

ARTICLE II
DEFINITIONS

SECTION

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2.010. Scope. For the purpose of this ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as follows:

- (a) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- (b) The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- (c) The word "shall" is mandatory.
- (d) The word "may" is permissive.
- (e) The words "used" or "occupied" includes the words "intended", "designed", or "arranged to be used" or "occupied".
- (f) The word "lot" includes the words "plot" or "parcel."

2.020. Definitions. The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this ordinance. Terms not herein defined shall have their standard dictionary definition or such as the context may imply.

ACCESS: The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

ACCESSORY BUILDING: A subordinate building, or structure, the use of which is incidental to that of a principal building and located in the rear yard on the same lot therewith.

ACCESSORY USE: A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located within the rear yard upon the same lot therewith.

ADDITION (TO AN EXISTING BUILDING) - Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common loadbearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter loadbearing walls is new construction.

ADVERTISING: Includes any writing, printing, painting, display, emblem, drawing, sign, or other device or design used or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures, or on buildings, structures, milestones, signboards, wallboard, roofboard, frames, supports, fences or other man-made structure, and any such advertising is a structure within the meaning of the word "structure" as utilized in this ordinance.

ADVERTISING SIGN OR STRUCTURE: See Sign.

AGRICULTURAL USE: This includes all forms of agriculture, growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, viticulture, floriculture, forests, and woods, provided, however, all health codes of Shelbyville, Tennessee are complied with.

The feeding or disposal of community or collected garbage to animals shall not be deemed an agricultural use, nor shall commercial feed lots, the raising of fur-bearing animals, poultry, fish or minnow hatcheries, or dog kennels be so considered.

AGRICULTURAL ACCESSORY USE: Those structures or equipment which are normally required in the operation of agricultural uses.

ALLEY: A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility and public service purposes.

ALTERATION: As applied to a building or structure, means a change or rearrangement in the structural parts, or an enlargement, whether by extending a side or by increasing its height or structural changes, other than repairs, that would affect safety. The term "alter" in its various modes and tenses and its practical forms, refers to the making of an alteration.

AREA, BUILDING: The total areas taken on a horizontal plane at the main grade level of the principal building and all necessary buildings exclusive of uncovered porches, terraces, and steps.

AUTOMOBILE WRECKING: The dismantling, storage, sale or dumping of used motor vehicles, trailers, or parts thereof.

AUTOMOBILE WRECKING, JUNK, AND SALVAGE YARDS: Any lot or place which is exposed to weather and upon which more than five motor vehicles of any kind, incapable of being operated, and which it would not be economically feasible to make operative, are placed, located, or found.

AVERAGE GROUND ELEVATION: The elevation of the mean finished grade of the principal structure at the front of a structure.

BASEMENT: A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half (1/2) of its height is above the average ground elevation or when subdivided and used for commercial activities.

BED AND BREAKFAST FACILITY - A use subordinate to the principal use of a single family dwelling providing four (4) or fewer rooms designated for lodging purposes.

BOARD: The Shelbyville, Tennessee Board of Zoning Appeals.

BOARDING HOUSE: See dwelling definitions.

BUFFER STRIP: A greenbelt planted strip not less than ten (10) feet in width. Such a greenbelt shall be composed of one (1) row of evergreen trees, spaced not more than forty (40) feet apart and not less than two (2) rows of shrubs or hedges, spaced not more than five (5) feet apart and which grow to a height of five (5) feet or more after one (1) full growing season and which shrubs will eventually grow to not less than ten (10) feet.

BUILDING: Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, mobile homes and similar structures whether stationary or movable.

BUILDING AREA OF A LOT: That portion of a lot bounded by the required rear yard, side yards, and the building setback line.

BUILDING ELEVATED - A nonbasement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

BUILDING INSPECTOR (CODES ENFORCER): The building inspector for the city or town of Shelbyville.

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

BUILDING SETBACK LINE: A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

BUILDING SETBACK LINE, FRONT: A line delineating the minimum allowable distance between the street right-of-way, or if an official future street right-of-way has been established, as shown on the current, adopted Major Thoroughfare Plan Map, from that future street right-of-way line, and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to or concentric with the street right-of-way. No structure shall be placed in front of this building setback line.

BUILDING SETBACK LINE, REAR: A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

BUILDING SETBACK LINE, SIDE: A line delineating the minimum distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line. Within this area no structure shall be placed.

BULK: Describes the size of buildings or other structures, and their relationship to each other and to open areas and lot lines.

