

ARTICLE 6. ZONING DISTRICTS

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SECTION 6.1 ESTABLISHMENT OF ZONING DISTRICTS.

In accordance with the requirements of NCGS Section 160A-382 that zoning regulation be by districts, the Town of Nags Head, as shown on the Zoning Map, is hereby divided into districts which shall be governed by all of the uniform use and dimensional requirements of this UDO. In the creation of the respective districts, careful consideration is given to the peculiar suitability of each and every district for the particular regulations applied thereto, and the necessary, proper, and comprehensive groupings and arrangements of various uses and densities of population in accordance with a well-considered comprehensive plan for the physical development of the area.

The purposes of establishing the zoning districts are:

- To implement adopted plans;
- To promote public health, safety, and general welfare;
- To provide for orderly growth and development;
- To provide for the efficient use of resources; and
- To facilitate the adequate provision of services.

SECTION 6.2 ZONING DISTRICTS.

6.2.1. General Provisions.

No land within the Town shall be developed except in accordance with the zoning district regulations of this Article and all other regulations of this UDO, including but not limited to:

- Article 7 Supplemental Regulations
- Article 8 District Development Standards
- Article 10 Performance Standards

6.2.2. Zoning Districts Established.

In order to implement the purpose and intent of this UDO and the Comprehensive Plan, the following districts are established.

| TABLE 6-1: ZONING DISTRICTS ESTABLISHED | |
|---|--------------|
| DISTRICT NAME | ABBREVIATION |
| RESIDENTIAL DISTRICTS | |
| Low Density Residential | R-1 |
| Medium Density Residential | R-2 |
| High Density Residential | R-3 |
| COMMERCIAL DISTRICTS | |
| Neighborhood Commercial | C-1 |
| General Commercial | C-2 |
| Commercial Services | C-3 |
| Arts and Culture | C-4 |
| Commercial Residential | CR |

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| DISTRICT NAME | ABBREVIATION |
|---|--------------|
| SPECIAL DISTRICTS | |
| Special Planned Development | SPD-20 |
| Special Environmental | SED-80 |
| Special Planned Development - Community | SPD-C |
| Ocean and Sound Waters | O&S |

6.2.3. Residential Districts.

The Residential district designation is established to accommodate residential uses or other uses that are compatible with residential development. The district designations (R-1, R-2, R-3) and the associated uses and standards are tiered with R-1 being the least intense residential district and R-3 being the most intense residential district.

6.2.3.1. R-1 Low-Density Residential District. The R-1 low-density residential district is intended to accommodate low-density residential neighborhoods.

6.2.3.2. R-2 Medium-Density Residential District. The R-2 medium-density residential district is intended to encourage the development of moderate-density residential neighborhoods that serve as a transition zone between the low-density area and more intensely developed areas. Structures in this district adjacent to the Atlantic Ocean are encouraged to be smaller in scale and designed to be adaptable to changing conditions.

6.2.3.3. R-3 High-Density Residential District. The R-3 high-density residential district is established as an area in which the principal use of the land is for high-density single-family and duplex residential development. The R-3 district also provides for the development of less intensive non-residential uses as well as compatible supporting uses.

6.2.4. Commercial Districts.

The Commercial district designation is established to accommodate commercial development located primarily along the two major roadway corridors, US Highway 158 (US 158) and NC Highway 12 (NC 12). Neighborhood Commercial (C-1) is the least intense commercial designation that focuses on less intensive uses that serve the needs of the immediate residential neighborhoods. General Commercial (C-2) allows the broadest range of uses of all the commercial designations and provides both local and regional services. Commercial Services (C-3) is the most intense commercial district allowing warehouse, production, utility and light industrial uses. The C-3 district is the only district that does not adjoin a major roadway corridor. The Arts and Culture (C-4) is established as a neighborhood commercial district with the purpose of encouraging art, galleries, and cultural activities. The Commercial Residential (CR) is established to accommodate oceanfront development and associated commercial uses.

6.2.4.1. C-1 Neighborhood Commercial District. The C-1 neighborhood commercial district is intended to accommodate neighborhood scale, pedestrian-oriented development that serves

the needs of the immediate residential neighborhoods with an emphasis on expanding neighborhood commercial activities along NC 12. The purpose of this district is to provide needed goods and services within walkable distances to residential neighborhoods. Development must be designed in use, scale, character, and intensity to be compatible with and protect surrounding residential areas, natural resources, and scenic viewsheds. Activities such as shopping, strolling, and dining are leisure activities as much as other needed services. Typical uses in this designation include restaurant (walk-up or sit down), commercial, office, retail, personal services establishments, gallery/museum, beach equipment rentals, cottage courts, hotels, and single-family residential (5,000 square feet or less). Commercial development should be designed to activate the street fronts, encourage walkability, and be situated closer to street grade while still elevated to minimize flood risk. It is also the intent of this C-1 district to encourage the development of unique, locally owned businesses that are designed to be reflective of the community's heritage and lifestyle both in scale and massing as well as site layout. This could include the use of accessory residential dwelling units to commercial businesses or other arrangements of mixed use that are designed to be pedestrian oriented and in close proximity to one another

6.2.4.2. C-2 General Commercial District. The C-2 general commercial district is intended to foster a thriving commercial business community with a variety of uses, activities, and scales. The general commercial designation allows the broadest range of uses and is located throughout the Town paralleling US 158 and US 64. This district represents areas that are anticipated to have future concentrations of uses that serve as destinations or hubs of activity for the Town and are appropriate for shopping centers or larger footprint retail stores. Form is as important as use within this designation and there should be a high degree of design quality for the building façade. Planned, mixed use developments are encouraged with a range of uses including retail, office, restaurant, banking, personal service establishments, gymnasium, indoor entertainment, gallery/museum, hotel, institutional uses, and multi-family. Future development should accommodate pedestrian access from existing pedestrian infrastructure to storefronts. Further, adequate pedestrian infrastructure should be provided to safely traverse and interconnect commercial sites.

