

**DAWSON COUNTY BOARD OF COMMISSIONERS  
VOTING SESSION MINUTES – AUGUST 6, 2020  
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM  
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534  
6:00 PM**

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Motion passed 4-0 to come out of Executive Session. Satterfield/Gaines

**ROLL CALL:** Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Julie Hughes Nix, District 4; County Manager David Headley; County Attorney Paul Frickey; County Clerk Kristen Cloud; and interested citizens of Dawson County.

**OPENING PRESENTATION:**

*American Public Works Association Young Leader of the Year Award- Chairman Billy Thurmond and County Manager David Headley*

Dawson County Public Works Director David McKee was presented with the American Public Works Association Young Leader of the Year Award.

**INVOCATION:** Chairman Thurmond

**PLEDGE OF ALLEGIANCE:** Chairman Thurmond

**ANNOUNCEMENTS:**

None

**APPROVAL OF MINUTES:**

Motion passed 4-0 to approve the Minutes of the Work Session held on July 16, 2020. Nix/Gaines

Motion passed 4-0 to approve the Minutes of the Voting Session held on July 16, 2020. Satterfield/Fausett

**APPROVAL OF AGENDA:**

Motion passed 4-0 to approve the agenda as presented. Fausett/Gaines

**PUBLIC COMMENT:**

None

**PUBLIC HEARINGS:**

Prior to opening the public hearings, Chairman Thurmond announced that, because of the COVID-19 pandemic, the Board of Commissioners (BOC) is giving citizens who may not feel comfortable attending public meetings an opportunity to submit comments in writing.

*2020 Millage Rate and Property Tax (2nd of 3 hearings. 1st hearing was held at 11 a.m. August 6, 2020, and 3rd hearing will be held at 4 p.m. August 20, 2020)*

Chairman Thurmond provided information regarding the proposed millage rate. He said the current millage rate is 8.0890 and that the BOC, following three public hearings, would have the

option to leave the millage rate as is, or adopt a partial roll back or a full roll back of the millage rate. He explained that the BOC does not set the school board's millage rate. He said the Board of Education sets the school portion and the BOC sets the county portion. Additionally, Chairman Thurmond mentioned the numerous local- and state-approved exemptions available to citizens. In total, these exemptions in the county add up to \$260,989,642, he said. Chairman Thurmond said that, due to COVID-19, he intends to present a flat or reduced FY 2021 budget.

Commissioner Gaines detailed the process of getting to the point of the BOC setting the millage rate. He discussed the offices involved and their duties, the advertising and public hearing process, and the time lines that must be met throughout the process.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the 2020 Millage Rate and Property Tax.

The following submitted comment or spoke on the 2020 Millage Rate and Property Tax:

- Lori Finch, Dawsonville, Georgia, submitted a comment, which was read aloud by Chairman Thurmond: "The rich keep trying to get richer. There is no good reason to raise the property taxes, once again, especially in the RA zones. Dawson County is taking more and giving less. I've owned this property for over 30 years, have not made any improvements to my land and yet you continue to raise taxes to pay for all the growth around Georgia 400 and the rural areas are not in the same category. It used to be the county would actually maintain the road side drainage ditches and the rural county roads. It took me five years to get the county to come out and dig the drainage ditch that was severely backing up with water. Then they only did a small portion of it; not to mention the waste of time for a crew to come out and sparsely throw gravel in the potholes, which come back after the next rain. You want more for less services. Stop."
- Joel Anderson submitted a comment, which was read aloud by Chairman Thurmond: "Hi, my name is Joel Anderson. I am reaching out to show my disappointment and disapproval as for the consideration to hike the county's land tax and also to try to 'dictate' what the land owners can and can't do on their own land. This is nothing more than a political move toward helping big developers come in and to buy up land that people cannot afford to pay the land tax anymore because of the higher taxes; sounds like back-door deals to me and I'm not the only one, either, that thinks that. People of Dawson County need the land tax lowered or abolished where we can have the extra money to buy food, clothing, tires for our vehicles to be safe for our families and others on the road; also medications, etc., and also for the people that do not have kids in the school system anymore, or they have their children in a private school or they are homeschooling - why should they have to keep paying a high priced land tax on land? Shouldn't that money go into their pockets to pay for the private school or homeschooling? This is nothing but socialism spreading the wealth of hardworking people into the pockets of the abled bodies that do not work but can work. Instead they have a free ride off the hard-working taxpayer. Also, for the use of the land: anyone should be able to do what they want to do on their own land as long as it doesn't hurt anyone else or contaminate anyone's waterways. This is also a liberal ideology. We should be able to use the land that we pay for and that we pay taxes on for our benefit. Remember how you got voted into office? For the people by the people. It's time for the

good-old buddy system, back-door deals to stop. God doesn't like it and He will come down on those that are responsible. It's time for Dawson Countians to drain its own swamp. Last but not least, I think it's a pretty crappy way to have hearings on a weekday at work hours, where most people are out working. You officials work for the voters of Dawson County. The hearings should be on days where the hard-working taxpayer is off work."

- Dan Nobles, Dawsonville, Georgia, submitted a comment, which was read aloud by Chairman Thurmond: "We citizens have a tough time with this recession and must live with what we get. It is past time for the county to tighten its belt and lower the millage rate. We have tremendous growth in the county that certainly brings in more money."
- Donald Roberts, Dawsonville, Georgia, said he lives on Highway 136 and has "been there for forever." He suggested taxing people "that are moving in instead of the people that have been here" by way of "some sort of an impact fee."
- Jonnie Sheffield, Dawsonville, Georgia, said she lives off Highway 136 and that she has exemptions but her property tax "went back up." She added that, despite being told that the outlet mall on Highway 400 would help bring property taxes down, her property taxes have never come down. "I know you try to do the best you can, but I'd rather pay my sales tax and get everybody that comes into the county than see my land where I can't pay," said Sheffield.
- Cathie Waddell, Dawsonville, Georgia, said she has lived here for 21 years. She said she has earned a living and pays her property taxes. She said she understands that her property taxes have gone up because her property is worth more now. However, said Waddell, she has not made any improvements to her property in 21 years and no longer has children to educate. "So now I would hope that you would understand that we're all struggling, we're all still living in the same houses, and I know things need to be paid for, but I can't go out and get more money to pay for taxes any more than you can go out and ask us to pay more money to get more services. I know it's a conundrum. I know it's hard, and you guys are doing the best you can, but please understand that the majority here cannot afford an increase."
- Scott Allen, Dawsonville, Georgia, thanked the Board of Commissioners for its work, saying "we live in the best county in the state of Georgia." He urged the BOC, particularly because of the COVID-19 pandemic, to "hold that millage rate as low as possible, especially if you don't have clear answers on where we need to be."
- Renee Duren, Dawsonville, Georgia, said a mistake was made with the press release that was published in the *Dawson County News* as it relates to a "2021 budget tentatively adopted" by the Board of Commissioners. She said she requested the tentative budget and "found out that it does not exist." Duren said she was told by the county that the language used in the press release is the language the Department of Revenue says the county should use. "However, that's not true, either," said Duren, adding that "transparency and open, honest communication matters." She said "accountability is in order and a correction and apology should be issued to the citizens of Dawson County."

Chairman Thurmond asked if there was anyone else present who wished to speak on the 2020 Millage Rate and Property Tax and, hearing none, closed the hearing.

*Creation of Residential Agriculture-1.5 Corrective Zoning District - Land Use Resolution Update (2nd of 2 hearings. 1st hearing was held at the Dawson County Planning Commission meeting on July 21, 2020)*

Planning & Development Director Jameson Kinley said the Residential Agriculture-1.5 Corrective (RAC) zoning classification is a solution for some property owners with less than 5 acres and who do not have a recorded plat on file with the Clerk of Courts office. Kinley said the RAC zoning district is a new residential zoning classification. The classification does not rezone anyone's property, but gives "them the ability to rezone to this classification in order for them to record a plat so they can get a building permit to build on their property. It does not affect anyone that is currently in Residential Agriculture unless they have the ability to rezone to this classification," he said. Kinley discussed several proposed edits (including the raising of livestock, etc.) to the update following the July Planning Commission meeting and after speaking with numerous citizens.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the Residential Agriculture-1.5 Corrective Zoning District - Land Use Resolution Update:

The following submitted comment or spoke on the Residential Agriculture-1.5 Corrective Zoning District - Land Use Resolution Update:

- Bradley & Madonna Anderson, Dawsonville, Georgia, submitted a comment, which was read aloud by Chairman Thurmond: "Hello. Dawson County is a rural county. We enjoy our freedom. In fact, people move up here to enjoy that freedom. Many people are self-sustaining and have yard chickens, goats, a cow, a pig for food and income. If we wanted restrictions we would live in a subdivision and follow HOA rules. Children have farm animals as pets. Are you going to tell a small child that they have to get rid of their goats and chickens? The mere idea of this zoning is ridiculous. Please vote no."
- Lori Finch, Dawsonville, Georgia, submitted a comment, which was read aloud by Chairman Thurmond: "Leave the RA zone alone. Save your limitations for subdivisions and residential zones. I moved to this rural area over 30 years ago to enjoy my land and the freedom of strict government hassle. I bought and paid for it; I pay taxes on it. There is no reason you should limit within good reason why I can't use it as rural land has been used for centuries. I have 4.5 acres. Your current limitations of not being able to add a small cabin because my main driveway does not access the back of my property are nonsensical. You don't allow tiny houses or manufactured homes, which are much more cost efficient, especially for older adults like me and would bring more revenue to the county. When I did try to sell my house and land a few years back, most people wanted to know if they could have horses, goats, pigs, etc. At that time they could. You would hurt the resale value of my land. Now you want to take away my choice to have animals. You are attempting to punish those in rural areas with five acres or under. Are you trying to set in motion all these restrictions in hopes of creating more subdivisions? I hope not. Dawson County used to be a fantastic place to live, but not now. You are attempting to change the rural areas to emulate Cumming and other metro cities. I did not move all the

way out here to be railroaded and have my land choices squashed by a greedy government. Stay out of rural areas with all your restrictions. Furthermore, you have wasted taxpayer money on things like the intersection at Georgia 400 and Highway 53. You spent the money to add two right turn lanes; then, because people couldn't follow a simple road sign, you shut down one of the lanes. What a waste of taxpayer money. All these roundabouts? People are too selfish to use them as intended. Another unnecessary expense. Leave the RA landowners be. You are killing the very ambiance, peace, freedom and joy that brought me and many others to the RA areas of the county in the first place – to get away from big government and restrictions. You've put enough ludicrous restrictions on us. It's our land and we pay taxes on it (which are also too high as well). If the commission is going to restrict us, at least grandfather in those of us in RA zones who have owned property for 30 years.”