BUSINESS AND COMMUNICATION SERVICES: The provision of services of clerical, goods, brokerage, communications of a minor processing nature, including multi-copy and blue-printing services, custom printing, but excluding the printing of books, other than pamphlets and small reports.

CAMPING GROUND: A parcel of land used or intended to be used, let, or rented for occupancy by campers or for occupancy by motor homes, camping trailers, tents, or movable or temporary dwellings, rooms, or sleeping quarters of any kind.

CLINIC: See Medical Facility.

CONDITIONAL USE: A conditional use is a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in a zoning district as conditional uses, only when specific provisions for such use are made in this Ordinance. For the purposes of administration of this ordinance, conditional uses shall be construed as synonymous with special exceptions, as controlled by Section 13-7-206, Tennessee Code Annotated. See Special Exceptions.

CONVENIENCE SALES: The retail sale of small convenience items such as toiletries, tobacco, and magazines. The dispensing of petroleum products may be included as accessory to convenience food products retailing.

CONVENIENCE SERVICES: Services which are typically needed frequently such as barber and beauty care; and includes the operation of self-service laundromats and other apparel, cleaning and garment repair services.

COVERAGE: The lot area covered by all buildings located therein, including the area covered by all overhanging roofs.

COUNCIL: The City Council of Shelbyville, Tennessee.

COUNTRY CLUB: A chartered, nonprofit membership club, with facilities catering primarily to its membership and providing one or more of the following recreational or social amenities: golf, riding, club house, pool, dining facilities, lounge.

DAY CARE CENTER: A facility other than an occupied residence which receives children for day care, or any place including nursery schools, which provides definite, specified educational programs, and receives more than twelve (12) children for related day care services. (See definition of Family Day Care Home for comparison).

DEVELOPMENT: Any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations. Agricultural activities such as plowing or cultivating and gardening activities are not included in this definition of development.

DISTRICT: Any section or sections of the area lying within Shelbyville, Tennessee, for which the regulations governing the use, density, bulk, height, and coverage of buildings and other structures are in force.

DWELLING: A building or part thereof used as a habitation under one of the following categories:

- (a) Single detached dwelling means a building and accessories thereto principally used, designed, or adapted for use by a single family. This excludes mobile homes and trailers.
- (b) Duplex dwelling means a building and accessories thereto principally used, designed, or adapted for use by two (2) family, the living quarters of each of which are completely separate.
- (c) Apartment dwelling means a building and accessories thereto principally used, designed, or adapted for use as occupancy by three (3) or more families each of which has separate living quarters.
- (d) Rooming house means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six (6) occupants and without owner provided cooking and dining facilities. (See semi-transient habitation definition).
- (e) Boarding houses means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six (6) occupants and having common cooking and dining facilities. (See semi-transient habitation definition).
- (f) Townhouse - See Attached Dwelling.
- (g) Condominium means an apartment building or townhouse containing three or more dwelling units being under or intended for separate ownership, in which individual living accommodations are provided for each family.
- (h) Multi-family means a townhouse or apartment dwelling. For purposes of these regulations, regardless of how rental units are equipped, any multi-family dwelling in which units are available for rent partly on a monthly basis and partly for a shorter period of time, but with more than thirty (30) percent of the living units under the same ownership or management on the same zone lot occupied on a less than monthly basis, shall be considered as semi-transient residential activity. If over thirty (30) percent of such multi-family units under the same management or ownership are occupied on a biweekly basis or less, they shall be considered as transient lodging activity. (See definition of Transient Habitation).
- (i) Triplex dwelling means three units designed for use by three families located on the same tract (zone lot).
- (j) Quadruplex dwelling means four units designed for use by four families located on the same tract (zone lot).
- (k) Prefabricated dwelling means a single detached dwelling constructed primarily off-site, designed to be transported on a flat-bed truck or trailer, provided that it is installed on a permanently enclosed concrete or masonry foundation, with sewer and water connections designed for permanent connection to municipal or on-site systems, and permanently connected to such systems. Such structures are distinguished from mobile homes as described elsewhere in this ordinance when they have a minimum gross floor area of 1,400 square feet. When such a structure meets the above stated requirements

as well as all the requirements of the Southern Standard Building Code, it shall qualify as a single detached dwelling.

