- 60.01.03- Farming or other agriculture uses--any green house that brings the total of such ground area to 5,000 sq. ft. or more shall be a Special Exception. Seasonal farm stands shall be allowed provided they receive site plan approval and are a part of a farming operation in excess of twenty (20) acres and selling only products grown on-site. Appropriate parking as determined during the site plan process shall be required.
ZONES: R-15, R-30, R-45, R-60, RPZ
(Amended effective 10/31/92)
- 60.01.04- Residential Unit Business Pursuit
ZONES: RPZ, R-30, R-45, R-60, TD*, M, MX, R-1, R-15
- 60.01.05- Park Land ZONES: PL
- 60.01.06- Business and Professional Offices
ZONES: IM
(Added effective 3/28/90)
- 60.01.07- Assisted Elderly Housing on city property and within 500 feet of an existing city operated elderly housing facility. Density 11 units per acre, parking in accordance with Section 40.04.18, all other requirements in accordance with the R-15 zone.

ZONES: R-15
(Amended effective 6/1/91)
(Revised effective 7/22/92)

60.02- SPECIAL EXCEPTION USES- the following uses by Special Exception may be permitted in accordance with the provision of SECTION 44:

- 60.02.01- Ambulance Service (44.08.01)
ZONES: TD (Amended Effective 5/15/14)
- 60.02.02- Child Care Facilities (44.08.02)
ZONES: RPZ, R-15, R-30, R-45, R-60, TD, M, MX, R-1
- 60.02.03- Conversion of existing residential buildings to a different number of dwelling units. (44.08.22)
ZONES: MX, TD, RPZ (Amended effective January 30, 1998)
- 60.02.04- Fraternity and Sorority Houses (44.08.04)
ZONES: TD, MX
- 60.02.05- Private clubs, service organizations, including community buildings and similar recreational uses privately owned and/or operated (44.08.05)
ZONES: TD, MX
- 60.02.06- DELETED (Amended effective 5/1/97)
- 60.02.07- Housing for elderly or physically handicapped persons (44.08.07)
ZONES: TD, MX
- 60.02.08- Professional and business offices not including medical or dental clinics or mental health/substance abuse treatment facilities, offices or clinics (44.08.08)
ZONES: TD, MX
(Amended effective 5/1/97)
- 60.02.09- Neighborhood stores (44.08.09)
ZONES: TD, MX
- 60.02.10- Two (2) family dwellings and single family dwellings with less than fifty (50) feet of frontage on lots of record (44.08.28)
ZONES: RPZ
(amended effective 6/30/92)
- 60.02.11- Public Utility buildings and structures (44.08.11) ZONES: All zones
(effective 1/25/89)
- 60.02.12- DELETED (Amended effective 5/1/97)
- 60.02.13- Multi-family Dwelling (44.08.21) ZONES: M, MX, TD, MR (Added effective 2/20/89) IM (Added effective 3/28/90)
- 60.02.14- Natural Resource Extraction (44.08.10)(Effective 5/1/86) ZONES: R-45, R-60, R-1, R-15, R-30
- 60.02.15- Adaptive residential use for structures currently or recently occupied by non-conforming use.
(effective 5/1/89)
ZONES: RPZ, R-15, R-30, R-45, R-60, TD, M, MX

- 60.02.16- Adaptive historic preservation use harmonious with the physical characteristics and originally designed use of the structure (44.08.26)
ZONES: ALL ZONES
- 60.02.17- Banking facilities with the drive-up windows (44.08.12) ZONES: TD
(Amended Effective 5/15/14)
- 60.02.18- Restaurants, providing services for customers either at counters or at tables including sale of alcoholic beverages
ZONES: RF
- 60.02.19- Marinas and boatyards for the building, storage, repair, sale, or rental of boats; docks, wharfs, piers for the storage and transport of goods, merchandise, and/or people. If such a facility is located adjacent to an industrial zone, it shall be treated as a permitted use subject to site plan approval. (44.04)
ZONE: RF
(Amended effective 6/30/92)
- 60.02.20- Cemeteries and other places of burial of the dead (44.04) ZONES: R-45, R-60, R-1, R-15, R-30, M (Amended effective (10/15/13)
- 60.02.21- Churches and other places of worship, including parish houses. Parish house shall include a one or two family house used by a Church as personal residence by members of its clergy and/or its fulltime employees.
ZONES: RPZ, R-15, R-30, R-45, R-60, R-1, MX
(Added effective 3/1/91)
- 60.02.22- Convents, monasteries and similar uses
ZONES: RPZ, R-15, R-30, R-45, R-60, R-1
- 60.02.23-Educational Institutions
ZONES: RPZ, R-15, R-30, R-45, R-60, R-1
- 60.02.24- Group Homes pursuant to Section 16.07.05 of the Zoning Code provided said Use shall not be within twenty-five hundred (2,500) feet of another group home as defined by 16.07.05. Parking shall be provided at a rate of one (1) space for each adult resident. As a reasonable accommodation the Commission may waive any requirement, including the public hearing process, during the special exception process.
ZONES: RPZ, R-15, R-30, R-45, R-60 (Modified effective 3/31/04)
- 60.02.25- Libraries, museums and similar institutions of non-commercial nature
ZONES: MX, TD, M (Modified effective 12/29/11)
- 60.02.26- NONE
- 60.02.27- Outdoor Recreational uses such as: Parks, Playgrounds, Playfields, Golf courses, Boating areas, Community buildings, Developed open space, such as Arboreta, Botanical and Zoological gardens and similar recreational uses.
ZONES: R-15, R-30, R-45, R-60, RF, R-1 (Revised 2/15/88)
- 60.02.28- Existing Neighborhood Restaurants not to exceed 1800 square feet. Drive-thru permitted by Special Exception. (Amended effective 7/30/04)
ZONES: MX (Added effective 2/28/94)
- 60.02.29- Care/Nursing Homes (44.08.29)
ZONES: TD, MX, M (Amended effective 7/1/95)
- 60.02.30- Bed and Breakfast in the RPZ (44.08.30)
ZONES: TD, MX, RPZ, R-15 (Amended effective 6/5/09)