- Joanne Sheridan submitted a comment, which was read aloud by Chairman Thurmond: “I moved here because I wanted to get away from the crowds and traffic. I don't like Alpharetta. Please don't make zoning changes that would bring in another Avalon center. You have brought in enough shopping centers. Leave the agricultural zoning alone as well. We need them in our county. Having a chicken run across the road makes life fun. I was never notified about the zoning changes in my neighborhood. How do I make sure that I know about future changes?”
- Hugh Stowers Jr, Dawsonville, Georgia, said this country is “going to view and be a part of the most disastrous thing that's ever hit this country. I hope what you're doing here is not etched in stone forever. Because the only thing that separates a human being from an animal is their pride, and a hungry human being has no pride.” He said hard times are coming.
- Tracy Hensley, Marble Hill, Georgia, thanked Chairman Thurmond and Commissioners Gaines and Satterfield for “trying to get this passed for us.”
- Beth Martin, Dawsonville, Georgia, asked if the RAC zoning just affects a limited number of property owners or “can everybody use this to carve up their land, so once you've got 5 acres then you've got somebody next to you that's divvied everything up?” She said “it was very confusing.”
- Scott Allen, Dawsonville, Georgia, addressed the new video streaming technology in the Assembly Room and thanked the BOC. He said the Planning Commission “falls under you guys” and this item was discussed by the Planning Commission. Allen said it is not the time in America to talk about restrictions, but it is time for us to talk about culture, and this technology allowed us to witness last week the Planning Commission in disarray.” He said he feels Planning & Development Director Jameson Kinley was subjected to what “came very close to looking like a hostile environment for him, a hostile work environment” before the Planning Commission. He asked the BOC to “spend some time on [the culture].”
- Matt Raymond, Dawson County, Georgia, said his family owns a combined total of 170 acres zoned as agricultural in Dawson County. He said none of the proposed changes affect him or his family directly. “I'm here standing in opposition to the proposed change

because I believe it will have a detrimental effect on the rural neighborhoods of Dawson County as well as potentially my children and future grandchildren,” he said. Raymond said he is concerned the proposed RA correction goes against one of the first stated purposes of the Dawson County Land Use Resolution: “to prevent arbitrary or unreasonable land use in districting decisions.”

- Dirk Dial, Dawsonville, Georgia, said he lives on Grizzle Farm Road. He said he has about 4 and a half acres and has two horses. “...I’m here [because] we heard that we were no longer allowed to have livestock on our property,” said Dial. “That’s the only reason why I’m here ... and I’m glad to hear that is not the case.”
- Chris Hensley, Marble Hill, Georgia, said he appreciates “everything everyone’s done, and I know it seems like I’ve attacked you...” Hensley said property owners should not be able to get a septic tank permit from Environmental Health until the property owner provides an approved plat. “I think that would help the county not get into this ‘net’ situation again,” he said.
- Joe Anderson, Dawsonville, Georgia, requested clarification on the “corrected” livestock issue.
- Hugh Stowers Jr., Dawsonville, Georgia, made a “broad statement to the commissioners and the audience.” Stowers said, “...This problem you have with Dawson County is communication.” He recommended citizens not listen to rumors but, rather, call their commissioners. He said the commissioners and county staff “will talk to you if you’ll get their phone number.” Stowers added, “If you don’t communicate, you’re not part of the community.”
- Lisa Glover, Dawsonville, Georgia, submitted a comment (originally submitted for the July 21, 2020, Planning Commission meeting), which was read aloud by Chairman Thurmond: “I count 22-plus land use districts, each with pages of regulations. For a farm the regulations’ terminology is so strict a farmer market structure is specified as no larger than 500 square feet. First, we need to answer the question: who owns the farm? The next regulation that stands out as county overreaching is: agricultural farm operations may include any or all of the following agriculturally related uses and some non-agriculturally related uses so long as the general character of the farm is maintained and the activities represent less than 50 percent of the gross receipts of the farm. Again, why all the county oversight on receipts when the farm is paying federal taxes; also local taxes on sales and property taxes. This is a picture of big government by a county looking to bleed every tax dime they can out of hard-working farmers. We need to protect and help farmers make a living. Environmental acts of God may cause a farmer to lose receipts on farming income on any given year and if they need a substituted income base; however, then they are punished with threats to rezone their farm is undue stress from our county. These are stringent regulations with the primary purpose to increase county tax revenue. This is not farm-friendly regulations. We the people need to get more involved with every added regulation set by our commissioners and wake up before we are unable to use our own land; oh, wait a minute, I think we slept too long and we lost our right. We the people now need to fight to reverse some of these regulations – first being the ‘special event business license’ that includes restriction of private land.”

Chairman Thurmond asked if there was anyone else present who wished to speak on the Residential Agriculture-1.5 Corrective Zoning District - Land Use Resolution Update and, hearing none, closed the hearing.

Motion passed 4-0 to approve the Residential Agriculture-1.5 Corrective Zoning District - Land Use Resolution Update with the following changes:

- C(1) – Add language “Raising and caring for livestock” to allowable uses;
- D(2) – Remove language “Raising and caring for livestock” from prohibited uses;
- D(3) – Remove language “to include but not limited to”;
- C(1) – Remove the word “related”; and
- C(2) – Change the language “and uses” to “to”.

Satterfield/Gaines

*Revisions to the RA (Residential Agricultural) Exurban District - Land Use Resolution Update (2nd of 2 hearings. 1st hearing was held at the Dawson County Planning Commission meeting on July 21, 2020)*

Planning & Development Director Jameson Kinley said “this proposal originally came about because of wedding venues” and issues surrounding the serving of alcohol. Kinley said the proposal includes language to allow wedding venues and similar special event facilities to sell and serve alcohol provided an appropriate alcohol license is held by the property owner, and provided alcohol is served in accordance with catering requirements and a valid caterer’s license.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the RA Exurban District - Land Use Resolution Update:

The following submitted comment or spoke on the RA Exurban District - Land Use Resolution Update:

- Maria Wilson, submitted a comment, which was read aloud by Chairman Thurmond: “A true democracy would allow questions and give answers. Since we don’t have that I will make this statement in opposition of the alcohol ordinance: if a business is labeled as a special events business it will take away its BYOB option for patrons. Wedding venues are being forced into this type of licensing, but special events businesses are those open to the public - such as Fausett Farms, who charges admission for the public to enter her farm. Venues shouldn’t be forced into this classification as they are private and most are located on farms. Currently there isn’t a single venue that has a business license because we were told to go home and continue to operate as you are until the county figures it out and changes the ordinances. Give us favorable options to serve our communities and bring in more revenue to the county. The 5-acre rule has two parts. One is corrective for those random lots to get permits and be flagged as corrective. The other is bad because it will treat lots less than 5 acres that are agricultural zoning to abide by RR rules and no longer allow livestock. This is not a pro-ag or right-to-farm rule. It goes against what Republicans stand for.”
- Cathie Waddell, Dawsonville, Georgia, said she is local caterer for about five major venues in Dawson County. She addressed the issues with requiring caterers to have an

alcohol permit. “All I want to do is cater. I don’t want to have to have a liquor license to do it in my own county.” She said she hoped that the county and its venues could work together to resolve the issue.

- Joe Anderson, Dawsonville, Georgia, said he appreciates Commissioner Gaines’ proposal of “looking into this more” and developing an update with which “everyone can be happy.”
- Matt Raymond, Dawson County, Georgia, said he appreciates the intent to allow wedding venues the ability to serve alcohol but is concerned “that it goes against my prior statement about arbitrary and unreasonable land use in districting decisions.” Raymond said, if wedding venues do not negatively impact citizens’ safety, health and general welfare, “why is the board trying to arbitrarily remove their ability to do business, provide the services, if they don’t happen to have these 15 acres?” He suggested a sound ordinance may be another and better option.
- Christa Ingram Johnson, Dawsonville, Georgia, said she did not intend to speak but wants to see how government works. She said she wants to be “part of our government, and I want to be an active participant.” Johnson said she has “deep roots” in the county and has seen many changes over the years. “I think that this alcohol ordinance is making our community look more like Atlanta and look more like the city. I don’t want to bring so much of that into the community that I live in.”

Chairman Thurmond asked if there was anyone else present who wished to speak on the RA Exurban District - Land Use Resolution Update and, hearing none, closed the hearing.