6.2.4.3. C-3 Commercial Services District. The C-3 commercial services district is intended to provide for higher intensity land uses that are not compatible with other areas of the Town. The commercial services district accommodates utilities, light industrial uses such as processing/fabricating facilities, warehousing, bulk storage, municipal facilities, studio (dance/gymnasium, martial arts), and commercial service buildings (20,000 square feet or less). Due to the proximity of this district to Fresh Pond, allowed uses shall not be detrimental to adjacent uses, the environment, and the sources of potable water, i.e., Fresh Pond and groundwater.

6.2.4.4. C-4 Arts and Culture District. The C-4 Arts and Culture district is a district focused on arts and culture. This district is intended to provide a healthy mixture of residential and commercial uses where shopping, strolling, and dining are leisure activities as much as other

needed services. Appropriate uses for this area include restaurant (walk-up/sit down), accessory dwellings, commercial (10,000 square feet or less) office, retail, personal service establishments, gallery/museums, equipment rentals, cottage courts, small scale (boutique) hotels, and residential. Commercial development should be designed to activate the street fronts, encourage walkability, and be situated closer to street grade while still elevated to minimize flood risk. It is also the intent of this C-4 district to encourage the development of unique, locally owned businesses that are designed to be reflective of the community's heritage and lifestyle both in scale and massing as well site layout. This could include the use of accessory residential dwelling units to commercial businesses or other arrangements of mixed use that are designed to be pedestrian oriented and in close proximity to one another. The C-4 district is further intended to provide an area in which small but similar businesses will be allowed to take advantage of the steady flow of low-volume vehicular and pedestrian traffic by locating within close proximity of each other.

6.2.4.5. CR Commercial Residential District. The CR commercial residential district is intended to accommodate adaptable, oceanfront development consisting of small-scale residential uses and compatible commercial uses that support the needs of residents and visitors.

6.2.5. Special Districts.

Special districts are established to protect special lands that have unique or special characteristics to be preserved or enhanced (SPD-20, SED-80, and O&S Districts), or require special attention due to unique development issues (SPD-C).

6.2.5.1. SPD-20 Special Planned Development District. The SPD-20 special planned development district is intended to protect the environmentally sensitive nature of the unique coastal landforms contained within the district while accommodating low density residential development. Residential development should be designed in a way to minimize its impact on the environment, coastal landforms, and scenic viewsheds. This SPD-20 district is characterized by unique topographical and vegetative features including vegetated and unvegetated dunes, migrating sand dunes, as well as a pine forest. The largest portion of this district contains Jockey's Ridge State Park which has been designated by the North Carolina Coastal Resources Commission as a Unique Coastal Geologic Formation Area of Environmental Concern and as a National Natural Landmark by the United States Department of the Interior. The northwestern portion of the district borders on Nags Head Woods, a maritime forest.

6.2.5.2. SED-80 Special Environmental District. This SED-80 district is intended to protect Nags Head Woods, an irreplaceable maritime forest occupying the northwest corner of the Town. Nags Head Woods was the home of the first settlers and one of a few remaining maritime forests in the state that consists of ecologically important marshlands, pine hammocks, bay forest, the ridge forest, hardwood and pine forests, ponds and dunes. Each part of this natural system is important to the survival of the whole system. The least adverse environmental impacts would result from development in the bay and hardwood forests and away from the ponds and marshes. Nags Head Woods was designated by the United States Congress as a

ARTICLE 6. ZONING DISTRICTS

National Natural Landmark in 1974 and is also recognized as a unique coastal geologic formation area of environmental concern (AEC) by the NC Coastal Resources Commission. The SED-80 district permits low-density residential development that is compatible with the environmentally sensitive nature of Nags Head Woods and preserves land in a natural state. The preservation of this land as open space is important as a vital link in the groundwater replenishment cycle of the Outer Banks. The destruction of natural vegetation would have a harmful effect on the stability of the soil and its resistance to erosion and ability to both filter and absorb stormwater.

6.2.5.3. SPD-C Special Planned Development – Community District. The SPD-C district, encompassing the Village at Nags Head, is established to create regulations adapted to unified planning and development that are intended to accomplish the purposes of zoning and other applicable regulations to the same degree as in districts in which conventional regulations are intended to control development on a lot-by-lot basis. This district is intended to promote economical and efficient land use, a higher level of amenities, appropriate and harmonious variety in physical development, design, and an improved living and working environment. Article 9, SPD-C Zoning Ordinance includes a series of zoning districts and associated regulations for the SPD-C District.

6.2.5.4. O&S Ocean and Sound Waters District. The Ocean and Sound Waters District encompasses the ocean and sound waters and is established to provide for the proper use of these waters, including islands that adjoin the Town, to ensure the continued scenic, conservation and recreational value that these waters provide to the Town, its residents, visitors and the surrounding area. Regulations in this district shall not prohibit or regulate commercial fishing and navigation. The Ocean and Sound Waters District shall encompass and be applied to the area defined as the extraterritorial zoning area as referenced in Town Code Section 2-1 Zoning; boundary extension; establishment; application.

SECTION 6.3 OVERLAY DISTRICTS.

