

AMENDMENTS TO THE APACHE JUNCTION CITY CODE, VOLUME II, LAND DEVELOPMENT CODE, CHAPTER 1: ZONING ORDINANCE, ARTICLE 1-5: ZONING BULK AND USE REGULATIONS, § 1-5-1 RESIDENTIAL USE REGULATIONS AND § 1-5-3 NON-RESIDENTIAL USE REGULATIONS

A) ARTICLE 1-5: ZONING BULK AND USE REGULATIONS, §1-5-1 RESIDENTIAL USE REGULATIONS. Table 5-1 is amended in its entirety, which illustrates the use regulations for all residential zoning districts, as follows:

TABLE 5-1: RESIDENTIAL USE REGULATIONS

<i>USE/STRUCTURE TYPE</i>	<i>RS- GR</i>	<i>RS- 54</i>	<i>RS- 54M</i>	<i>RS- 20</i>	<i>RS- 20M</i>	<i>RS- 10</i>	<i>RS- 10M</i>	<i>RS-7</i>	<i>RS- 7M</i>	<i>RS-5</i>	<i>RM-1</i>	<i>RM-2</i>	<i>RM-3</i>	<i>MHP</i>	<i>RVP</i>
Single-Family Detached Conventional Housing	P	P	P	P	P	P	P	P	P	P	ⓔ	ⓔ	ⓔ	ⓔ	ⓔ
Single-Family Detached Manufactured Housing	P	--	P	--	P	--	P	--	P	--	--	--	--	P	ⓔ P
Multi-Family Residential Housing	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--
HUD Certified Park Model Alternative	P	--	P	--	P	--	P	--	P	--	--	--	--	P	P
Recreational Vehicle as Primary Residence ¹⁶	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P
Boarding House	--	--	--	--	--	--	--	--	--	--	C	C	C	--	--
Bed & Breakfast and Resorts	C	C	C	C	C	--	--	--	--	--	--	--	--	--	--
Child Care Homes ¹	A	A	A	A	A	A	A	A	A	A	C	C	C	--	--
Airports and Heliports ²	ⓔ	ⓔ	ⓔ	--	--	--	--	--	--	--	--	--	--	--	--
Personal Caretaker Unit ³	A	A	A	A	A	A	A	A	A	A	--	--	--	--	--

Property Caretaker/ Ranch Hand Unit ⁴	A	A	A	A	A	--	--	--	--	--	--	--	--	--	--
Accessory Dwelling Unit ⁵	A	A	A	A	A	A	A	A	A	A	--	--	--	--	--
Temp. Living Quarters During Construction ⁶	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--
Public/Private Schools K to 12 ¹⁵	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Religious Institutions	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Civic Uses and Structures	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Above Ground Utilities ⁷	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Telecom Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Lodges/Clubs	--	--	--	--	--	--	--	--	--	--	--	--	--	E--	E--
Model Homes ⁸	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Detached Garages ⁹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Structures ⁹ (except cargo cont.)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Equestrian Activities (private) ¹⁰	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--
Equestrian Activities (commercial) ¹⁰	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--
Commercial Agriculture ¹¹	P	E--	E--	--	--	--	--	--	--	--	--	--	--	--	--
Non-commercial Agriculture ¹¹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Produce Sales ¹¹	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Feed Lots ¹¹	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Recreational (Indoor and Outdoor)	€	€	€	--	--	--	--	--	--	--	€	€	€	€	€
Solar Panels ¹²	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Alternate non-solar) Energy Technologies ¹²	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Guest Ranch	C	C	C	C	C	--	--	--	--	--	--	--	--	--	--
Commercial Recycling Bins	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P
Animal Keeping	See Vol. II, § 1-6-17														
Temporary Uses and Structures	See Vol. II, § 1-6-23														
Home Occupations	See Vol. II, § 1-6-6														
Signs	See Vol. II, Article 1-11														
Fences/Walls	See Vol. II, § 1-6-3														
Swimming Pools and Sports Courts	See Vol. II, § 1-6-11														
Cargo Containers	See Vol. II, § 1-6-8														
Outdoor Storage	See Vol. II, § 1-6-9														
Group Care Homes	See Vol. II, § 1-6-10														
Subdivision and HOA Activities	See Footnote # 14														

YES P = Permitted use by right. A YES indicates that the listed use is permitted by-right within the respective zoning district. Permitted uses are subject to all other applicable standards (see Vol. II, Article 1-6, Supplemental Regulations).