Motion passed 4-0 to approve the RA Exurban District - Land Use Resolution Update with the following changes:

- Section 312 R-A
  - 1.) B(7) remove “and the activities represent less than 50 percent of the gross receipts of the farm”;
  - 2.) B(7a) change to:
    - a. Value-added agricultural activities such as education tours, wedding venues and similar special event facilities with a minimum of fifteen (15) acres, and/or processing facilities, etc. Wedding venues and similar special event facilities may sell and serve alcohol provided an appropriate alcohol license is held by the property owner or the alcohol is served in accordance with the catering requirements and a valid caterer’s license.; and
  - 3.) Planning & Development staff to work further on alcohol/catering portion of update.

Gaines/Nix

*Creation of a CHI (Highway Business Intensive Commercial) District and Amendment of Existing Commercial Districts - Land Use Resolution Update (2nd of 2 hearings. 1<sup>st</sup> hearing was held at the Dawson County Planning Commission meeting on July 21, 2020)*

Planning & Development Director Jameson Kinley said the proposed update creates a table that details principal uses allowed by the county’s commercial zoning district. He said the update creates a new zoning classification - Commercial Highway Intensive (CHI). “Our whole purpose



is to preserve Dawson County. We know that growth is coming so we have to have a place for it, and we have a place for it,” said Kinley.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the CHI District and Amendment of Existing Commercial Districts - Land Use Resolution Update.

The following spoke on the CHI District and Amendment of Existing Commercial Districts - Land Use Resolution Update:

- Scott Allen, Dawsonville, Georgia, said his business “resembles a landscape company.” He said he believes the Highway 400 area should have been managed differently. “I think you’ve been handed a mess that’s been created over many years,” said Allen, adding that he understands 400 is the revenue driver and wants to see the corridor handled and managed well. He called a section of 400, “south of 53 down to my location,” as “kind of the breaking point” concerning traffic, development, etc.
- Renee Duren, Dawsonville, Georgia, said she had a question regarding single-family detached homes and modular homes being listed as principal uses for all of the commercial districts except for CPCD, which is a special permit. “I’m curious about that, the combining of the residential and commercial,” she said.

Chairman Thurmond asked if there was anyone else present who wished to speak on the CHI District and Amendment of Existing Commercial Districts - Land Use Resolution Update and, hearing none, closed the hearing.

Motion passed 4-0 to approve the CHI District and Amendment of Existing Commercial Districts - Land Use Resolution Update with amendments read loud by Planning & Development Director Jameson Kinley. (*Reference document/table included with minutes with recorded amendments.*)

Nix/Fausett

*\*Chairman Thurmond called for a five-minute recess.*

#### Alcohol Ordinance Update (1st of 1 hearing)

Planning & Development Director Jameson Kinley said the proposal updates two different sections of the alcohol ordinance. “One is to change section 6-193 to say, ‘Licenses shall be issued only for locations in areas zoned commercial and any agricultural district where their specific use and sale and service of alcohol is expressly permitted.’” He said the other update removes “section 6-286 requirements, removes the entire line item of No. 1 and to renumber accordingly.”

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the Alcohol Ordinance Update and, hearing none, closed the hearing.

Motion passed 4-0 to approve the Alcohol Ordinance Update with the following change:

- Removal of Section 2 as presented, regarding Catering.

Gaines/Satterfield

Updated Planning Commission Terms (2nd of 2 hearings. 1st hearing was held at the Dawson County Planning Commission meeting on July 21, 2020)

Planning & Development Director Jameson Kinley said the update is an attempt to stagger Planning Commission terms so board members' terms do not all expire at the same time.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the Updated Planning Commission Terms and, hearing none, closed the hearing.

Motion passed 4-0 to approve the Updated Planning Commission Terms by way of an ordinance.  
Gaines/Satterfield

**NEW BUSINESS:**

Consideration of Extension of Development Authority of Dawson County Board Member Terms

Motion passed 4-0 to approve the Extension of Development Authority of Dawson County Board Member Terms as follows:

- Jere Allen: extend term to December 31, 2024
- Calvin Byrd: extend term to December 31, 2022
- Tara Hardwick: extend term to December 31, 2022
- Tony Passarello: extend term to December 31, 2024
- Brian Trapnell: extend term to December 31, 2022

There is no change to Gary Coates' term, which expires December 31, 2022. One board position, most recently held by Mike Ball, remains vacant.

Nix/Gaines

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

APPROVE:

ATTEST:

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Billy Thurmond, Chairman

\_\_\_\_\_  
Kristen Cloud, County Clerk

## **ARTICLE IV COMMERCIAL LAND USE DISTRICTS**

### **Section 400. Purpose.**

The purpose of this Article is to establish Commercial Land Use Districts by defining their characteristics and prescribing development standards therefore. Commercial Land Use Districts are of greater intensity of use and are usually incompatible with Residential Districts.

- A. **Setbacks:** The Minimum Setbacks from the Right of Way for all Commercial Districts (Unless noted otherwise in this Resolution) are as follows; 100 feet on Parkways and Divided State Highways, 60 feet on Collector Roads and State Highways, 40 feet on all other County Roads and Interior Development Streets. The Minimum Setback for Parking Areas is 20 feet from Parkways and Divided State Highways and 10 feet on all other Rights of Way. (If no right of way is established the right of way shall be considered 15 feet from the centerline of the road)
- B. **Maintenance Requirements.** Developments in commercial districts shall comply with the site maintenance requirement set forth herein after a Certificate of Occupancy has been issued and released. The owner shall be responsible for these requirements regardless of any tenant relationship or any relationship with any other party:
1. the cleanliness of the entire site shall be maintained by removing any trash, rubbish or other debris deposited at the site;
  2. landscaping shall be maintained, and dead or damaged plants shall be replaced;
  3. any damaged elements of a building (including broken windows) and the site (including curb stops, parking stripes and dumpster screening) shall be repaired or replaced if the building or the site becomes dilapidated or in disrepair;
  4. all fire suppression systems, including sprinkler systems, shall be maintained in compliance with applicable local, state, and federal statutes, regulations, and ordinances;
  5. if the commercial structure or structures shall be vacated, then the owner shall continue to maintain the site in accord with the terms hereof and shall remove all signs from the site within 60 days of the day the structure becomes vacant; and,
  6. if any single occupant premise becomes vacant for more than 60 days and the owner fails to maintain the property in accord with the terms hereof and after notice from the County of such failure, then the owner shall be subject to citation and shall be subject to the maximum fine permitted for ordinance violations for each day of each violation of any provision of this ordinance.
- C. **Outdoor Lighting.** Outdoor lighting shall be designed to provide the minimum lighting necessary to insure adequate safety, night vision and comfort and shall not create nor cause excessive glare upon adjacent properties or public streets or rights-of-way. All light sources shall be located, designed, fitted, aimed, shielded, installed and maintained to limit illumination only to the target area and shall minimize light trespass. Light sources shall not at any time be directed or angled such that the light emitted from the fixture is focused to a point off the property of the owner of such light fixture.

1. Light Levels. Light levels shall be as follows:

	at property lines including rights-of-way	minimum foot-candles	maximum foot-candles	
a.	at property line abutting a residential zoning district	None	0.5	
b.	at property line abutting an office-professional zoning district	None	1.0	
c.	at property line abutting a commercial or light industrial zoning district	None	1.5	
	off-street parking lots	minimum foot-candles	average foot-candles	maximum foot-candles
d.	office-professional districts	1.0	4	8
e.	commercial districts	2.0	6	12
f.	light industrial districts	1.0	4	8

2. Security and Parking Lot Lighting.

- a. All security and parking lot lighting shall be installed such that the lamp (light-emitting device) is not protruding from the bottom of the fixture.
- b. All light fixtures shall be installed so that the light produced is emitted downward.
- c. Light shall not be emitted horizontally from the side of the fixture.
- d. Pole lights shall not exceed 35 feet in height and shall have box-type fixtures.
- e. Wall packs shall be used for security lighting along the side and rear of the buildings only and all light emitted shall be focused downward.

3. Sign Lighting. Sign lighting shall be as follows:

- a. light fixtures illuminating signs shall be aimed and shielded so that direct illumination is focused exclusively upon the sign.

4. Building Facade Lighting and Landscape Lighting. Building facade lighting and landscape lighting shall be as follows: light fixtures shall be selected, located, aimed and shielded so that direct illumination is focused exclusively upon the building façade, plantings and other intended site features and away from adjoining properties and the public street and right-of-way.

5. Architectural Lighting. Architectural lighting shall be as follows: decorative and architectural lighting is allowed upon the building façade if the lighting emits ten or less foot-candles and is focused downward.
6. Grandfathering of Nonconforming Light Fixtures. Grandfathering of Nonconforming Light Fixtures shall be as follows:
  - a. all light fixtures lawfully in place before the date of this Ordinance shall be grandfathered. However, any light fixture that replaces a grandfathered light fixture or any grandfathered light fixture that is moved shall meet the standards of this Ordinance;
  - b. grandfathered light fixtures that direct light toward a street or parking lot that causes disabling glare to motorists shall be either shielded or redirected within 90 days of notification from Dawson County so that the light fixtures do not cause a potential hazard to motorists;
  - c. grandfathered light fixtures that can be adjusted to conform to this ordinance without changing the fixture shall so comply within 30 days of notice from Dawson County regarding conforming to the terms hereof; and
  - d. new businesses occupying existing structures with grandfathered light fixtures that do not comply with the terms of this ordinance may not replace bulbs or repair offending light fixtures. Instead, the offending fixture shall be replaced.
7. Submission of Plans. All sites of new commercial construction shall provide the Dawson County Planning and Development Office a lighting plan for the site at the time of submission of plans before the issuance of land development permits or building permits, as applicable. The lighting plan shall include all proposed light fixtures, including light fixtures to be placed upon the building. The lighting plan shall show an overview of the site with light level calculations and foot-candles. The light intensity of each light fixture shall be in accordance with the regulations set forth herein. If light fixtures to be placed upon the building façade cannot be included during the submission of the plans, then the developer/owner/applicant shall show cause regarding why descriptions of the light fixtures cannot be shown at that time. If the cause shown is sufficient, then the Planning Director may allow the light fixtures to be shown when the developer/owner/applicant submits building plans if the developer/owner/applicant provides a revised lighting plan that provides information regarding the added light generated by such fixtures. All lighting plans submitted shall include a detail sheet, which shall provide descriptions of all light fixtures to be installed."
8. Single-Family residential use is permitted in any commercial zoning district.