Three (3) overlay districts are hereby established as outlined in the table below. These overlay districts are intended to be superimposed over the underlying base zoning district. Land within any base district may be classified into one or more overlay zoning districts. Each overlay district includes standards which apply in addition to those specified in the underlying base zoning district. The specific objectives of each of these overlay districts are explained in the remainder of this section.

| DISTRICT NAME | ABBREVIATION |
|--------------------------------------|--------------|
| Commercial-Outdoor Recreational Uses | CO |
| Hotel | HO |
| Soundside Residential Dwelling | SRO |

6.3.1. CO Commercial-Outdoor Recreational Uses Overlay District.

The Commercial-Outdoor Recreational Uses Overlay District is established to provide a set of comprehensive land use regulations for the operation of commercial-outdoor recreational uses while protecting the residentially zoned areas of the Town. This shall be the only area within the Town where these uses are allowed.

6.3.2. HO Hotel Overlay District.

The purpose of the Hotel Overlay District is to allow for the development of larger-scale hotels that exceed the 35-foot height restriction allowed in other zoning designations. This area generally includes the C-2 general commercial district south of the Village SPD-C district (Forrest Street) to Whalebone Junction. This area of the Town is deemed appropriate for taller, more intensive hotel uses that will not diminish important viewsheds in the area surrounding Jockey's Ridge or detract from the low density character of the historic district and the neighborhoods within the R-2 medium density residential zoning district.

6.3.3. SRO Soundside Residential Dwelling Overlay District.

The purpose of the Soundside Overlay District is to preserve and protect the unique character and historical significance of the residential enclave located in the vicinity of the unimproved portion of Soundside Road and Chowan Avenue.

SECTION 6.4 PERMITTED TYPES.

Zoning districts have uses specified as permitted by right, conditional uses, and uses permitted with supplemental regulations. Detailed use tables are provided in Section 6.6, Table of Uses and Activities, showing the uses allowed in each district. Additionally, as authorized under Section 4.11.5., and Section 6.4.6. herein, uses may be temporarily permitted or modified on a temporary basis subject to a Temporary Use Permit. The following describes the processes of each of the categories that the uses are subject to:

6.4.1. Permitted by Right.

A "P" in a cell of the use table indicates that the corresponding use classification, category, or type is permitted in the corresponding zoning district following administrative review and approval. Permitted uses are subject to compliance with all use-specific standards and applicable development regulations of the UDO.

6.4.2. Permitted with Supplemental Regulations.

A "PS" in a cell of the use table indicates that the corresponding use classification, category, or type is permitted in the corresponding zoning district following administrative review and approval subject to district provisions, other applicable requirements, and compliance with supplemental regulations outlined in Article 7, Supplemental Regulations. These supplemental regulations are in addition to all other requirements of this UDO.

6.4.3. Conditional Uses.

A “C” in a cell of the use table indicates that the corresponding use classification, category, or type is permitted in the corresponding zoning district following Planning Board review and recommendation and Board of Commissioners review and approval of a Conditional Use Permit for the proposed use. Uses requiring a conditional use permit are subject to compliance with all use-specific standards and applicable development regulations of the UDO, as well as the conditional use approval process and criteria found in Section 3.8, Conditional Use Permits. Some Conditional Uses may also be subject to compliance with the supplemental regulations outlined in Article 7, Supplemental Regulations and are denoted by a “CS” in the use table. These supplemental regulations are in addition to all other requirements of the UDO.

6.4.4. Uses Allowed Within the SPD-C, Village at Nags Head.

Uses permitted within the SPD-C Village at Nags Head zoning district are provided in Article 9, The Village at Nags Head SPD-C Zoning Ordinance. The table in Section 9.36, Table of Uses and Activities for the SPD-C District, should be used to determine which Village at Nags Head district the use is allowed and whether the use is permitted by right or as a conditional use.

6.4.5. Prohibited Uses.

A blank in a cell of the use table indicates that the corresponding use classification, category, or type is prohibited in the corresponding zoning district.

6.4.6. Uses or Modification of Uses with Temporary Use Permit.

As authorized under and limited by Section 4.11.5., uses may be temporarily permitted or modified on a temporary basis, subject to a Temporary Use Permit, as follows:

6.4.6.1. Temporary Use. Any use identified in Section 6.6, Table of Uses and Activities, may be temporarily permitted pursuant to Section 4.11.5. in any zoning district, except that uses not identified as Residential or Residential - Group in Section 6.6. may not be permitted in the Residential Districts or Special Districts identified in Table 6-1, Zoning Districts Established, unless otherwise permitted or allowed with a conditional use permit within such districts.

6.4.6.2. Temporary Modification of Use. Any use identified in Section 6.6., Table of Uses and Activities, as requiring a conditional use permit or being subject to supplemental regulations outlined in Article 7, Supplemental Regulations, may be temporarily modified pursuant to Section 4.11.5. in manner that would not be in compliance with any issued conditional use permit and/or supplemental standards, as applicable.

SECTION 6.5 CLASSIFICATION AND REVIEW OF UNLISTED USES.

6.5.1. The UDO Administrator shall determine whether or not an unlisted use is substantially similar to an already defined use category or use type. A proposed use will not be denied solely because it is not included in this UDO as a listed use, unless listed in subsection 6.5.3. An unlisted use will be denied if the UDO Administrator determines that the unlisted use is substantially similar to a use which is expressly prohibited in that district. The UDO Administrator shall use the following factors as a guideline

when classifying a new or unlisted use to determine if such use is classified in a manner consistent with other similar uses in the applicable zoning district.

- Consistency with the stated intent of the zoning district.
- Consistency with the adopted vision statement and policies of the Comprehensive Plan.
- Density of development (number of units, square footage, etc.).
- Intensity of use consistent with the zoning district in which the use is to be located.
- Type of activity associated with the use.
- Number of customers and length of stay.
- Generation of pedestrian and vehicular traffic.
- Potential impacts such as noise, light, odor, etc.
- Public safety.
- Environmental effects.
- Negative impacts on adjacent land uses.