- 60.02.31- NONE
- 60.02.32- Bus stop Passenger Shelter (44.08.25)
ZONES: ALL ZONES
- 60.02.33- Deleted (Amended Effective 5/15/14)
- 60.02.34- Veterinary Hospitals/Practice (44.08.34)
ZONES: RPZ (Added effective 7/11/90)
- 60.02.35- Leaf Composting Area (44.08.37)
ZONES: ID, R-45, R-60 (Added effective 6/30/92)
- 60.02.36- Adaptive Reuse as a professional office of a structure formerly used a place of congregation for members of a religious faith (44.08.38)
ZONE: RPZ (Added effective 5/30/94)
- 60.02.37- Modification of Frontage and Area Requirements on Lots Established Subsequent to 1982
ZONE: R-1 (Added effective 4/30/95)
- 60.02.38- Permanent Year Round Farm Markets
ZONES: R-30, R-45, R-60 (Added effective 6/1/01) RPZ (Added effective 3/30/07)
- 60.02.39- Active Adult Housing
ZONES: RPZ, R-15, R-30 (Added effective 9/1/03)
- 60.02.40- Elderly Housing within 500 feet of an existing housing facility. Density 11 units per acre, parking in accordance with the R-15 zone. ZONE:R-15 (Added effective 5/31/05)
- 60.02.41- Mixed Use Development (44.08.45)
ZONES MX (Added effective 3/30/13)
- 60.02.42- "On properties that contain" Existing Age Restricted (55 & Older Multi-Family Housing density not to exceed 24 units per acre on property having at least 2 ½ acres or more. ZONE M (Added effective 10/25/13)

60.03- ACCESSORY USES- The following accessory uses shall be permitted in accordance with the provisions of subsection 10.07 of this code.

- 60.03.01- Uses customarily incidental to the main or principal building or land use.
ZONES: ALL ZONES
- 60.03.02- Required off-street parking and loading space
ZONES: ALL ZONES
- 60.03.03- Business offices, provided that there is conducted in said office only business incidental to the rental, operation, service and maintenance of the dwelling.
ZONES: TD, M, MX
- 60.03.04- Incidental services for the convenience of occupants, such as news stands, snack bars, personal service shops, provided that not more than five (5) percent of the total floor area of the building is used.
ZONES: TD, M, MX
- 60.03.05- In addition to the permitted uses set forth in Section 39.02.01- .02, uses customarily incidental to the main or principal building or land use and as

set forth elsewhere in this code shall be permitted, including employees within such buildings, such as garages, but not limited to cafeterias and like facilities designed to serve only the occupants of the buildings in the zone. Conference and meeting facilities, data processing and storage shall be included within the definition of accessory uses.

ZONES: IM (Added effective 3/28/90)

60.04- NONE

60.05- USES BY TEMPORARY PERMIT- The following are permitted as temporary uses:

- 60.05.01- Temporary buildings or yards for construction material or equipment both incidental and necessary to construction within the immediate area, provided, however, that each permit shall be valid six (6) months and shall not be renewed for more than four (4) successive periods at the same location.

ALL ZONES

- 60.05.02- Temporary office or model house, both incidental and necessary for sale or rental of real property within the immediate area provided, however, that each permit shall be valid for a period of not more than four (4) successive periods at the same location.

ALL ZONES

60.06- PROHIBITED USES- Any use not specified as a permitted use, special exception, accessory use, permitted home occupation use or use by temporary permit are prohibited uses.

- 60.06.01- JUNK YARDS-
ZONES ALL (Added eff. 1/22/03)

* TD- Transitional Development Zone- All proposals treated as Special Exception Uses.

* Eliminated Meeting 1/6/88 effective 1/18/88