- (l) Mobile home or trailer means a vehicular, portable structure designed and constructed in accordance with the requirements of American National Standards Institute Standard A119.1, built on a chassis, designed for year-round occupancy, and designed to have no foundation other than wheels, jacks, or skirtings, and which is capable of being moved, towed, or transported by another vehicle.
- (m) Zero lot line dwelling means a building or structure containing two units (duplex), each unit being located on its own zone lot in separate ownership.

DWELLING, ATTACHED - A building containing one dwelling unit, attached at the side or sides in a series of four or more principal buildings. At points of attachment, such buildings shall be separated from each other by fire walls extending from footings through roofs without openings which would permit the spread of fire from one building to another. The term attached dwelling is intended to apply to townhouses, patio or atrium houses, or any form however termed which conforms to this definition.

DWELLING DETACHED - A building located on a single zone lot containing not more than two dwelling units surrounded by yards or open area on the same zone lot.

FAMILY: One or more persons related by blood, marriage, or adoption, or a group not all related by blood, marriage, or adoption, occupying the premises and living as a single nonprofit housekeeping unit as distinguished from a group occupying a boarding or similar dwelling for group use. A family shall not be deemed to include domestic servants employed by said family. The term family as used herein shall be construed to include groups of eight (8) or fewer unrelated mentally retarded or physically handicapped persons and with two (2) additional persons acting as housekeepers or guardian residing within the house (See Chapter 24 of Title 13, T.C.A.).

FAMILY DAY CARE HOME: An occupied residence in which a person provides day care for five or more children or close relatives. Such care in a family day care home is limited to that care given to no more than 12 children, including children living in the home and children of close relatives cared for in the home. (See definition of Day Care Center for comparison).

FINANCIAL, CONSULTING AND ADMINISTRATIVE: Includes the provision of financial, insurance, real estate brokerage services, as well as the provision of advice, designs, information, or consultation of a professional nature. Also includes the executive, management, administrative, and desired activities of private, profit-oriented firms, other than public utility firms. These activities do not include the storage of goods and chattel for the purpose of sale unless otherwise permitted by other provisions of this regulation.

FLOOD: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of rivers or streams or the unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD, 100-YEAR: A flood which has, on the average, a 1 percent chance of being equaled or exceeded in any given year. It is sometimes referred to as the "1-percent-chance flood". For regulatory purposes, this area is depicted in the T.V.A. Flood Report for Shelbyville published in April, 1985.

FLOODPLAIN: A relatively flat or low area adjoining a river or stream which is periodically subject to partial or complete inundation by floodwaters, or a low area subject to the unusual and rapid accumulation of runoff of surface waters from any source.

FLOODPROOFING: Any combination of structural or nonstructural additions, changes, or adjustments which reduce or eliminate flood damages to real estate, improved real property, water supply and sanitary sewer facilities, electrical systems, and structures and their contents.

FLOODWAY: The stream channel and the portion of the adjacent floodplain which must be reserved solely for the passage of floodwaters in order to prevent an increase in upstream flood heights of more than one (1) foot above natural or pre-development conditions.

FLOODWAY FRINGE AREAS: Lands lying outside a designated floodway but within the area subject to inundation by the 100-year flood.

FLOOR AREA: The sum of the gross floor area for each of the several stories under roof, measured from the exterior limits or faces of a building or structure.

FRONTAGE: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of the street.

GASOLINE SERVICE STATION: Any area of land, including structures thereon, that is utilized for the retail sale of gasoline, oil, (but no butane or propane fuels), or automobile accessories, and incidental services including facilities for lubricating, hand car washing and cleaning, or otherwise servicing automobiles, but not including painting or major repair.

GRADE, FINISHED: The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

HEALTH DEPARTMENT: The Bedford County Health Department.

HEIGHT OF BUILDING OR STRUCTURES: The vertical distance from the average ground elevation or finished grade at the building line, whichever is the highest, to the highest point of the building or structure.

HOME OCCUPATION: See Section 4.040.

HOSPITAL: See Medical Facilities.

IMMOBILE: A vehicle incapable of moving under its own power.

JUNK YARD OR SALVAGE YARD: A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal, or discarded material; or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof. Any lot containing Two (2) or more immobile or unlicensed cars shall be deemed a junk yard. (See immobile).

LANDSCAPING: The planting and maintenance of trees, shrubs, lawns, and other ground cover or materials, provided that terraces, fountains, retaining walls, street furniture, sculptures, or other art objects, and similar accessory features may be included as landscaping, if integrally designed.