6.5.2. If the UDO Administrator rejects a proposal for a use that is not clearly disallowed in a particular district, then the UDO Administrator will:

- Ensure that the citizen is provided with a copy of the interpretation in writing.
- Inform the citizen of the right to appeal the decision to the Board of Adjustment, as specified in Section 3.9, Appeals of Administrative Decisions.
- Advise the applicant on the requirements for the preparation of a proposed zoning text change for consideration by the Planning Board and Board of Commissioners allowing policy-makers to determine whether the proposed use should be an allowable use in the district or not. Financial responsibility for a proposed zoning text change shall be on the applicant.

6.5.3. The following uses are expressly prohibited in the Town of Nags Head planning jurisdiction:

- RESIDENTIAL:
 - Mobile/Manufactured Homes.
 - Trailers and Trailer Parks.
 - Convents & Monasteries.
 - Fraternity & Sorority Houses.
 - Multi-level Deck Platforms
 - Other Residential Uses.
- AGRICULTURAL:
 - Agricultural Buildings.
 - Commercial Animal Production.
 - Commercial Crop Production (Outdoor).
 - Livestock Shelters & Stables.
 - Other Agricultural Uses (Excluding Backyard Chickens and Beekeeping).

- **INSTITUTIONAL:**
 - Alcohol & Drug Detoxification, Rehabilitation and Treatment Facilities with Overnight Stays.
 - Crematoriums (Human or Animal).
 - Other Institutional Uses.

- **COMMERCIAL:**
 - Horseback Tours.
 - Nightclubs.
 - Commercial Marina.
 - Jet-Pack Rentals.
 - Campgrounds.
 - Drug Paraphernalia Sales.
 - Automobile/Boat Dealership.
 - Automated Ice Vending (excluding such use accessory to and incorporated within a principal building).
 - Smoke and Vapor Shops.
 - Other Commercial Uses.

- **INDUSTRIAL:**
 - Satellite Dish Farms.
 - Solar Energy Facility (as a principal use).
 - Wind Energy Facilities (Commercial).
 - Other Energy Facilities.
 - Foundries.
 - Manufacturing, Processing, Assembly and Other Industrial Facilities.
 - Metal Products Facilities (Fabrication and Assembly).
 - Recycling Materials Collection and Processing.
 - Resource Extraction Facilities.
 - Waste Recovery Facility.
 - Landfills and Solid Waste Disposal Facilities.
 - Other Warehousing/Storage Facilities.

- **TRANSPORTATION:**
 - Aircraft Hangars.
 - Airports & Airfields.
 - Bus, Truck, & Transportation Terminals, Yards & Parking Lots.
 - Distribution Centers, Parcel Delivery Centers, & Delivery Warehouses.
 - Pedicab Storage and Dispatch.
 - Private Transit Stops.
 - Parking Garages, Single and Multi-Story.
 - Powered Scooter Share Programs.
 - Other Transportation Related Facilities.

SECTION 6.6 TABLE OF USES AND ACTIVITIES.