**Section 401. C-RB Rural Business District.**

Rural Business Districts are areas where small businesses are established to meet the needs of the rural communities within the county. These establishments are usually located at rural cross roads and on collector roads rather than major arterial roads.

A. Permitted Principal Uses: The following users are allowed within this district. Uses not listed in this Subsection are prohibited in this district.

1. Principal uses that are allowed by right or by special use approval are listed on Table 3.3 in this Article.
2. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.3 and are contained in Section 409 of this Article.

B. ~~Prohibited Uses: Uses not listed as permitted uses on Table 3.3 are prohibited in this district. In addition, the following uses are specifically not allowed within this district:~~

1. Those uses and activities generating sound, odor, or visual effects, which are objectionable and noticeable beyond property boundaries.

C. Building Requirements: The minimum area, yard, height and building requirements of the Rural Business District shall be as follows:

1. Minimum lot size: 43,560 square feet (one acre) except that where contiguous to a commercial district the minimum lot size will be that necessary to meet health department requirements concerning water supply and sewage disposal if required.
2. Minimum setbacks: See Section 400 – A, Side - 25 feet; Rear - 25 feet, except none when the adjacent property is commercial and there is no fire hazard created by lack of setback. Where the Rural Business District abuts a residential district, an additional 10 feet setback in order to provide a 10-foot wide screen or buffer may be required at the discretion of the Planning Commission.
3. Maximum Building Height: No structure shall be higher than 35 feet.
4. Screens or Buffers: Where noise, visual effects, or distracting activity is determined by the Planning Commission or Board of Commissioners to affect adjacent property or roadway, a vegetative screen, cement or masonry wall, or earth berm may be required by the Planning Commission or Board of Commissioners to reduce the undesirable effects.

C. Full Disclosure.

Commercial or industrial uses shall, as part of application, provide full disclosure of all hazardous or dangerous products used in their commercial or industrial processes together with an explanation of safety measures, disposal measures and emergency medical and evacuation procedures. Changes in processing or manufacturing after initial approval relative to this requirement must be reported to the Planning Director within fifteen (15) days. Information provided herein shall be provided to the Emergency Medical Service, the Fire Department and the Sheriff's Department.

**Deleted:** Prohibited Uses: The following uses are specifically not allowed within this district. Other uses not listed as allowed uses on Table 3.3 are also prohibited in this district.

**Deleted: ¶**  
2. Manufacturing, processing or other uses specifically listed as Allowed Uses on Table in the Commercial Industrial Restricted District. ¶

**Section 402. C-CB Community Business Commercial District.**

Community Business Commercial Districts are areas where small businesses are established to serve needs within the local community and primarily of small retail stores and services, and usually located on collector roads rather than major arterial roads.

- A. Permitted Principal Uses: The following uses are allowed within this district.
  - 1. Principal uses that are allowed by right or by special use approval are listed on Table 3.3 in this Article.
  - 2. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.3 and are contained in Section 409 of this Article.

B. ~~Prohibited Uses: Uses not listed as permitted uses on Table 3.3 are prohibited in this district. In addition, the following uses are specifically not allowed within this district.~~

- 1. Retail Building Supply, lumber yards, etc.
- 2. Those uses which generate sounds, odors, or visual effects, which are objectionable to the majority of adjacent property owners.

C. Building Requirements

The minimum area, yard, setback, and building requirements in the C-CB District are as follows:

- 1. Minimum lot size: 43,560 square feet (one acre) except that where contiguous to a commercial district the minimum lot size will be that necessary to meet health department requirements concerning water supply and sewage disposal if required.
- 2. Minimum setbacks: Front yard – See Section 400 – A, Side yard - 25 feet; Rear yard - 25 feet, except none when the adjacent property is commercial and there is no fire hazard created by lack of setback. Where the commercial district abuts a residential district, an additional 10 feet setback in order to provide a 10-foot wide screen or buffer may be required at the discretion of the Planning Commission. Back yard setback requirements are the same as side yard requirements herein.
- 3. Maximum Building Height. Buildings designed for human occupancy shall not be higher than 35 feet unless adequate fireproofing construction materials are used, an adequate sprinkler system is provided, and a fire escape system approved by the County Fire Marshall is installed. Non-occupied buildings, and water towers, smokestacks, radio antennas, etc. may be permitted if no hazard or other adverse effect is created for adjacent properties as determined by the Planning Commission after public notice and hearing.
- 4. Screens or Buffers - Where noise, visual effects, or distracting activity is determined by the Planning Commission or Board of Commissioners to affect adjacent property or roadway, a vegetative screen, cement or masonry wall, or earth berm may be required by the Planning Commission or Board of Commissioners to reduce the undesirable effects.
- 5. Maximum building size: No building or other use permitted in this district may occupy more than 5,000 gross square feet of floor area. Buildings containing more than one business or other permitted use shall be no larger than a total of 15,000 gross square feet

**Deleted:** Prohibited Uses:

**Deleted:** The following uses are specifically not allowed within this district. Other uses not listed as permitted uses on Table 3.3 are also prohibited in this district.

**Deleted:** ¶

3. Manufacturing, Processing or other uses listed as permitted uses under the Commercial Highway Business or Commercial Industrial Restricted District that are not expressly permitted in the Commercial Community Business District.¶

of floor area.

D. Full Disclosure.

Commercial or industrial uses shall, as part of application, provide full disclosure of all hazardous or dangerous products used in their commercial or industrial processes together with an explanation of safety measures, disposal measures and emergency medical and evacuation procedures. Changes in processing or manufacturing after initial approval relative to this requirement must be reported to the Planning Director within fifteen (15) days. Information provided herein shall be provided to the Emergency Medical Service, the Fire Department and the Sheriff's Department.



**Section 403. C-HB Highway Business Commercial District.**

- A. Highway Business Commercial Districts are areas along major thoroughfares or major arterial roadways that provide services to transient customers, or serve a wide area, or depend upon the highway to transport materials or customers.
- B. Permitted Principal Uses: The following uses are allowed within this district.
  - 1. Principal uses that are allowed by right or by special use approval are listed on Table 3.3 in this Article.
  - 2. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.3 and are contained in Section 409 of this Article.
- C. Prohibited Uses: Uses not listed as permitted uses on Table 3.3 are prohibited in this district. In addition, the following uses are specifically not allowed within this district:
  - 1. Those uses and activities generating sound, odor, or visual effects, which are objectionable and noticeable beyond property boundaries.
- D. Building Requirements

The minimum area, yard, setback, and building requirements in the C-HB District are as follows:

- 1. Minimum lot size: 43,560 square feet (one acre) except that where contiguous to a commercial district the minimum lot size will be that necessary to meet health department requirements concerning water supply and sewage disposal if required.
- 2. Minimum setbacks: See Section 400 – A, Side yard - 25 feet; Rear yard - 25 feet.
  - a) Exceptions: No side or rear setback may be required when the adjacent property is commercial and there is no fire hazard created by lack of setback. Rear setback when abutting a residential district is 50 feet. Where the commercial district abuts a residential district, an additional 10 feet setback may be required in order to provide a 10-foot wide screen or buffer at the discretion of the Planning Commission or Board of Commissioners to reduce or eliminate noise factors, visual effects or the possibility of noxious odors that may negatively impact the adjacent residential area.
- 3. Maximum Building Height. Buildings designed for human occupancy shall not be higher than 35 feet unless adequate fireproofing construction materials are used, an adequate sprinkler system is provided, and a fire escape system approved by the County Fire Marshall is installed. Non-occupied buildings, and water towers, smokestacks, radio antennas, etc. may be permitted if no hazard or other adverse effect is created for adjacent properties as determined by the Planning Commission after public notice and hearing.
- 4. Screens or Buffers - Where noise, visual effects, or distracting activity is determined by the Planning Commission or Board of Commissioners to affect adjacent property or roadway, a vegetative screen, cement or masonry wall, or earth berm may be required by the Planning Commission or Board of Commissioners to reduce the undesirable effects.

E. Full Disclosure.

Commercial or industrial uses shall, as part of application, provide full disclosure of all hazardous or dangerous products used in their commercial or industrial processes together with an explanation of safety measures, disposal measures and emergency medical and evacuation

**Deleted:** Prohibited Uses:

**Deleted:** The following uses are specifically not allowed within this district. Other uses not listed as permitted uses on Table 3.3 are also prohibited in this district.

**Deleted:** ¶

2. Manufacturing, Processing or other uses specifically listed as Permitted Uses in the Restricted Industrial District.¶

procedures. Changes in processing or manufacturing after initial approval relative to this requirement must be reported to the Planning Director within fifteen (15) days. Information provided herein shall be provided to the Emergency Medical Service, the Fire Department and the Sheriff's Department.