CUP C = Conditional use permit. A CUP indicates that the listed use is permitted within the respective zoning district only after review and approval of a conditional use permit, in accordance with the review and approval procedure of Vol. II, § 1-16-12(D).

AUP A = Administrative use permit. An AUP indicates that the use and/or structure is permitted within the respective zoning district following review and approval of an administrative permit by the Development Services Director or designee in accordance with Vol. II, § 1-16-12(C).

NO = Prohibited uses. A NO indicates that the listed use type is expressly not allowed within the respective zoning district.

Footnotes from Table 5-1:

1. This classification includes home based nursery schools, preschools, and day care facilities for children through the age of 12 licensed by the State of Arizona. The maximum amount of non-resident children allowed on-site is 6 or less.
2. See Vol. II, § 1-6-14 for airports and helipads regulations.
3. See Vol. II, § 1-6-20 for personal caretaker unit regulations.
4. See Vol. II, § 1-6-7(D)(7) for property caretaker/ranch hand regulations.
5. See Vol. II, § 1-6-19 for accessory dwelling unit regulations.
6. A travel trailer, motor home or fifth wheel may be parked and used as a temporary living quarters, or an existing legal manufactured home located on the premises may be used as a temporary residence, for up to 8 months while a home is being constructed on a single-family residentially zoned property subject to compliance with the main building's setback requirements. The temporary quarters may be temporarily connected to utilities subject to proper permitting (see Vol. II, § 1-6-23, Table 6-3).
7. See Vol. II, § 1-6-21 regarding regulations for utility installations.
8. See Vol. II, Article 1-17 regarding model home definition and restriction.
9. See Vol. II, § 1-6-5 for accessory structure regulations.

10. The keeping of horses for private use requires a minimum of 1.25 grass acres. See Vol. II, § 1-6-7 for further equestrian regulations.
11. See Vol. II, § 1-6-18 for agriculture use regulations.
12. See Vol. II, § 1-6-16 for alternative energy technologies regulations.
13. See Vol. II, § 1-6-21 for utility installation regulations.
14. Ancillary retail sales and special events/activities intended for subdivision residents only. Homeowner's Associations shall apply for and obtain an AUP from the Zoning Administration prior to conducting or allowing ancillary retail sales (e.g., market days, craft/art sales, fundraisers and temporary food vendors). If approved, the Zoning Administrator shall issue an AUP with written conditions of approval in accordance with the following:
 - a. All proprietors and vendors shall possess valid business licenses and permits as required by the City Code, and comply with required sales tax administration and collection processes.
 - b. The application for an administrative permit shall contain a description of the ancillary retail sales activity, maximum number and type of vendors, days and hours of operation and a site plan illustrating the location and parking associated with the retail sales.
 - c. All signs that describe or relate to ancillary retail activities shall not be visible from beyond the boundaries of the subdivision.
 - d. Ancillary retail sales shall be conducted indoors within the recreational/social center or outdoors within a common area.
 - e. Parking for approved retail uses shall be accommodated within established and approved parking areas, or with on-street parking approved by the Zoning Administrator.
 - f. Ancillary retail sales shall be directed to and be for the benefit of subdivision residents and their guests only.
 - g. Ancillary retail sales shall not exceed more than 3 days per week and shall operate between the hours of 7:00 a.m. and 10:00 p.m.
 - h. The administrative permit may be valid for multiple events.
 - i. Failure to comply with the conditions of approval established in the administrative permit may result in the revocation of the permit, and prohibition on issuing future retail sales permits to the subdivision.

Ancillary Retail Sales and Special Events/Activities Intended for Subdivision Residents and Non-Subdivision Residents. Special events and/or activities hosted or sponsored by the subdivisions (e.g., concerts, fund raisers, lectures, seminars, workshops, educational classes, recreation, food/beverage sales, sporting events and meetings) or ancillary retail uses (e.g., restaurants, personal care services, specialty retail and professional offices) shall only be allowed subject to approval of a CUP or, if applicable, compliance with Chapter 8, Vol. I of the City Code regarding special events.

15. Conditional use permit approval shall be required for public and private schools unless pre-empted by state law. Charter schools located on single-family zoned properties less than 1-acre in size shall be prohibited.