P - Permitted Use C - Conditional Use S - Supplemental Regulations

Blank- Not allowed in that district

| Use Category/Class | Use Type | Residential Districts | | | Commercial Districts | | | | Special Districts | | | | Overlay Districts | | | Supplemental Regulations | |
|-------------------------|--|-----------------------|-----|-----|----------------------|------|-----|-----|-------------------|--------|--------|--------|-------------------|----|----|--------------------------|--------------|
| | | R-1 | R-2 | R-3 | CR | C-1* | C-2 | C-3 | C-4 | SPD-20 | SED-80 | SPD-C* | O&S | CO | HO | | SRO |
| 1 Residential | Cluster Housing | | PS | | | | | | | | | | | | | | Section 7.1 |
| 1 Residential | Cottage Court | | | | CS | CS | CS | | | | | | | | | | Section 7.2 |
| 1 Residential | Dwelling, Accessory | | | | | | | | | | | | | | | | Section 7.3 |
| 1 Residential | Dwelling, Large Residential | PS | PS | PS | PS | | PS | | | PS | PS | | PS | | | PS | Section 7.4 |
| 1 Residential | Dwelling, Multi-Family | | | | | CS | CS | | | | | | | | | | Section 7.5 |
| 1 Residential | Dwelling, Single-Family (detached) | P | P | P | P | P | P | | P | P | P | | P | | | P | |
| 1 Residential | Dwelling, Two-Family (duplex) | | P | P | P | P | P | | P | | | | | | | | |
| 1 Residential | Granny Pods/Temporary Health Care Structures | PS | PS | PS | PS | PS | PS | | PS | PS | PS | | | | | | Section 7.6 |
| 1 Residential | Home Occupation - Class 1 | PS | PS | PS | PS | PS | PS | | PS | PS | | | | | | | Section 7.7 |
| 1 Residential | Home Occupation - Class 2 | CS | CS | CS | | CS | CS | | | CS | | | | | | | Section 7.7 |
| 1 Residential | Home Occupation - Class 3 | | | | CS | CS | CS | | CS | | | | | | | | Section 7.7 |
| 1 Residential | Short-term rental | P | P | P | P | P | P | | P | P | P | P | P | PS | P | P | |
| 1 Residential | Townhouse | | | | | | CS | | | CS | | | | | | | Section 7.5 |
| 1.1 Residential - Group | Adult Care Home (over six residents) | | P | P | | | | | | | | | | | | | |
| 1.1 Residential - Group | Bed and Breakfast | | | | C | C | C | | C | | | | | | | | |
| 1.1 Residential - Group | Boarding Houses | CS | CS | CS | CS | CS | CS | | CS | | | | | | | | Section 7.8 |
| 1.1 Residential - Group | Child Care Facility, Family Child Care Home | | PS | PS | | | | | | | | | | | | | Section 7.9 |
| 1.1 Residential - Group | Dormitory | | | | | CS | CS | | | | CS | | | | | | Section 7.10 |
| 1.1 Residential - Group | Family Care Homes/Halfway Homes | PS | PS | PS | PS | PS | PS | | PS | PS | PS | | | | | | Section 7.11 |
| 1.1 Residential - Group | Family Foster Home | P | P | P | P | P | P | | P | P | P | | | | | | |
| 1.1 Residential - Group | Hotels | | | | | CS | CS | | | | | | | | CS | | Section 7.12 |
| 1.1 Residential - Group | Multi-Unit Assisted Housing with Services | | P | P | | | | | | | | | | | | | |
| 2 Retail | Art Gallery | | | | P | P | P | | P | | | | | | | | |
| 2 Retail | Art Gallery - Owner Occupied | | | | P | P | P | | P | | | | | | | | |
| 2 Retail | Artisan's Workshop (3,000 sq. ft. or less) | | | | PS | PS | PS | | PS | | | | | | | | Section 7.13 |
| 2 Retail | Artisan's Workshop (exceeding 3,000 square feet) | | | | CS | CS | CS | | CS | | | | | | | | Section 7.13 |
| 2 Retail | Auction House | | | | | | PS | | | | | | | | | | Section 7.14 |
| 2 Retail | Beach Recreation Equipment Rentals/Sales | | | | P | P | P | | | | | | | | | | |
| 2 Retail | Bicycle Shop (repair, retail, rental) | | | | | P | P | | P | | | | | | | | |
| 2 Retail | Convenience Store | | | | | P | P | | | | | | | | | | |
| 2 Retail | Firearms Sales and Service | | | | | | P | | | | | | | | | | |
| 2 Retail | Food/Grocery Store | | | | P | P | P | | | | | | | | | | |
| 2 Retail | Furniture Store | | | | | | P | | | | | | | | | | |
| 2 Retail | General Retail, including clothing, gifts, candy, toys, shoes, jewelry, notions, beach equipment, bakery, antiques, hobby goods, magazines/comics, crafts, dry goods, gifts, musical instruments, bookstores, sporting goods (and the incidental manufacturing, repair, or service of goods on the premises) | | | | P | P | P | | P | | | | | | | | |
| 2 Retail | Greenhouse/Plant Nursery | | | | | P | P | P | | | | | | | | | |
| 2 Retail | Hardware Store | | | | | P | P | | | | | | | | | | |
| 2 Retail | Pet Shop/Dog Grooming | | | | | PS | PS | | PS | | | | | | | | Section 7.15 |
| 2 Retail | Pharmacy | | | | | P | P | | | | | | | | | | |
| 2 Retail | Production/Repair/Sales Eyeglasses, Hearing Aids, Prosthetics | | | | | P | P | P | | | | | | | | | |
| 3 Service | Automobile Repair | | | | | | CS | | | | | | | | | | Section 7.16 |
| 3 Service | Bail Bonds | | | | | | P | | | | | | | | | | |
| 3 Service | Banking Institution | | | | | P | P | | | | | | | | | | |
| 3 Service | Battery Charging/Exchange Station | | | | | PS | PS | PS | | | | | | | | | Section 7.17 |
| 3 Service | Broadcasting Studios | | | | | | P | | | | | | | | | | |

SECTION 6.6 TABLE OF USES AND ACTIVITIES.