**Section 404. C-HI Highway Business Intensive Commercial District.**

- A. Highway Business Intensive Commercial Districts are areas along major thoroughfares or major arterial roadways that provide services to transient customers, or serve a wide area, or depend upon the highway to transport materials or customers. The C-HI District is also suitable for larger-scale commercial uses that require ample outdoor space for the display and storage of goods that are for sale.
- B. Permitted Principal Uses: The following uses are allowed within this district.
  - 1. Principal uses that are allowed by right or by special use approval are listed on Table 3.3 in this Article.
  - 2. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.3 and are contained in Section 409 of this Article.

C. Prohibited Uses: Uses not listed as permitted uses on Table 3.3 are prohibited in this district. In addition, the following uses are specifically not allowed within this district.

- 1. Those uses and activities generating sound, odor, or visual effects, which are objectionable and noticeable beyond property boundaries.

D. Building Requirements

The minimum area, yard, setback, and building requirements in the C-HI District are as follows:

- 1. Minimum lot size: 43,560 square feet (one acre) except that where contiguous to a commercial district the minimum lot size will be that necessary to meet health department requirements concerning water supply and sewage disposal if required.
- 2. Minimum setbacks: See Section 400 – A, Side yard - 25 feet; Rear yard - 25 feet.
  - a) Exceptions: No side or rear setback may be required when the adjacent property is commercial and there is no fire hazard created by lack of setback. Rear setback when abutting a residential district is 50 feet. Where the commercial district abuts a residential district, an additional 10 feet setback may be required in order to provide a 10-foot wide screen or buffer at the discretion of the Planning Commission or Board of Commissioners to reduce or eliminate noise factors, visual effects or the possibility of noxious odors that may negatively impact the adjacent residential area.
- 3. Maximum Building Height. Buildings designed for human occupancy shall not be higher than 35 feet unless adequate fireproofing construction materials are used, an adequate sprinkler system is provided, and a fire escape system approved by the County Fire Marshall is installed. Non-occupied buildings, and water towers, smokestacks, radio antennas, etc. may be permitted if no hazard or other adverse effect is created for adjacent properties as determined by the Planning Commission after public notice and hearing.
- 4. Screens or Buffers - Where noise, visual effects, or distracting activity is determined by the Planning Commission or Board of Commissioners to affect adjacent property or roadway, a vegetative screen, cement or masonry wall, or earth berm may be required by the Planning Commission or Board of Commissioners to reduce the undesirable effects.

E. Full Disclosure.

**Deleted:** Prohibited Uses: T

**Deleted:** The following uses are specifically not allowed within this district. Other uses not listed as permitted uses on Table 3.3 are also prohibited in this district.

**Deleted: ¶**

2. Manufacturing, Processing or other uses specifically listed as Permitted Uses in the Restricted Industrial District.¶

Commercial or industrial uses shall, as part of application, provide full disclosure of all hazardous or dangerous products used in their commercial or industrial processes together with an explanation of safety measures, disposal measures and emergency medical and evacuation procedures. Changes in processing or manufacturing after initial approval relative to this requirement must be reported to the Planning Director within fifteen (15) days. Information provided herein shall be provided to the Emergency Medical Service, the Fire Department and the Sheriff's Department.

**Section 405. C-PCD Commercial Planned Comprehensive Development District.**

Commercial Planned Developments are areas which would otherwise be suited for classification as C-RB, C-CB, C-HB, or C-OI, but which, due to their size and scope, or the need to provide for a planned or phased development, or the need to combine disparate commercial and/or residential uses within the same planned development, such developments would not otherwise be permitted by the provisions hereof.

**Purpose.** This district is intended to provide for appropriate planned development of quality mixed use projects by allowing greater flexibility and creativity in the land development process, by undertaking techniques which foster community and pedestrians, by creating roadway and pedestrian connections to residential areas, by minimizing the need for surface parking through compact and efficient land use, providing transitions between high traffic streets and neighborhoods, and thereby achieving the objectives of the Dawson County Comprehensive Plan

- A. Permitted Principal Uses. The following uses are allowed within this district.
1. Principal uses that are allowed by right or by special use approval are listed on Table 3.3 in this Article.
  2. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.3 and are contained in Section 409 of this Article.
- B. Prohibited Uses: Uses not listed as permitted uses on Table 3.3 are prohibited in this district. In addition, the following uses are specifically not allowed within this district;
1. Those uses and activities generating deleterious and hazardous sound, odor, or visual effects beyond the boundary of the area proposed for the C-PCD zone.
- C. Requirements and Standards for Approval.
1. An application for development as a Commercial Planned Comprehensive Development must contain a minimum area of ten (10) contiguous acres for strictly commercial proposals. The minimum area required for Commercial Planned Comprehensive Developments with a Residential component other than second story residential is twenty (20) acres.
  2. The Planning Commission and the Board of Commissioners in their review of the proposed development shall consider:
    - a. The proper relation between the proposed development and surrounding uses, and the effect of the plan upon comprehensive planning for Dawson County;
    - b. The adequacy of existing and proposed street, utilities, and other public services to serve the development; and
    - c. The character, design and appropriateness of the proposed land uses and the adequacy of the character, design and land use to encourage desirable development, including providing separation and screening between uses if desirable.
  3. Maximum building height shall be thirty-five feet (35') to allow for two to three story buildings unless adequate fireproofing construction materials are used, an adequate

**Deleted:** Prohibited Uses,

**Deleted:** The following uses are specifically not allowed within this district. Other uses not listed as permitted uses on Table 3.3 are also prohibited in this district.

sprinkler system is provided, and a fire escape system approved by the County Fire Marshall is installed. Cornices on buildings shall align where possible within the development and the height shall transition in a step-down approach when adjacent to residential development.

4. Final approval of a C-PCD shall not be granted until the owner or owners of the property give written notice of their consent to the proposed development.
5. All C-PCD projects shall have a minimum of two distinct types of land use. A minimum of fifty percent (50%) of the project shall consist of either, commercial, office, public, personal service, restaurant or similar uses. Land use calculation shall be determined by gross floor area for those projects that contain a vertical mixture of uses, and shall be calculated by the total project land area for those projects containing a horizontal mixture of uses. Separate land uses shall be integrated both horizontally and vertically.
6. Parking shall be oriented behind or to the side of a building if possible and shared parking is highly encouraged.
7. If a residential component is included in the proposed development the following requirements apply:
  - a. If more than 80 residential units are included then a minimum of one amenity area including at least one pool, clubhouse, and two tennis courts, or a substantially similar equivalent amenity area;
  - b. Commercial and residential components of development shall be integrally designed to provide vehicular and pedestrian interconnectivity throughout the development;
  - c. Residential units may be developed up to a maximum density of 6 units per acre up to a maximum of 100 units.
8. Roads:
  - a. All Roads within C-PCD zoning may be a mixture of public and private roadways with public roadways primarily in commercial areas and private roadways within the residential area of the development.
  - b. Private roads are to be maintained by a mandatory property owners association formed by the developer.
  - c. Private roads are to be designated as private roads on all plats, maps, and deeds of the development. A disclosure statement shall be placed in each transfer deed regarding future maintenance responsibility of the private roads.
  - d. All private roads within the development shall be built to county standards for public roads.
  - e. All roads shall have sidewalks and permanent pedestrian access designed throughout the development and connecting adjoining developments.
  - f. Public or private streets shall connect the development to adjacent neighborhoods in zoning districts if possible

- g. A traffic study shall be required on any project of more than 100,000 sq. ft. of commercial use and/or more than 100 dwelling units

9. Utilities:

- a. Access and connection to public water and sewer shall be required for development within the CPCD zone.

10. Lighting:

- a. Building entrances and parking areas and pathways shall be lit to two-foot candles with pedestrian scale lighting.
- b. Parking area lighting shall have an average of no more than 6-foot candles for the projects.
- c. In general light should be designed so that light is not directed off the site and the fixtures shall be fully shielded or be designed with cut-offs to eliminate up lighting, spill, and glare.
- d. Illuminance levels at property lines abutting adjoining residential districts shall be a maximum of 0.5-foot candles.

11. Open Space:

- a. The amount of permanent open space or natural space required shall be no less than thirty percent (30%) of the development.
- b. Natural areas that are unsafe for pedestrians or not easily accessible to pedestrians - including swamps, floodplains, wetland areas, steep slopes (thirty- five percent (35%) or more for a distance of 100 feet or more), woodlands, lakes, ponds and streams - may be included as open space; but these areas shall not count for more than fifty percent (50%) of the total open space required.
- c. Developments are encouraged to utilize creative methods for storm water management and quality when such methods provide additional open space opportunities.

12. Bonuses:

- a. Residential Density bonus:
  - i. Residential density may be increased by including second story units above retail or office which will not count against the overall 6 dwelling unit per acre density.
- b. Open space reduction bonus: A ten (10) percent reduction in open space may be granted if the development includes a majority of the following items;
  - i. The site layout clusters building on the site to promote linked trips. A cluster is a group of buildings that are attached, oriented on adjacent street corners, or are close together such that a pedestrian need not walk across more than 64 lineal feet between building entrances.

- ii. The site layout includes pedestrian facilities that connect through the development to the public right-of-way
- iii. The site includes within its open space an active park
- iv. The development provides at least ten (10) sq. ft. of public space (i.e. public art, fountains, benches with a focal area, or similar public spaces) in addition to sidewalks for every ten (10) off street surface parking spaces.
- v. Reducing impervious cover of parking areas using alternative paving techniques by ten percent (10%).