16. See Vol. II, § 1-9-3 for recreational vehicle and manufacture home park regulations.

B) ARTICLE 1-5: ZONING BULK AND USE REGULATIONS, §1-5-3 NON-RESIDENTIAL USE REGULATIONS. Table 5-3 is amended in its entirety, which illustrates the use regulations for all non-residential zoning districts, as follows:

TABLE 5-3: NON-RESIDENTIAL USE REGULATIONS

USE CATEGORY	SPECIFIC USE TYPE ¹	B-1 Gen.	B-2 Old West	B-3 City Cen.	B-4 ⁴ Bus Park/ Light Ind.	B-5 ⁴ Ind.	PI Pub/Inst.
Vehicle Services and Rentals	Motor Vehicle Dealer	P	P	--	P	--	--
	General Automotive Repair	P	P	--	P	--	--
	RV Sales/Service/Repair	--	--	--	C	C	--
	Boat, ATV & Motorcycle Sales/Service	P	P	--	P	--	--
	Semi-Truck Service/Repair	--	--	--	C	C	--
	Semi-Truck Stop	--	--	--	C	C	--
	Body Shops	--	--	--	P	P	--
	Car Washes	P	P	--	--	--	--
	Vehicle Rental and Leasing	P	P	--	P	P	--
	Truck, Trailer and Moving Vehicle Rentals	C	C	--	P	P	--
	Machinery and Equip. Rental (Indoor)	P	P	--	P	P	--
	Machinery and Equipment Rental (Indoor/ Outdoor)	C	C	--	P	P	--
Retail Sales and Services	General Retail (Personal Goods, Household Goods, Consumer Electronics, Specialty Goods, etc.)	P	P	P	--	--	--
	Automotive Parts and Accessory Sales	P	P	p ⁶	P	P	--
	Manufactured/Mobile Home Sales	--	--	--	C	C	--

USE CATEGORY	SPECIFIC USE TYPE ¹	B-1 Gen.	B-2 Old West	B-3 City Cen.	B-4 ⁴ Bus Park/ Light Ind.	B-5 ⁴ Ind.	PI Pub/Inst.
Retail Sales and Services	Appliances & Parts Sales and Repair Stores	P	P	p ⁶	P	P	--
	Hardware Store	P	P	P	--	--	--
	Building Materials and Supplies Sales (Indoors and/or Outdoors)	C	C	--	€P	P	--
	Lawn and Garden Equipment/Supply Sales	P	P	p ⁶	P	P	--
	Feed and Fertilizer Sales	C	C	p ⁶	C	P	--
	Nursery/Greenhouses with On-Site Sales	C	C	--	P	P	--
	Grocery Stores	P	P	P	--	--	--
	Gasoline Stations and Convenience Stores	P	P	P	--	--	--
	Beer, Wine and Liquor Stores	P	P	p ⁶	--	--	--
	Shopping Centers	P	P	C ⁹	--	--	--
	Big-Box Stores and Warehouse Clubs	P	P	--	--	--	--
	Thrift Store/ Used Merchandise Sales	P	P	--	--	--	--
	Antique Stores	P	P	--	--	--	--
	Pet and Pet Supply Sales	P	P	p ⁶	P	--	--
	Pet Care/ Veterinary Clinic	P	P	p ⁶	P	--	--
	Kennels /Pet Day Care	P	P	--	P	--	--
	Tobacco and Related Product Sales	P	P	€P ⁶	--	--	--
	Electronic Shopping and Mail-Order Sales	P	P	P	--	--	--
	Stand-alone Bottled Gas and Biofuel Dealers	C	C	p ⁶	C	C	--
	Bakery Sales (small- scale, not factory or distribution warehousing)	P	P	P	--	--	--
Bakery Sales (large scale including distribution or warehousing)	--	--	--	P	P	--	

USE CATEGORY	SPECIFIC USE TYPE ¹	B-1 Gen.	B-2 Old West	B-3 City Cen.	B-4 ⁴ Bus Park/ Light Ind.	B-5 ⁴ Ind.	PI Pub/Inst.
Retail Sales and Services	Medical Marijuana Facilities & Dual Licensees	C ⁹	C ⁹	--	C ⁹	C ⁹	--
	Marijuana Establishments	--	--	--	--	--	--
	Marijuana Cultivation and Infusion Facilities	--	--	--	--	--	--
	Marijuana Cultivation	--	--	--	--	--	--
	Marijuana Testing Facilities	--	--	--	--	--	--
	Swap Meets	C ⁹	C ⁹	--	--	--	--
	Farmers Markets	P	P	P	--	--	P
	Pawn Shops	--	P	--	--	--	--
	Temporary Retail Carts and Kiosks	A	A	A	A	--	A
	Printing Shop	P	P	P	P	--	--
	Cleaning and Janitorial Services	P	P	--	P	--	--
	Landscaping and Exterminating Services	--	--	--	P	P	--
	Business Equipment Maintenance and Repair	P	P	--	P	P	--
	Personal and Household Goods Repair (Electronics, Furniture, etc.)	P	P	p ⁶	P	P	--
	Dry Cleaning Services	P	P	P	--	--	--
	Laundromat	P	P	--	--	--	--
	Linen and Uniform Retail	P	P	--	--	--	--
	Linen, Carpet, and Uniform Supply & Cleaning	--	--	--	P	P	--
	Personal Care Services (e.g. Hair, Nails and Skin Care)	P	P	P	--	--	--
	Tattoo Services	P	P	P	--	--	--
Death Care Services/ Funeral Homes	C	C	--	C	-C	--	
Crematories	--	--	--	C	C	--	