P - Permitted Use C - Conditional Use S - Supplemental Regulations

Blank- Not allowed in that district

| Use Category/Class | Use Type | Residential Districts | | | Commercial Districts | | | | | Special Districts | | | | Overlay Districts | | | Supplemental Regulations |
|-------------------------|--|-----------------------|-----|-----|----------------------|------|-----|-----|-----|-------------------|--------|--------|-----|-------------------|----|-----|--------------------------|
| | | R-1 | R-2 | R-3 | CR | C-1* | C-2 | C-3 | C-4 | SPD-20 | SED-80 | SPD-C* | O&S | CO | HO | SRO | |
| 3 Service | Car Washes (Automated and Self-Service) | | | | | | CS | | | | | | | | | | Section 7.18 |
| 3 Service | Carpet Sales and Installation | | | | | | | P | | | | | | | | | |
| 3 Service | Child Care Facility, Child Care Center | | | | | | CS | CS | | | | | | | | | Section 7.9 |
| 3 Service | Dry Cleaners and Laundromats (Pickup only) | | | | | | P | P | | | | | | | | | |
| 3 Service | Fire Safety Equipment Sales and Service | | | | | | | | P | | | | | | | | |
| 3 Service | Food Bank | | | | | | | CS | | | | | | | | | Section 7.19 |
| 3 Service | Fueling Station | | | | | | | CS | | | | | | | | | Section 7.20 |
| 3 Service | Funeral Home | | | | | | | P | | | | | | | | | |
| 3 Service | Group Fitness- Aerobics/Dance/Karate/Yoga | | | | | | P | P | P | P | | | | | | | |
| 3 Service | Hair Salon | | | | | | P | P | | P | | | | | | | |
| 3 Service | Indoor Fitness/Gymnasium | | | | | | P | P | P | P | | | | | | | |
| 3 Service | Indoor Public Assembly Facility | | | | | C | P | P | | P | | | | | | | |
| 3 Service | Locksmiths | | | | | | | P | P | | | | | | | | |
| 3 Service | Massage and Bodywork Therapy | | | | | | PS | PS | | PS | | | | PS | | | Section 7.21 |
| 3 Service | Metaphysical Wellness Services | | | | | | | CS | | | | | | | | | Section 7.22 |
| 3 Service | Parking Lots | | | | | | P | P | | | | | | | | | |
| 3 Service | Real Estate Rental Management Facility | | | | | | | | P | | | | | | | | |
| 3 Service | Security System Sales/Service | | | | | | | | P | | | | | | | | |
| 3 Service | Sexually Oriented Business | | | | | | | | CS | | | | | | | | Section 7.23 |
| 3 Service | Shoe Repair | | | | | | P | P | | P | | | | | | | |
| 3 Service | Spa | | | | | | P | P | | P | | | | | | | |
| 3 Service | Tailor | | | | | | P | P | | P | | | | | | | |
| 3 Service | Tattoo/Body Piercing | | | | | | | | C | | | | | | | | |
| 3 Service | Taxi/Limousine Service | | | | | | | C | | | | | | | | | |
| 3 Service | Telecommunications Sales and Service | | | | | | | P | P | | | | | | | | |
| 3 Service | Tutoring Facility/Learning Center | | | | | | | P | | | | | | | | | |
| 3 Service | Veterinary Clinic with Animal Boarding | | | | | | | CS | | | | | | | | | Section 7.24.1 |
| 3 Service | Veterinary Clinic with no Animal Boarding | | | | | | PS | PS | | PS | | | | | | | Section 7.24.2 |
| 3 Service | Wallpaper Sales and Installation | | | | | | | | P | | | | | | | | |
| 3 Service | Water Well Drillers Office, Storage, Sales and Install | | | | | | | | P | | | | | | | | |
| 4 Food Service | Coffee Shop/Juice Bar | | | | | | PS | PS | | PS | | | | | | | Section 7.25 |
| 4 Food Service | Food Truck | | | | | PS | PS | PS | | PS | | | | | | | Section 7.26 |
| 4 Food Service | Ice Cream Shop | | | | | P | P | P | | P | | | | | | | |
| 4 Food Service | Microbreweries | | | | | | CS | CS | | CS | | | | | | | Section 7.27 |
| 4 Food Service | Restaurant - Drive In | | | | | | CS | CS | | | | | | | | | Section 7.28 |
| 4 Food Service | Restaurant - Drive Through | | | | | | | CS | | | | | | | | | Section 7.29 |
| 4 Food Service | Restaurant - Neighborhood | | | | | PS | PS | PS | | PS | | | | | | | Section 7.30 |
| 4 Food Service | Restaurant - Sit Down | | | | | PS | PS | PS | | PS | | | | | | | Section 7.31 |
| 4 Food Service | Restaurant - Take Out | | | | | P | P | P | | P | | | | | | | |
| 5 Office | Building Contractor's Office | | | | | | | P | P | | | | | | | | |
| 5 Office | Office w/ Outdoor Storage of Materials/Equip./Vehicles | | | | | | | | P | | | | | | | | |
| 5 Office | Professional Office, including General Business, Financial, Real Estate Sales, Insurance, Attorney, Accountant, Mortgage | | | | | | P | P | | P | | | | | | | |
| 5 Office | Trade Association Office | | | | | | | | P | | | | | | | | |
| 6 Commercial Mixed Uses | Commercial with Accessory Residential | | | | | | PS | PS | | PS | | | | | | | Section 7.32, 7.33 |
| 6 Commercial Mixed Uses | Group Development | | | | | | C | C | | | | | | | | | Section 7.32 |
| 6 Commercial Mixed Uses | Mixed Use Development | | | | | | CS | CS | | CS | | | | | | | Section 7.32, 7.34 |
| 6 Commercial Mixed Uses | Multiple Principal Uses | | | | | CS | CS | CS | CS | CS | | | | | | | Section 7.32, 7.35 |
| 6 Commercial Mixed Uses | Shopping Center | | | | | | | CS | | | | | | | | | Section 7.32 |

SECTION 6.6 TABLE OF USES AND ACTIVITIES.