D. Review and Application Procedures.

- 1. Pre-application Conference. Prior to filing a formal application as a C-PCD, the applicant shall confer with the Planning Staff in order to review the general character of the plan (on the basis of a tentative land use sketch if available) and to obtain information on projected programs and other matters.
- 2. Development Plan
  - a. An applicant shall file an application with the Planning Staff for approval of a Commercial Planned Comprehensive Development. This application shall be supported by a development plan and written summary of intent, and shall show the relation between the proposed development and the surrounding area, both existing and proposed.
  - b. The following items shall be presented:
    - i. A general location map;
    - ii. Existing topographic conditions, including contour interval of no more than two feet based on field surveys or photogrammetric methods;
    - iii. The existing and proposed land uses and the approximate location of all buildings and structures;
    - iv. The approximate location of all existing and proposed streets and major thoroughfares;
    - v. The approximate location of all existing and proposed utilities; including a preliminary utility and drainage plan;
    - vi. A legal description of the subject property and a current boundary survey;
    - vii. The location and use of existing and proposed, public, semi-public or community facilities such as school, parking and open areas. The plans should include areas proposed to be dedicated or reserved for community or public use;
    - viii. If a proposed development creates special concerns or problems or involves unusual circumstances, then additional information may be required to properly evaluate the proposal; the additional information



may include the following information:

- \* An off-street parking and loading plan;
- \* An economic feasibility study report or market analysis;
- \* A comprehensive traffic study of the area
- \* A traffic circulation plan within the development;
- \* An environmental impact study; and
- \* Other information as may be required.

3. The written statement submitted with the development plan shall include the following items:
  - a. A statement of the present ownership of all land within the proposed development;
  - b. An explanation of the character of the proposed development, including a summary of acres, development units, and gross density by type of land use. The explanation shall include minimum standards for floor area, lot size, yard and spacing requirements;
  - c. A development schedule and progression of unit division or staging; if applicable, both residential and commercial portions of the project shall be included in the first phase.
  - d. Proposed agreements, provisions, and covenants, which govern the use, maintenance, and protection of the development and any common or open areas.
4. A master drainage plan to identify major forms of detention/retention and to encourage creative water quality and quantity treatment processes.

E. Approval.

An application for approval of a C-PCD will be considered administratively as an application for amendment of the District Map and will be subject to the procedures established in this Resolution.

If the development plan is approved as submitted, the Planning Staff will cause the District Map to be changed to indicate the C-PCD. If the development plan is approved with modifications, the applicant shall file a properly revised site plan with the Planning Staff prior to changing the District Map. The site plan and supporting information of any approved plan shall be properly identified and permanently filed with the Planning Office.

F. Building and Occupancy Permits.

At such time as application is made therefore, the Department of Planning and Zoning, shall issue building permits for buildings and structures in the area covered by the approved development plan if they are in substantial conformity with the approved development plan, the development schedule, and with all other applicable regulation. The Building Inspector shall issue a certificate of occupancy for any completed building or structure located in the area covered by the approved development plan if it conforms to the requirements of the approved plan and all other applicable regulations.

G. Revision of the Development Plan.

Any major or substantial change in the approved development plan which affects the intent and character of the development, the density or land use pattern, the location or dimensions of streets, or similar substantial changes must be reviewed and approved by the Board of Commissioners subsequent to receipt of the recommendation of the Planning Commission. A request for a revision of the development plan shall be supported by a written statement justifying the necessity or desirability for such revisions. Notwithstanding the foregoing, the Planning Director shall have authority to approve minor changes in lot sizes or configurations without prior approval of the Planning Commission or Board of Commissioners.

H. Reversion of Zoning Approval.

1. If any portion of an approved development is rezoned to any other land use classification prior to the substantial completion of construction of internal streets or buildings (whichever is commenced first), the approval of the development plan shall lapse under this provision, in which event the Planning Director by operation of law shall, within 30 days of the rezoning approved by the Board of Commissioners: (a) cause the development to be removed from the official zoning map; (b) file a notice of revocation with the recorded development plan; (c) notify each owner of record, in writing, of the action; and (d) reinstate the land use classification and regulation which were in effect prior to the approval of the development plan.
2. If implementation of any approved C-PCD is delayed by more than two years from the approved schedule of development, no further development shall be allowed until the undeveloped portion of the tract is reclassified to another land use classification or the development plan as provided for in Subsection D above is revised in accordance with the procedures set forth in Subsection G above. This provision shall be in lieu of the requirements of this Resolution.

I. Fees.

At time of application for reclassification to Commercial Planned Comprehensive Development (C-PCD), the applicant shall pay a non-refundable fee of \$400.00 which fee shall be in addition to any other fees required by this resolution.

**Section 406. C-OI Commercial Office Institutional District.**

Within the Office Institutional District a variety of offices, professional offices, institutions and public offices not involving the sale, wholesale, storage or processing of merchandise are permitted. No retail sales or wholesale shall be permitted. Areas zoned to this classification are not intended to be retail centers, commercial or industrial activities. Rather, it is the intent of the district to provide locations for a wide range of open, uncrowded sites for offices, professional offices and clinics and institutions. This district is primarily located along highways and/or major arteries, but can also be located in an area dominated by institutions, such as a park or hospital, where a wide range of land uses are required.

- A. Permitted Principal Uses. The following uses are allowed within this district.
  - 1. Principal uses that are allowed by right or by special use approval are listed on Table 3.3 in this Article.
  - 2. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.3 and are contained in Section 409 of this Article.

B. Prohibited Uses: Uses not listed as permitted uses on Table 3.3 are prohibited in this district. In addition, the following uses are specifically not allowed within this district:

- 1. Those uses and activities generating sound, odor, or visual effects, which are objectionable and noticeable beyond property boundaries.

C. Building Requirements

The minimum area, yard, setback, and building requirements in the C-OI District are as follows:

- 1. Minimum lot size: 43,560 square feet (one acre) except that where contiguous to a commercial district the minimum lot size will be that necessary to meet health department requirements concerning water supply and sewage disposal if required.
- 2. Minimum setbacks: See Section 400 – A. Side yard - 25 feet; Rear yard - 25 feet.
  - a. Exceptions: No side or rear setback may be required when the adjacent property is commercial and there is no fire hazard created by lack of setback. Rear setback when abutting a residential district is 50 feet. Where the commercial district abuts a residential district, an additional 10 feet setback in order to provide a 10-foot wide screen or buffer may be required at the discretion of the Planning Commission. Additional exaction's and requirements for access, curb cuts, deceleration and acceleration lanes, traffic signals, water, sewer, etc., may be determined and required by the Planning Commission or Board of Commissioners. To reduce or eliminate noise factors, visual effects or the possibility of noxious odors that may negatively impact the adjacent residential area.
- 3. Maximum Building Height. Buildings designed for human occupancy shall not be higher than 35 feet unless adequate fireproofing construction materials are used, an adequate sprinkler system is provided, and a fire escape system approved by the County Fire Marshall is installed. Non-occupied buildings, and water towers, smokestacks, radio antennas, etc. may be permitted if no hazard or other adverse effect is created for adjacent properties as determined by the Planning Commission after public notice and hearing.

<b>Deleted:</b> Prohibited Uses.
<b>Deleted:</b> The following uses are specifically not allowed within this district. Other uses not listed as permitted uses on Table 3.3 are also prohibited in this district.
<b>Deleted:</b> ¶ 2. Manufacturing, processing or other uses specifically listed as Permitted Uses in the Commercial Industrial Restricted District.¶

4. Screens or Buffers - Where noise, visual effects, or distracting activity is determined by the Planning Commission or Board of Commissioners to affect adjacent property or roadway, a vegetative screen, cement or masonry wall, or earth berm may be required by the Planning Commission or Board of Commissioners to reduce the undesirable effects.

D. Full Disclosure.

Commercial or industrial uses shall, as part of application, provide full disclosure of all hazardous or dangerous products used in their commercial or industrial processes together with an explanation of safety measures, disposal measures and emergency medical and evacuation procedures. Changes in processing or manufacturing after initial approval relative to this requirement must be reported to the Planning Director within fifteen (15) days. Information provided herein shall be provided to the Emergency Medical Service, the Fire Department and the Sheriff's Department.

**Section 407. C-IR Commercial Industrial Restricted District.**

Restricted Industrial Commercial Districts are areas where there are manufacturing, processing, fabricating, or other uses, which may generate noise, odors, traffic activity and may require special energy, waste disposal, or other special utility support services.

- A. Permitted Principal Uses. The following uses are allowed within this district.
1. Principal uses that are allowed by right or by special use approval are listed on Table 3.3 in this Article.
  2. Restrictions that apply to particular uses allowed by right or special use approval are referenced on Table 3.3 and are contained in Section 409 of this Article.
- B. Prohibited Uses: Uses not listed as permitted uses on Table 3.3 are prohibited in this district. In addition, the following uses are specifically not allowed within this district.
1. Any industrial or commercial use that the Planning Commission or the Board of Commissioners determines to be a hazard, detrimental, or objectionable to the community.
  2. The following uses and activities unless specifically approved by the Planning Commission and Board of Commissioners: cement or asphalt manufacture, steel fabrication industries, petroleum refinishing or bulk storage of highly inflammable products, stockyards or feedlots, commercial slaughtering of animals, paper or wood pulp manufacture, open pit mining, quarrying, or sand/gravel removal operations.