USE CATEGORY	SPECIFIC USE TYPE ¹	B-1 Gen.	B-2 Old West	B-3 City Cen.	B-4 ⁴ Bus Park/ Light Ind.	B-5 ⁴ Ind.	PI Pub/Inst.
Retail Sales and Services	Taxidermist	--	--	--	P	P	--
	Commercial Parking Lots and Garages	C ⁹	C ⁹	C ⁹	C	C	C
	Fraternal Organizations (Clubs and Lodges)	P	P	P	--	--	--
	Banks and Credit Unions	P	P	P	--	--	--
	Securities/Commodities Office/Sales/Exchanges	P	P	P	--	--	P
	Check Cashing Store	C	C	--	--	--	--
	Adult Oriented Uses	--	--	--	--	C ⁹	--
Office	General Offices	P	P	P	p ⁷	p ⁷	--
	Call Center	P	P	--	--	--	--
Educational Services	Elementary, Middle, and High Schools & Colleges/Universities	P	P	P	P	P	P
	Trade Schools	P	P	CP	P	P	P
	Administrative Services	P	P	CP	P	P	P
Health Care and Social Assistance	Physicians, Dental and Health Practitioners	P	P	P	--	--	P--
	Outpatient & Ambulatory Care Centers	P	P	--	--	--	--
	Medical and Diagnostic Labs	P	P	P	--	--	--
	Home Health Care Services	P	P	P	--	--	--
	Blood and Organ Banks	P	P	--	P	--	--
	General Medical and Surgical Hospitals	P	P	--	--	--	P
	Psychiatric & Substance Abuse Facilities	PC ⁹	PC ⁹	--	--	--	--
	Nursing and Residential Care Facilities	P	P	--	--	--	--
	Individual and Family Care Services	P	P	--	--	--	--
	Homeless Shelter	P--	P--	--	-C ⁹	-C ⁹	--
Community Food and Relief Services	P--	P--	--	PC ⁹	-C ⁹	--	

USE CATEGORY	SPECIFIC USE TYPE ¹	B-1 Gen.	B-2 Old West	B-3 City Cen.	B-4 ⁴ Bus Park/ Light Ind.	B-5 ⁴ Ind.	PI Pub/Inst.
	Child & Adult Day Care Services	P	P	p ⁶	P	--	P
	Vocational Rehab Services	P	P	--	P	--	--
Arts, Entertainment, Recreation, and Open Space	Movie Theaters	P	P	P	--	--	--
	Performing Arts Facilities	P	P	P	--	--	P
	Spectator Sports Facilities	C ⁹	C ⁹	C ⁹	--	--	€--
	Museums and Historical Sites	P	P	P	--	--	P
	Zoos, Nature Parks and Botanical Gardens	C ⁹	C ⁹	--	--	--	€--
	Amusement Parks	C ⁹	C ⁹	--	--	--	€--
	Indoor Arcades	P	P	P	--	--	--
	Gambling Facilities	C ⁹	C ⁹	C ⁹	--	--	€--
	Private Recreational Facilities (Outdoor) (Private Sports Complexes, Golf Courses, etc.)	C ⁹	C ⁹	--	C ⁹	C ⁹	€--
	Private Recreational Facilities (Indoor) (Gyms, Martial Arts Studios, Yoga Studios, Paintball Courses, etc.)	P	P	P	P	--	€--
	Event Centers & Venues	C ⁹	C ⁹	C ⁹	C ⁹	--	--
	Public Recreational Facilities	A	A	A	A	A	A
	Public Outdoor Music Festivals/Events	A	A	A	A	A	A
	Private Outdoor Music Festivals/Events	C	C	C	C	--	C
	Commercial Equestrian Boarding, Rentals, Arenas and Academies	C	C	--	€--	€--	C
Cemeteries/Mausoleum	P--	P--	--	--	--	C ⁹	
Food and Drinking Establishments	Restaurants & Delicatessen	P	P	P	-C	-C	€--
	Caterers	P	P	p ⁶	P	--	--
	Confectionary and Ice Cream Sales	P	P	P	--	--	--