P - Permitted Use C - Conditional Use S - Supplemental Regulations

Blank- Not allowed in that district

| Use Category/Class | Use Type | Residential Districts | | | Commercial Districts | | | | | Special Districts | | | | Overlay Districts | | | Supplemental Regulations |
|-------------------------------|--|-----------------------|-----|-----|----------------------|------|-----|-----|-----|-------------------|--------|--------|-----|-------------------|----|-----|--------------------------|
| | | R-1 | R-2 | R-3 | CR | C-1* | C-2 | C-3 | C-4 | SPD-20 | SED-80 | SPD-C* | O&S | CO | HO | SRO | |
| 7 Institutional | Adult Day Service Center | | | | | | CS | | | | | | | | | | Section 7.36 |
| 7 Institutional | Cemetery | | | CS | | | | | | | | CS | | | | | Section 7.37 |
| 7 Institutional | Colleges, Universities, Community Colleges | | | | | | | C | | | | | | | | | |
| 7 Institutional | Education and Research Facilities | | | | | | | C | C | C | | | | | | | |
| 7 Institutional | School | | | | | | | | CS | | | | | | | | Section 7.38 |
| 7 Institutional | Municipally Operated Farmer's Market | | | | | | | | | P | | | | | | | |
| 7 Institutional | Fire Station | | CS | | | | | | | | | | | | | | Section 7.39.1 |
| 7 Institutional | Government Administrative Office | | | P | | | | | | | | | | | | | |
| 7 Institutional | Libraries | | | | | | | C | C | | | | | | | | |
| 7 Institutional | Museum | | | | | | | P | P | | P | P | | | | | |
| 7 Institutional | Nonprofit/Community Outreach Center | | | | | | | P | P | | | | | | | | |
| 7 Institutional | Nonprofit/Community Outreach Center w/ Outdoor Aquatic Fitness Facility | | CS | | | | | | PS | | | | CS | | | | Section 7.40 |
| 7 Institutional | Nursing Home/Medical Offices | | | | | | | | | | | | CS | | | | Section 7.41 |
| 7 Institutional | Police Shooting Range | | | | | | | | | | | | PS | | | | Section 7.42 |
| 7 Institutional | Post Office | | | | | | | | P | | | | | | | | |
| 7 Institutional | Private Club (Non-Profit) | PS | PS | PS | | | | | | | | | | | | | Section 7.43 |
| 7 Institutional | Private Clubhouse for 501(c)8 Fraternal Beneficiary Societies as defined by IRS | | | | | | | | PS | | | | | | | | |
| 7 Institutional | Public Utility Facility | CS | CS | CS | CS | CS | CS | CS | | | CS | CS | | | | | Section 7.44 |
| 7 Institutional | Public Works Facility | | | | | | | | CS | | | | | | | | Section 7.39.2 |
| 7 Institutional | Religious Complex | | CS | CS | | CS | CS | PS | | | CS | | | | | | Section 7.45 |
| 7 Institutional | Religious Complex w/ Accessory School/Daycare | | CS | CS | | | | CS | PS | | CS | | | | | | Section 7.45 |
| 7 Institutional | Well Fields, Public Water Supply | | | | | | | | | | | | CS | | | | Section 7.46 |
| 7 Institutional | Wastewater Treatment Plants (accessory to pier) | | | | | | | | CS | | | | | | | | Section 7.47 |
| 8 Medical | Alcohol & Drug Outpatient Treatment | | | | | | | | P | | | | | | | | |
| 8 Medical | Dialysis Center | | | | | | | | P | | | | | | | | |
| 8 Medical | Medical Offices | | | | | | | P | P | | P | | | | | | Section 7.41 |
| 9 Recreation | Bowling Alley | | | | | | | | C | | | | | | | | |
| 9 Recreation | Community Garden | CS | CS | CS | CS | CS | CS | CS | CS | CS | | | | | | | Section 7.48 |
| 9 Recreation | Environmental Awareness Area | | | | | | | | | | CS | CS | | | | | Section 7.49 |
| 9 Recreation | Fishing Pier | | CS | | CS | | | CS | | | | | | CS | | | Section 7.50 |
| 9 Recreation | Indoor Entertainment | | | | | | | PS | PS | | | | | | | | Section 7.51 |
| 9 Recreation | Nonprofit Private Outdoor Recreation | | | | | | | | | | P | | | | | | |
| 9 Recreation | Private Beach Access Facilities | | | | CS | | | | | | | | | | | | Section 7.52 |
| 9 Recreation | Public Beach/Sound Access/Bathhouse | P | P | P | P | P | P | | | | | C | | | | | |
| 9 Recreation | Private Pier/Docks (Principal Use) | PS | PS | | | | | | | | | | | PS | | | Section 7.53 |
| 9 Recreation | Private Park/Playgrounds, Accessory to a Residential Subdivision or a Multi-Family Development | PS | PS | PS | PS | | | | | | PS | | | | | | Section 7.54 |
| 9 Recreation | Municipal Park | | CS | | | | | | PS | | | CS | | | | | Section 7.55 |
| 9 Recreation | Skate Park Facility | | | | | | | | CS | | | | | | | | Section 7.56 |
| 9 Recreation | Theater | | | | | | | | P | | | | | | | | |
| 9.1 Recreation-Land Dependent | Aerial Adventure Park | | | | | | | | | | | | | | CS | | Section 7.57 |
| 9.1 Recreation-Land Dependent | Designated Public Events Site | | | | | | | | | | | | | | CS | | Section 7.58 |
| 9.1 Recreation-Land Dependent | Go Kart Track | | | | | | | | | | | | | | CS | | Section 7.59 |
| 9.1 Recreation-Land Dependent | Grass Surface Putting Course | | | | | | | | | | | | | | CS | | Section 7.60 |
| 9.1 Recreation-Land Dependent | Mini-Golf | | | | | | | | | | | | | | C | | |
| 9.1 Recreation-Land Dependent | Outdoor Amusement Rides/Games | | | | | | | | | | | | | | CS | | Section 7.61 |
| 9.1 Recreation-Land Dependent | Outdoor Sport Climbing Wall | | | | | | | | | | | | | | CS | | Section 7.62 |

SECTION 6.6 TABLE OF USES AND ACTIVITIES.