C. Building Requirements

The minimum area, yard, setback, and building requirements in the C-IR District are as follows:

1. Minimum lot size: 43,560 square feet (one acre) except that where contiguous to a C-IR the minimum lot size will be that necessary to meet health department requirements concerning water supply and sewage disposal if required.
2. Minimum setbacks: See Section 400 – A, Side yard - 35 feet; Rear yard - 35 feet, except none when the adjacent property is commercial and there is no fire hazard created by lack of setback. Rear setback when abutting a residential district is 50 feet. Where the commercial district abuts a residential district, an additional 10 feet setback in order to provide a 10-foot wide screen or buffer may be required at the discretion of the Planning Commission. Additional exaction and requirements for access, curb cuts, deceleration and acceleration lanes, traffic signals, water, sewer, etc., may be determined and required by the planning commission.
3. Maximum Building Height. Buildings designed for human occupancy shall not be higher than 35 feet unless adequate fireproofing construction materials are used, an adequate sprinkler system is provided, and a fire escape system approved by the County Fire Marshall is installed. Non-occupied buildings, and water towers, smokestacks, radio antennas, etc. may be permitted if no hazard or other adverse effect is created for adjacent properties as determined by the Planning Commission after public notice and hearing.
4. Screens or Buffers - Where noise, visual effects, or distracting activity is determined by the

**Deleted:** Prohibited Uses.

**Deleted:** The following uses are specifically not allowed within this district. Other uses not listed a permitted uses on Table 3.3 are also prohibited in this district.

Planning Commission or Board of Commissioners to affect adjacent property or roadway, a vegetative screen, cement or masonry wall, or earth berm may be required by the Planning Commission or Board of Commissioners to reduce the undesirable effects.

5. Additional Requirements - The Planning Commission and Governing Body reserve the right to set special requirements for certain industries which may require greater screening and buffer requirements, thereby creating greater lot or area requirements.

D. Full Disclosure.

Commercial or industrial uses shall, as part of application, provide full disclosure of all hazardous or dangerous products used in their commercial or industrial processes together with an explanation of safety measures, disposal measures and emergency medical and evacuation procedures. Changes in processing or manufacturing after initial approval relative to this requirement must be reported to the Planning Director within fifteen (15) days. Information provided herein shall be provided to the Emergency Medical Service, the Fire Department and the Sheriff's Department.

**Section 408. Chart of Uses.**

A. Purpose.

1. This section lists by the following matrix chart the uses allowed by right and by special use approval in each commercial zoning district. A listed allowed use is one which is allowed in the zone without any qualifications, except wherever such qualifications may be indicated in this Land Use Resolution. A listed special use is one which may be granted only when certain conditions are met.
2. In the following chart an "A" means that the use is automatically allowed in the zoning district listed by the abbreviation at the top of the column. An "S" means that the use is allowed only by special use approval. A blank space indicates that the use is not allowed under any circumstances.

B. Allowed Principal Uses.

1. A Principal Use is the specific, primary purpose for which land or a building is used.
2. Principal uses that are allowed by right or allowed only by special use approval in each zoning district are shown on the following Table 3.3: Principal Uses Allowed by Commercial Zoning District.

C. Special Uses.

Principal uses that are special uses may be granted subject to special use approval following the procedures for Amendments as set forth in Article X and with consideration of additional review criteria that may be established in this Land Use Resolution.

D. Restrictions on Particular Uses.

1. Restrictions that apply to certain principal uses and to certain zoning districts are listed in Section 409. The restrictions also apply to special uses unless specifically waived or modified as a stipulation of special use approval.
2. For those uses that have specific restrictions associated with them, a reference is given on the Table 3.3 to the pertinent Subsection of Section 409.

E. Interpretation of Uses.

1. Some degree of interpretation will occasionally be required. It is not possible to list each and every variation or name of a given use.
2. In addition to other generally accepted references and resources, the North American Industrial Classification System (NAICS), published by the U.S. Department of Commerce (current available edition), may be referred to in order to interpret the definition of uses listed on Table 3.3 to identify similar uses that may be allowed along with each listed use. The NAICS classification number is shown on the tables for each applicable use for

reference and interpretation only; the NAICS is not adopted as part of this Code.

3. In all cases of uncertainty, the determination of whether or not a particular use is allowed in a particular zoning district shall reflect the purpose of the zoning district as stated in this Article, both the common and dictionary definitions of the use, and the array of listed uses that are allowed in the district as to their character and intensity, as determined by the Planning and Development Director.



**Table 3.3 Principal Uses Allowed by Commercial Zoning District**

NAICS Ref.	Principal Uses ↓	Zoning Districts →	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	See Section:	
			S = Allowed if Approved as a Special Use							Blank Space = Prohibited	
Residential Uses			C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR		
	Single-Family Detached: Sire-Built or Modular Home		A	A	A	A	S	A	A	409.G	
	Multi-Family: Townhouses						A			409.G	
	Multi-Family: Condominiums						A				
<b>623</b>	<b>Residential Care Facilities</b>										
623110	Assisted Living Facility	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR			
623110	Nursing Home			A	A	A	A	A	A		
623311	Continuing Care Retirement Communities (CCRC)			A	A	S	A	A	A		
623990	Personal Care Home		A	A	A	A	A	A	A		
	<b>Institutional Uses</b>		<b>C-RB</b>	<b>C-CB</b>	<b>C-HB</b>	<b>C-HI</b>	<b>C-PCD</b>	<b>C-OI</b>	<b>C-IR</b>		
<b>611</b>	<b>Educational Services: Academic Schools</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR		
611110	Private Schools: Elementary, Middle, and High School			A	A	A	A	A	A		
611210	Private Schools: Junior Colleges			A	A	A	A	A	A		
611310	Private Schools: Colleges and Universities			A	A	A	A	A	A		
	For non-academic schools and for educational support services, see Commercial Services, beginning under NAICS Ref. # 6114										
<b>6214</b>	<b>Outpatient Medical Care Centers</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR		
6214	Outpatient Medical Care Centers, with the exception of Urgent Care Facilities			A	A			A	A		
621493	Urgent Care Facilities			A	A			A	A		
<b>622</b>	<b>Hospitals</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR		
622110	General Medical and Surgical Hospitals			A	A			A	A		
622210	Psychiatric and Substance Abuse Hospitals			A	A			A	A		
622310	Specialty Hospitals			A	A			A	A		
<b>624</b>	<b>Social Assistance</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR		
6241	Individual and Family Services, non-residential (Child and Youth Services, Services for the Elderly and Persons and Disabilities, and Counseling Services for Individuals and Families)			A	A	A	A	A	A		



**Table 3.3 Principal Uses Allowed by Commercial Zoning District**

NAICS Ref.	Principal Uses ↓	Zoning Districts →	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	See Section:	
											Blank Space = Prohibited
A = Allowed											
S = Allowed if Approved as a Special Use											
441320	Tire Dealers				A	A				A	
<b>442</b>	<b>Furniture and Home Furnishings Stores</b>				C-HB	C-HI	C-PCD	C-OI	C-IR		
442	Furniture and Home Furnishings Stores, except Wood or Ceramic Tile Flooring Stores & Antique and Used Furniture Stores; see under NAICS Ref. 444				A	A			A		
<b>443</b>	<b>Electronics and Appliance Stores</b>				C-HB	C-HI	C-PCD	C-OI	C-IR		
443141	Household Appliance Stores				A	A			A		
443142	Cellular Telephone Accessories Stores (accessories only; no phone sales)				A	A			A		
51731	Retailing New Cellular Phone Telephones and Communication Service Plans (with or without repair services)				A	A			A		
443142	Music Stores (e.g. new records and compact discs)				A	A			A		
443142	Electronics Stores				A	A			A		
<b>444</b>	<b>Building Material and Garden Equipment and Supplies Dealers</b>				C-HB	C-HI	C-PCD	C-OI	C-IR		
444110	Home Centers				A	A			A		
444120	Paint and Wallpaper Stores				A	A			A		
444130	Hardware Stores				A	A			A		
444190	Wood or Ceramic Tile Flooring Stores		A		A	A			A		409.E
444190	Lumber Yards, retail				A	A			A		
444210	Outdoor Power Equipment Stores				A	A			A		
444220	Greenhouses and Nurseries				A	A			A		409.E
444220	Farm Supply Store (e.g. Feed and Seed Store)		A		A	A			A		409.E
<b>445</b>	<b>Food and Beverage Stores</b>				C-HB	C-HI	C-PCD	C-OI	C-IR		
445110	Supermarkets and Other Grocery (except Convenience) Stores				A	A			A		
445120	Convenience Food Stores without fuel pumps		A		A	A			A		409.C
445230	Fresh Produce Grocer		A		A	A			A		409.C
445230	Farmers Market, Permanent		A		A	A			A		



**Table 3.3 Principal Uses Allowed by Commercial Zoning District**

NAICS Ref.	Principal Uses ↓	Zoning Districts →	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	See Section:
A = Allowed		S = Allowed if Approved as a Special Use								
		Blank Space = Prohibited								
451140	Musical Instrument and Supply Stores			A	A	A	A		A	
451211	Book Stores			A	A	A	A		A	
<b>452</b>	<b>General Merchandise Stores</b>									
452210	Department Stores	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI		C-IR	
452311	Warehouse Clubs and Supercenters			A	A	A			A	
452319	Dollar Stores and Other General Merchandise Stores			A	A	A			A	
<b>453</b>	<b>Miscellaneous Store Retailers</b>									
453110	Florists	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI		C-IR	
453210	Office Supplies and Stationary Stores		A	A	A				A	
453220	Gift, Novelty, and Souvenir Stores			A	A				A	
453310	Used Merchandise Stores (including Antiques, Used Books, and Second-Hand Clothing, and Pawnshops)			A	A				A	
453910	Pet and Pet Supply Stores			A	A				A	
453920	Art Dealers (includes commercial studios and galleries); see also under Manufacturing, Artisan for Artisans and Craftsmen		A	A	A	A	A		A	
453930	Manufactured Home Dealers				A				A	
453991	Cigar and Tobacco Shops (excludes lounges; see under Arts, Entertainment and Recreation; NAICS Ref. 713990)			A	A				A	
<b>454</b>	<b>Nonstore Retailers (excluding portable stalls and mobile vendors)</b>									
454310	Fuel Dealers	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI		C-IR	
<b>Commercial Services</b>										
<b>236</b>	<b>Building Construction Services</b>									
2361	Residential Construction & Remodeling Contractors, Builders and Developers, office only	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI		C-IR	
2361	Residential Construction & Remodeling Contractors, Builders and Developers, with outdoor storage			A	A		A		A	
2362	Non-Residential Construction Contractors, Builders and Developers, office only			A	A		A		A	