USE CATEGORY	SPECIFIC USE TYPE ¹	B-1 Gen.	B-2 Old West	B-3 City Cen.	B-4 ⁴ Bus Park/ Light Ind.	B-5 ⁴ Ind.	PI Pub/Inst.
	Bars, Breweries, Brew Pubs and Tasting Rooms	P	P	P	-C	-C	--
	Restaurants/Bars/Clubs (With Amplified Outdoor Music)	C	C	C	--	--	--
Public Administration	Government Offices and Courts	P	P	P	P	P	P
	Public Services (Libraries, Parks, Public Safety Buildings)	P	P	P	P	P	P
	Detention/Correctional Facilities or Institutions	--	--	--	C ⁹	C ⁹	C ⁹
Mining, Quarrying, Gas and Oil	Oil and Gas Extraction	C ⁹	C ⁹	--	C ⁹	C ⁹	C ⁹
	Mining	--	--	--	C ⁹	C ⁹	C ⁹
	Quarrying	--	--	--	C ⁹	C ⁹	C ⁹
Utilities	Electric Power Generation ³	C	C	C	C	C	C
	Water and Sewerage Systems/Facilities	C	C	C	C	C	P
	Telecommunication Facilities (Antennas or Towers)	C	C	C	C	C	P
	Telecommunication Facilities (Antennas or Towers) on land owned, leased, or otherwise controlled by the City	P	P	P	P	P	P
	Other Utilities	See § 1-6-21					
	Alternative Energy Generation Facilities	See § 1-6-16					
Manufacturing	Light Manufacturing (Located within an enclosed building and only generates moderate and manageable traffic, noise, vibration, odor, glare and/or light impacts)	--	--	--	P	P	--
	Heavy Manufacturing (Indoor and/or Outdoor: Assembly, manufacturing, processing, repair and/or storage, and that may generate traffic, noise, vibration, odor,	--	--	--	--	C	--

	glare, and/or light impacts that need to be conditionally managed)						
	Ancillary Manufacturing ²	P ²	P ²	P ²	N/A	N/A	P
USE CATEGORY	SPECIFIC USE TYPE ¹	B-1 Gen.	B-2 Old West	B-3 City Cen.	B-4 ⁴ Bus Park/ Light Ind.	B-5 ⁴ Ind.	PI Pub/Inst.
Construction	Contractors office, shop and/or storage (indoors)	P	P	--	P	P	--
	Contractors office, shop and/or storage (indoors and/or outdoors)	C	C	--	C	P C	--
	Craftsman and Artisan (Indoors)	P	P	P	P	P	--
	Craftsman and Artisan (Outdoors)	C	C	--	C	P C	C--
Transportation and Warehousing	Truck Transportation Terminal	--	--	--	C	C	--
	Bus Transportation Terminal	--	--	--	C	C	C
	Air Transportation Terminal	--	--	--	P C ⁹	P C ⁹	P C ⁹
	Taxi and Limousine Service	--	--	--	P	P	P
	Towing Truck Parking and Storage	--	--	--	C	P C	--
	Scenic and Sightseeing Terminal/Parking	C	C	--	C	C	C
	Postal, Courier and Delivery Service	€ P	€ P	--	€ P	P	€ P
	General Warehouse and Storage (Indoor)	--	--	--	P	P	--
	Mini-Warehouse Self Storage Facility	--	--	--	C ⁹	C ⁹	--
	Distribution Facilities Outside Storage Yards	--	--	--	P C	P C	--
Information	Motion Pictures and Sound Recording Indus.	C	C	C--	P	P	--
	Broadcasting and Recording	P	P	P	P	P	--
	Data Center/ Data Processing Facilities	--	--	--	C-- ⁹	C ⁹	--
Waste Management And Remediation	Transfer Station/ Material Recovery Center	--	--	--	--	C ⁹	C ⁹
	Solid Waste Disposal Sites	--	--	--	--	C ⁹	C ⁹