LAND SUBJECT TO FLOOD: In applying the provisions of this ordinance, land subject to flood shall be defined as follows:

Along the Duck River and Flat, Big Spring, Bomar, and Little Hurricane Creeks, and Pettus and Holland Branches, and other low places identified as having special flood hazards by the Federal Emergency Management Agency (F.E.M.A.). The lands identified as subject to inundation by the 100-year flood, and all lands lying below the 100-year flood elevations as demonstrated by the maps and charts contained in the Flood Insurance Study of Shelbyville, Tennessee, Bedford County published in February 17 1988, referring to floods on the Duck River, and Flat, Big Springs and Pettus and Holland Branches and Unnamed Tributaries to Bomar and Little Hurricane Creeks and Holland Branch in the vicinity of Shelbyville, Tennessee. All subsequent revisions to this study are herein made a part of this ordinance.

Along Small Streams and Watercourses. The lands lying within one hundred (100) feet of the top of the bank of the channel (measured horizontally) unless the developer demonstrates to the satisfaction of the planning commission that the property in question is free from the danger of inundation by the 100-year flood or that adequate remedial measures have been taken to allow the watercourse to safely accommodate the 100-year flood. The developer shall submit such data or studies based on the watershed characteristics, probable runoff, and other topographic and hydraulic data prepared by a registered professional engineer as the planning commission may reasonably require to adequately make its determination of the flood susceptibility of the property.

LAND WITH INCIDENTAL IMPROVEMENTS: A tract of land which contains improvements including buildings or other structures having a total assessed valuation of five thousand dollars (\$5,000) or less.

LIGHT INDUSTRY: Is defined, for the purpose of this ordinance, on the basis of performance in terms of absence of objectionable noise, smoke, odor, dust, dirt, noxious gases, glare and heat; and of the creation of hazards to health and life by reason of fire, effects of industrial wastes, psychological effects and generation of an undue amount of motor vehicle traffic.

LOADING SPACE: An area twelve (12) feet by sixty-five (65) feet with a fourteen (14) foot height clearance provided for the standing, loading, or unloading of a truck or other vehicle.

LOT: A piece, plot, or parcel of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one or more principal buildings, and its accessory buildings, including the open spaces required under this ordinance.

LOT, AREA: The total surface land area included within lot lines.

LOT, CORNER: A lot of which at least two adjoining sides abut their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than one hundred thirty-five (135) degrees. The narrowest portion abutting a street shall be considered the front yard.

LOT, DEPTH: The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

LOT, FRONTAGE: That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINES: The boundary dividing a given lot from the street, an alley or adjacent lots.

LOT OF RECORD: A lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the county register of deeds prior to the effective date of this zoning ordinance.

LOT WIDTH: The width of a lot at the building setback line measured at right angles to its depth.

MANUFACTURED HOME - A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width, or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

MARINA: A facility for the docking and servicing of boats.

MEDICAL FACILITIES:

Convalescent, Rest or Nursing Home: a health facility where persons are housed and furnished with meals and continuing nursing care for compensation.

Dental Clinic or Medical Clinic: A facility for the examination and treatment of ill and afflicted human out-patients, provided, however, that patients are not kept overnight except under emergency conditions.

Hospital: An institution providing health services primarily for human in-patient medical care for sick or injured and including related facilities such as services, and staff offices which are an integral part of the facility.

Public Health Center: A facility utilized by a health unit for the provision of public health services.

MINIMUM FLOOR ELEVATION: The lowest elevation permissible for the construction, erection, or other placement of any floor, including a basement floor.

Amended 10-17-95

MINI-WAREHOUSES: A building or portion thereof designed or used exclusively for storing the excess personal property of an individual or family, such as motor vehicles, personal household items, boats, motorcycles and other such items. Commercial or industrial storage may be allowed as long as the facility is not used as a transfer (distribution) and storage business where the use of vehicles is part of such business.

MOBILE HOME PARK: Any parcel of land containing at a minimum of two (2) acres of land and at least ten (10) mobile home spaces available at the time of first occupancy. Any parcel not meeting the above standard shall not be utilized as a mobile home park.

NEW CONSTRUCTION: Means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

NONCONFORMING USE: A building, structure, or use of land existing at the time of enactment of this ordinance which does not conform to the regulations of the district in which it is located.