**Table 3.3 Principal Uses Allowed by Commercial Zoning District**

NAICS Ref.	Principal Uses ↓	Zoning Districts →	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	See Section:	
											Blank Space = Prohibited
			S = Allowed if Approved as a Special Use								
			A = Allowed								
2362	Non-Residential Construction & Remodeling Contractors, Builders and Developers, with outdoor storage					A					A
<b>238</b>	<b>Building Services: Specialty Trade Contractors</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI			C-IR
238	Specialty Trade Contractors (including: Foundation, Structure, and Building Exterior Contractors; Building Equipment Contractors; and, Building Finishing Contractors)				A						A
<b>52</b>	<b>Financial and Insurance Services</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI			C-IR
5221	Banks, Credit Unions and Savings Institutions				A	A	A	A			A
522291	Consumer Lending Services				A	A	A	A			A
522390	Check Cashing Services				A	A	A	A			A
5242	Insurance Agencies, Brokerages, Actuarial Services, and Claims Adjusting				A	A	A	A			A
Pawnshops – see under Retail Trade, Ref. 453 Miscellaneous Store Retailers											
<b>532</b>	<b>Rental and Leasing Services</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI			C-IR
531120	Conference and Training Center				A	A					A
531130	Mini Warehouses				A	A					A
532111	Passenger Car Rental				A	A					A
532120	Truck, Utility Trailer, and RV Rental and Leasing				A	A					A
532210	Consumer Electronics and Appliances Rental				A	A					A
532284	Boat Rental				A	A					A
532310	General Rental Centers				A	A					A
532490	Farm Implement Rental				A	A					A
<b>561</b>	<b>Business &amp; Employment Support Services</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI			C-IR
5613	Employment Support Services (includes Placement Agencies & Executive Search Services; Temporary Help Services; and Professional Employer Organizations)				A			A			A
56143	Business Service Centers (includes printing shops)				A						A

**Table 3.3 Principal Uses Allowed by Commercial Zoning District**

NAICS Ref.	Principal Uses ↓	Zoning Districts →	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	See Section:	
											S = Allowed if Approved as a Special Use Blank Space = Prohibited
561910	Packaging and Labeling Services										A
561710	Exterminating and Pest Control Services			A	A						A
561720	Janitorial Services			A	A						A
561730	Landscaping Services				A						A
561740	Carpet and Upholstery Cleaning Services			A	A						A
<b>611</b>	<b>Job Training: Business Schools, Computer and Management Training, Technical and Trade Schools</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR		
611430	Professional and Management Development Training				A	A	A	A	A		
611511	Cosmetology and Barber Schools			A	A	A	A	A	A		
611513	Apprenticeship Training			A	A	A	A	A	A		
611519	Other Technical and Trade Schools (includes Bartending Schools, Modeling Schools, Broadcasting Schools, Real Estate Schools, and Computer Repair Training)			A	A	A	A	A	A		
6116	Other Schools and Instruction (includes Fine Arts Schools, Sports and Recreation Instruction, Language Schools, Exam Prep/Tutoring, and Automobile Driving Schools)			A	A	A	A	A	A		
<b>721</b>	<b>Accommodation Services (Transient Lodging)</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR		
721110	Hotels				A	A			A		
721110	Motels				A	A			A		
	For RV Parks and Campgrounds – see under Arts, Entertainment and Recreation										
<b>722</b>	<b>Food Services and Drinking Places</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR		
722320	Catering Services			A	A	A			A		
722511	Restaurants (including Full-Service, Fast Food, Drive-in, Grill Buffets, Cafeterias, Buffets, and Brewpubs)				A	A	A	A	A		
722213	Specialty Snack Shops and Non-Alcoholic Beverage Bars, including Coffee Shops, Donut Shops, Bagel Shops, and Ice Cream Parlors				A	A	A	A	A		
<b>8111</b>	<b>Automotive Repair and Maintenance Services</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR		

**Table 3.3 Principal Uses Allowed by Commercial Zoning District**

NAICS Ref.	Principal Uses ↓	Zoning Districts →	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	See Section:
			Blank Space = Prohibited							
			S = Allowed if Approved as a Special Use							
			A = Allowed							
8111	General and Specialty Automotive Repair; and, Automotive Maintenance Services				A	A			A	
<i>For automotive accessory sales and/or installation, see under Retail Trade, NAICS Ref. 441 Motor Vehicle and Parts Dealers</i>										
8113	<b>Commercial and Industrial Machinery and Equipment Repair and Maintenance Services</b>									
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance Services		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
8114	<b>Personal and Household Good Repair and Maintenance Services</b>									
811411	Home and Garden Equipment Repair and Maintenance		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
811412	Appliance Repair and Maintenance				A	A			A	
811420	Reupholstery and Furniture Repair			A	A	A			A	
811430	Shoe and Leather Goods Repair			A	A	A			A	
81149	Boat Repair and Maintenance				A	A			A	
81149	Motorcycle Repair and Maintenance					A			A	
81149	Other Personal and Household Good Repair and Maintenance (includes Garments, Watches, Jewelry, Musical Instruments, and Bicycles)			A	A	A			A	
8121	<b>Personal Care Services</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
81211	Barber Shops			A	A	A	A	A	A	
81212	Beauty Salons			A	A	A	A	A	A	
812199	Day Spa			A	A	A	A	A	A	
812119	Tattoo and Body Piercing Studios				A	A			A	
812119	Tanning Salon			A	A	A	A	A	A	
<i>For Fitness Centers, Health Clubs and Recreation Centers – see under Arts, Entertainment and Recreation</i>										



**Table 3.3 Principal Uses Allowed by Commercial Zoning District**

NAICS Ref.	Principal Uses ↓	Zoning Districts →	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	See Section:
<b>8123</b>	<b>Dry cleaning and Laundry Services</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
812310	Coin-Operated Laundries and Drycleaners			A	A	A			A	
812320	Dry-Cleaning and Laundry Services (except Coin-Operated)				A	A	A		A	
	<b>Other Personal Services, Animal Care</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
541940	Animal Hospitals and Veterinary Clinics	S	S	S	S	S			S	409.B
812910	Pet Grooming Shops		S	S	S	S			S	409.B
812910	Kennels, Pet Boarding		S	S	S	S			S	409.B
	<b>Other Personal Services</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
315210	Tailors and Dressmakers			A	A	A			A	
541921	Photography Studios, Portrait (including still, video, digital, and passports)			A	A	A			A	
	<b>Professional and Administrative Offices</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
<b>51</b>	<b>Publishing Offices</b> (see under Manufacturing, Wholesaling and Warehousing for printing of materials)		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
5111	Newspaper, Periodical, Book and Directory Publishers				A	A	A	A	A	
5112	Software Publishers (includes software design and development)				A	A	A	A	A	
512230	Music Publishers				A	A	A	A	A	
519130	Internet Publishing and Broadcasting and Web Search Portals				A	A	A	A	A	
<b>52</b>	<b>Financial Offices</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
5222	Credit Card Issuing and Sales Financing				A	A	A	A		
52231	Mortgage and Non-mortgage Loan Brokers				A	A	A	A		
52232	Financial Transactions Processing, Reserve and Clearinghouse Activities				A	A	A	A		
523	Financial Investments and Related Activities, such as: Portfolio Management and Investment Advice; Securities and Commodity Brokerages; and Trust, Fiduciary, and Custody Activities				A	A	A	A		

**Table 3.3 Principal Uses Allowed by Commercial Zoning District**

NAICS Ref.	Principal Uses ↓	Zoning Districts →	C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	See Section:
<b>541</b>	<b>Professional Offices</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
531	Real Estate Office				A	A	A	A	A	
5411	Lawyers, Notaries and Other Legal Services				A	A	A	A	A	
5412	Accounting, Tax Preparation, Bookkeeping and Payroll Services				A	A	A	A	A	
5413	Architectural, Engineering, Surveying and Related Services (except Testing Laboratories; see under Commercial Services; Other Business Support Services, NAICS Ref. 541380)				A	A	A	A	A	
5414	Interior Design, Graphic Design and other Specialized Design Services				A	A	A	A	A	
5415	Computer Systems Design and Related Services				A	A	A	A	A	
5416	Management, Scientific and Technical Consulting Services, including Executive Search and Management Consulting				A	A	A	A	A	
5417	Scientific Research and Development Services				A	A	A	A	A	
541990	Coworking Space				A	A	A	A	A	
55	Corporate Management Offices				A	A	A	A	A	
<b>621</b>	<b>Medical Offices</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
6211	Offices of Physicians (including Physicians that are Mental Health Specialists)				A	A	A	A	A	
6212	Offices of Dentists				A	A	A	A	A	
6213	Offices of Optometrists, Chiropractors, Mental Health Practitioners (not Physicians), Therapists (Physical, Occupational and Speech), Podiatrists and Other Health Specialists				A	A	A	A	A	
6215	Medical and Diagnostic Laboratories				A	A	A	A	A	
<b>Arts, Entertainment and Recreation</b>			C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
<b>711</b>	<b>Performing Arts and Spectator Sports</b>		C-RB	C-CB	C-HB	C-HI	C-PCD	C-OI	C-IR	
711	Agents, Managers, and Promoters (offices only)				A	A		A	A	