USE CATEGORY	SPECIFIC USE TYPE ¹	B-1 Gen.	B-2 Old West	B-3 City Cen.	B-4 ⁴ Bus Park/ Light Ind.	B-5 ⁴ Ind.	PI Pub/Inst.
	Recycling Facilities	--	--	--	--	C ⁹	C ⁹
	Waste Tire Collection and/or Storage	--	--	--	--	C ⁹	--
Agriculture	Crop Production	--	--	--	P	P	--
	Feed Lots	--	--	--	--	--	--
	Greenhouse and Nursery	C	C	--	P	P	--
	Beef, Dairy, Sheep, Goat and Hog Production	--	--	--	--	C	--
	Poultry and Egg Production	--	--	--	C	C	--
	Aquaculture	--	--	--	C	C	--
Residential Uses ⁸	Single-Family Detached Residential	--	--	--	--	--	--
	Multi-Family Residential (Including Apartments, Condominiums or Townhouses)	C ⁹	C ⁹	C ⁹	--	--	C ⁹
	Assisted Living Facility	P	P	C ⁹	--	--	--
	Group Care Home	C ⁹	C ⁹	C ⁹	--	--	--
	Live/Work Unit	C	C	P	--	--	C
Accommodation and Lodging	Hotels, Motels and Resorts	P	P	P	--	--	--
	Bed and Breakfast Inns	P	P	--	--	--	--
	RV Campgrounds	C ⁹	C ⁹	--	--	--	--
	Boarding House	--	--	--	--	--	--
Religious Institutions/ Places of Worship	Institution (seating capacity of up to 1,500 persons)	P	P	P	P	P	P
	Large Institution (seating capacity greater than 1,500 persons)	C	C	C	C	C	C

~~“YES”~~ **“P”** = Permitted Use by Right. A “P” indicates that the listed use is permitted by-right within the respective zoning district.

~~“CUP”~~ **“C”** = Conditional Use Permit. A “C” indicates that the listed use is permitted within the respective zoning district only after review and approval of a Conditional Use Permit, in accordance with the review

and approval procedures of § 1-16-12 (D). The approval of “C” uses noted with Footnote 9, shall be subject to City Council review through an additional public hearing.

“AUP” “A” = Administrative Use Permit. An “A” indicates that the use and/or structure is permitted within the respective zoning district following review and approval of an administrative permit by the Development Services Director or designee in accordance with § 1-16-12 (C).

“NO” “-” = Prohibited Uses. A “-” indicates that the listed use type is expressly not allowed within the respective zoning district.

Footnotes from Table 5-3:

Where land use category definitions are not provided or unclear, the Zoning Administrator shall be responsible for interpretation.

An ancillary manufacturing use is a subsidiary or secondary use or operation connected to the main use of a building. Ancillary manufacturing uses shall be allowed in the B-1, B-2 or B-3 zoning districts if incidental and subordinate to the primary retail, office, public or quasi/public use, provided that not more than 50%, up to a maximum of 1,500 square feet, of the floor area of the business is engaged in these ancillary manufacturing activities. No outside manufacturing, processing, repair or equipment/inventory storage shall be allowed for ancillary uses (see Section 1-6-26).

Ancillary manufacturing uses proposed to be greater than 1,500 square feet and/or 50% of the total floor area may be approved as a conditional use by the Planning and Zoning Commission (see Section 1-6-26).

See § 1-6-16 (B) for alternate energy production regulations.

Land uses listed in the B-4 and B-5 district that propose outdoor assembly, repair, manufacturing, processing and/or storage shall require conditional use permit approval even if identified in Table 5-3 as a permitted use by right.

See § 1-6-15 for adult oriented business regulations.

The noted retail and service use categories shall only be permitted in the B-3 zoning district when they are an incidental use to a permitted primary use. The noted use categories shall not be operated as primary stand-alone facilities, but may be permitted as individual occupancies within “strip” or “in-line” commercial centers.

Offices in B-4 and B-5 zoning districts shall only be permitted as ancillary uses.

Where a non-residential property was previously developed for commercial uses and is being redeveloped for residential uses, the new development plan shall contain whichever is greater of either:

- a minimum of 25% of the previous commercial building square footage on the new site for commercial uses, or;
- a minimum of 35% of the acreage shall be used for commercial uses.

This definition of commercial uses shall be interpreted in a broad sense to include all typical retail, commercial and office uses.

Noted land uses shall be subject to City Council review and approval through a public hearing, following a recommendation by the Planning and Zoning Commission.