NONCOMPLYING:

- (a) Any lot of record which does not contain sufficient lot area to conform to the area requirements for the zoning district in which the lot is located.
- (b) Any lawful building or other structure which does not comply with any one (1) or more of the applicable bulk regulations, or
- (c) Any lawful use other than a nonconforming use, which does not comply with any part or any one (1) or more of the applicable regulations pertaining to:
 - (1) Location along district boundary; or
 - (2) Accessory off-street parking and loading;either on the effective date of this ordinance or as a result of any subsequent amendment thereto.

NOXIOUS MATTER: Material in gaseous, liquid or solid form which is capable of causing injury to living organisms, chemical reactions, or detrimental effects upon the social, economic or psychological well-being of individuals.

ONE HUNDRED YEAR FLOOD: A flood which has, on the average, a one (1) percent chance of being equaled or exceeded in any given year. It is sometimes referred to as the "one (1) percent chance flood".

OPEN SPACE: An area on the same lot with a main building which is open, unoccupied and unobstructed by structures from the ground to the sky except as otherwise provided in this ordinance.

OVERALL DENSITY: The residential density in minimum lot size per family or stated dwelling units per acre of any total lot, or development area.

OWNER: Includes his duly authorized agent or attorney, a purchaser, devisee, fiduciary, and a person having a vested or contingent interest in the property in question.

PARKING LOT: An off-street facility including parking spaces with adequate provisions for drives and aisles for maneuvering and obtaining access, and for entrance and exit.

Amended 6-9-92

PARKING SPACE: An off-street space available for parking one motor vehicle and having an area of not less than one hundred sixty-two (162) square feet exclusive of passageways and driveways giving access thereto, and having access to a street or alley.

PARTY WALL: A wall on an interior lot line, used or adapted for joint service between two buildings; such walls shall extend from the foundation to the underside of the roof sheathing, without openings which otherwise would permit the spread of fire from one building to another, and shall fully comply with fire and all other provisions and standards established for such walls in the Southern Standard Building Code.

PERSON: An individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

PLANNED DEVELOPMENT: A single planned area of land which is designed and organized to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property; the ownership of the common property may be either public or private. Planned developments consist of relatively large interrelated developments located on a single tract of land. Cluster developments and mixed use developments of all types are planned unit developments. Many shopping centers of various types fall under this definition of planned developments.

PLANNING COMMISSION: The Shelbyville Municipal-Regional Planning Commission.

PLAT: A map, plan, or layout indicating the location and boundaries of individual properties.

PREFABRICATED DWELLING: See classification K under the definition of a dwelling.

PRINCIPAL STRUCTURE: A structure which constitutes the principal activity or use located on a zone lot on which it is located.

PRINCIPAL USE: The specific primary purpose for which land or a building is used.

PRIVATE WASTEWATER TREATMENT: Individual subsurface sewage disposal systems (i.e., septic tanks), package treatment plants or individual aeration systems employed for collection and treatment and/or disposal of wastewater, as approved by the appropriate Bedford County Health Department official.

PROFESSIONAL OFFICE: The office of a physician, dentist, attorney, architect, engineer, planner, accountant, or similar professions.

PUBLIC USES: Public parks, schools, and administrative, cultural, and service buildings, not including public land or buildings devoted solely to storage and maintenance of equipment and materials.

PUBLIC WASTEWATER SYSTEM: A municipal, community, or utility district sewerage treatment and disposal system of a type approved by the State Department of Health and Environment and the Public Service Commission.

PUBLIC WATER: A municipal, community or utility district water treatment and distribution system of a type approved by the State Department of Health and Environment and the Public Service Commission.

REACH: A hydraulic engineering term to describe longitudinal segments of a stream or river. A reach will generally include the segment of the floodplain where flood heights are primarily controlled by man-made or natural floodplain obstructions or restrictions.

REQUIRED YARD: That portion of a zone lot that is require by the specific district regulation to be open from the ground to the sky, and which may contain only explicitly listed obstructions.

RIGHT-OF-WAY: The minimum right-of-way of all local streets shall be fifty (50) feet which measures twenty-five (25) feet from the street centerline. On all collector streets, the minimum right-of-way shall be thirty (30) feet from the street centerline. On arterial streets the right-of-way shall extend forty (40) feet form each side of the street centerline. Collector and arterial streets are shown on the official Major Thoroughfare Plan of Shelbyville.

ROADWAY: The actual road surface including necessary road shoulders and drainage facilities including ditches and curbs and gutters, which is used to transport motor vehicles.

ROOMING UNIT: Living accommodations occupied partly on a monthly or longer basis and partly for a shorter time period, but with more than thirty (30) percent of time living units under the same ownership, control, or management on the same zone lot being occupied on a less than monthly basis.