P - Permitted Use C - Conditional Use S - Supplemental Regulations

Blank - Not allowed in that district

| Use Category/Class | Use Type | Residential Districts | | | Commercial Districts | | | | | Special Districts | | | | Overlay Districts | | | Supplemental Regulations |
|--------------------|--|---|-----|-----|----------------------|------|-----|-----|-----|-------------------|--------|--------|-----|-------------------|----|-----|--------------------------|
| | | R-1 | R-2 | R-3 | CR | C-1* | C-2 | C-3 | C-4 | SPD-20 | SED-80 | SPD-C* | O&S | CO | HO | SRO | |
| 9.2 | Recreation-Water Dependent | Parasail Rental | | | | | | | | | | | | C | C | | |
| 9.2 | Recreation-Water Dependent | Tour Boat, (49 Passengers or Less) | | | | | | | | | | | | C | C | | |
| 9.2 | Recreation-Water Dependent | Watercraft Rental, Non-Powered | | | | | | | | | | | | CS | CS | | Section 7.63 |
| 9.2 | Recreation-Water Dependent | Watercraft Rental, Powered | | | | | | | | | | | | CS | CS | | Section 7.63 |
| 9.2 | Recreation-Water Dependent | Watercraft, Personal (Jet-Ski) | | | | | | | | | | | | CS | CS | | |
| 10 | Telecommunications | Communication Towers, Major | | | CS | | | | CS | | | | | | | | Section 7.64 |
| 10 | Telecommunications | Concealed Building Mounted Antenna, Installed Flush with Roofline | | | | PS | | | PS | | | | | | | | Section 7.65 |
| 10 | Telecommunications | Concealed Building Mounted Antenna, Not Installed Flush with Roofline | | | | | | | C | | | | | | | | |
| 10 | Telecommunications | Small Wireless Facilities | PS | PS | PS | PS | PS | PS | PS | PS | PS | | | | | | Section 7.66 |
| 10 | Telecommunications | Telephone Switching Stations and Electric Substations | | | | | | | CS | | | | | | | | Section 7.67 |
| 11 | Warehouse/Light Industrial | Asphalt/Concrete Processing | | | | | | | CS | | | | | | | | Section 7.68 |
| 11 | Warehouse/Light Industrial | Assembly or Packaging of Articles | | | | | | | C | | | | | | | | |
| 11 | Warehouse/Light Industrial | Beverage Manufacturing, Bottling and Processing | | | | | | | C | | | | | | | | |
| 11 | Warehouse/Light Industrial | Brick and Masonry Facilities | | | | | | | C | | | | | | | | |
| 11 | Warehouse/Light Industrial | Canvas, Fabric and Upholstery Fabrication | | | | | | | P | | | | | | | | |
| 11 | Warehouse/Light Industrial | Commercial Crop Production, Indoor | | | | | P | P | P | P | | | | | | | |
| 11 | Warehouse/Light Industrial | Electrical Equipment Assembly | | | | | | | C | | | | | | | | |
| 11 | Warehouse/Light Industrial | Fine Craft and Folk Art Production | | | | | P | P | P | P | | | | | | | |
| 11 | Warehouse/Light Industrial | Indoor Training Facility for Dog Agility | | | | | | | P | | | | | | | | |
| 11 | Warehouse/Light Industrial | Junk Yards, Scrap Yards and Salvage Facilities | | | | | | | CS | | | | | | | | Section 7.69 |
| 11 | Warehouse/Light Industrial | Mini Storage (Self- Storage) Complex | | | | | | | CS | | | | | | | | Section 7.70 |
| 11 | Warehouse/Light Industrial | Open Space Infrastructure | | | | | | | P | | | | | | | | |
| 11 | Warehouse/Light Industrial | Outdoor Storage in Crates, Trailers, etc. | | | | | | | P | | | | | | | | |
| 11 | Warehouse/Light Industrial | Outdoor Storage of Construction Equip./Materials | | | | | | | C | | | | | | | | |
| 11 | Warehouse/Light Industrial | Outdoor Storage of Vehicles, Equip. and Other Goods | | | | | | | P | | | | | | | | |
| 11 | Warehouse/Light Industrial | Screen Printing Facility | | | | | | | CS | | | | | | | | Section 7.71 |
| 11 | Warehouse/Light Industrial | Stone Cutting, Shaping and Finishing Facilities | | | | | | | P | | | | | | | | |
| 11 | Warehouse/Light Industrial | Trade Centers | | | | | | | CS | | | | | | | | Section 7.72 |
| 11 | Warehouse/Light Industrial | Warehousing & Storage Facilities | | | | | | | C | | | | | | | | |
| 12 | Accessory Uses | Bulkhead/Estuarine Bulkhead | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| 12 | Accessory Uses | Customary Accessory Church Facilities | | C | C | | | | C | P | | C | | | | | |
| 12 | Accessory Uses | Docking Facility, Accessory to Restaurant | | | | | | | P | | | | | | P | | Section 7.73 |
| 12 | Accessory Uses | Garage | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| 12 | Accessory Uses | Greenhouses | P | P | P | P | P | P | P | P | P | | | | | | |
| 12 | Accessory Uses | Heliport, Accessory to Hospital and Medical Offices | | | | | | | | | | CS | | | | | Section 7.74 |
| 12 | Accessory Uses | Onsite Rental of Beach Chairs & Umbrellas | | | | | PS | PS | | | | | | | | | Section 7.75 |
| 12 | Accessory Uses | Outdoor Stands - Accessory to Shopping Centers and Group Developments | | | | | PS | PS | | | | | | | | | Section 7.76 |
| 12 | Accessory Uses | Portable Storage Units/Temporary Construction Trailers | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | | | | | Section 7.77 |
| 12 | Accessory Uses | Shed | P | P | P | P | P | P | P | P | P | P | | | | | P |
| 12 | Accessory Uses | Solar Energy Facility, Accessory | P | P | P | P | P | P | P | P | P | P | | | | | P |
| 12 | Accessory Uses | Swimming Pool | P | P | P | P | P | P | P | P | P | P | | | | | P |
| 12 | Accessory Uses | Walls and Fences | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | | PS | | PS | Section 7.78 |
| 12 | Accessory Uses | Wind Energy Facility, Rooftop | PS | PS | PS | PS | | PS | | | PS | PS | PS | | | PS | Section 7.79.1 |
| 12 | Accessory Uses | Wind Energy Facility, Small | P | P | P | P | | P | | | P | P | | | CS | P | |
| 12 | Accessory Uses | Wind Energy Facility, Vertical Axis | PS | PS | PS | PS | | PS | | | PS | PS | | | | PS | Section 7.79.2 |
| | NOTES: | | | | | | | | | | | | | | | | |
| | *Refer to Article 9, Section 9.36 Table of Uses and Activities for the SPD-C District. | | | | | | | | | | | | | | | | |