

ARTICLE 6. ZONING DISTRICTS

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ARTICLE 6. ZONING DISTRICTS

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

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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 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 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

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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 Article 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. 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.

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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.

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 (*Editor's Note: Adopted as amendment to UDO under Ordinance No. 19-09-011 on September 16, 2019, effective on October 7, 2019*)
 - 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.

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- 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 Courts				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	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	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	Governmental Administrative Office			PS													Section 7.42
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	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	Commerical 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	
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	
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	
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.																	