SANITARY LANDFILL: An area or site utilized by a public or private entity for disposal of solid waste or refuse in a manner which meets the regulations imposed upon the operation and maintenance of sanitary landfill sites by the State Department of Health and Environment.

SEMI-TRANSIENT HABITATION: Living accommodations occupied partly on a monthly or longer basis and partly for a shorter time period, but with more than thirty (30) percent of the living units under the same ownership, control or management on the same zone lot being occupied on more than a biweekly basis but on less than a monthly basis. (See transient habitation definition).

SHELTER, FALL-OUT: A structure or portion of a structure intended to provide protection to human life during periods of danger from nuclear fall-out, air raids, storms, or other emergencies.

SHOPPING CENTER: A group of compatible commercial establishment, planned, developed, and managed as a unit, with an automobile parking area provided on the property; the center must also be related in location, size, and type of shop to its' trade area.

SIGN, BILLBOARD, OR OTHER ADVERTISING DEVICE: Any structure or part thereof or device attached thereto, or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia, or any representation used as, or which is in the nature of, an announcement, direction or advertisement. The word "sign" includes the word "billboard" and "posterboard" as well as any other type of advertising device, but does not include the flag, pennant, or insignia of any nation, state, city, or other political unit. All signs fall under the definition of a structure as cited in this ordinance. Moreover all billboards and posterboards fall under the definition of a principal structure as cited in this ordinance.

SPECIAL EXCEPTION: A use which is specifically permitted if the owner can demonstrate to the satisfaction of the Board that it will meet certain standards, enumerated safeguards, or qualifying conditions.

START OF CONSTRUCTION: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair reconstruction, or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above; or any portion of a building between the topmost floor and the roof which is used for human occupancy in which the floor area with eight (8) feet or more head clearance equals fifty (50) percent or more of the floor area of the next story below. Provided it is not used as a dwelling unit, a top floor in which the floor area with eight (8) feet or more of head clearance equals less than fifty (50) percent of the floor area of the story next below shall be a "half-story." A basement shall be considered as a story if more than half of its height is above the average ground level from which the "height of a building" is measured or if it is used for commercial purposes.

STREET: A public road, highway, or thoroughfare which constitutes, or is designed to constitute, the main access to more than one lot and which has been legally dedicated and accepted for public use.

STRUCTURE: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including among other things, signs, billboards, solar devices, antennas, and satellite or T.V. dishes.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a principal structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (1) before the improvement or repair or (2) before the damage occurred. For the purposes of this ordinance, substantial improvement is considered to occur when the alteration of any wall, ceiling, floor, or other structural part of the building commences, that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for the improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions or (2) any alteration or restoration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

TEMPORARY SIGN: Temporary signs shall include any sign, banner, pennant, valance, or advertising display constructed of wood, metal, cloth, canvas, light fabric, cardboard, wallboard, or other light material, with or without frames, where either by reason of construction or purpose of sign is intended to be displayed for a short period of time only.

TOXIC MATERIALS: Materials (gaseous, liquid, solid, particulate) which are capable of causing injury to living organisms even when present in relatively small amounts.

TRANSIENT HABITATION: Separate lodging or living accommodations for rent or lease of a commercial nature. Such uses as hotels, motels, tourist homes and courts, as well as commercial camp grounds (sporting and recreational vehicle camps) falls under this classification. Multi-family dwelling complexes of all types in which more than thirty (30) percent of their units are occupied on a biweekly basis or less shall be considered as being transient habitation.

TRAVEL TRAILER (MOTOR HOME): A vehicular, portable structure designed as a temporary dwelling for travel, recreation, and vacation uses.

TRAVEL TRAILER (MOTOR HOME) PARK: A plot of land designed and equipped to accommodate travel trailers for short periods of time.

USE: The purpose for which land or a building or other structure is designed, arranged or intended, or for which it is or may be occupied or maintained.

WATERCOURSE: Any depression serving to give direction to a flow of water, having a bed and well-defined banks, where the drainage area above is ten (10) acres or more in extent, provided that it shall, upon the rule or order of the planning commission also include other generally or specifically designated areas where flooding may occur. The flow of water need not be on a continuous basis but may be intermittent resulting from the surface runoff of precipitation.

YARD: An open space on the same lot with a principal building or structure, open, unoccupied, and unobstructed by buildings from the ground to the sky except as otherwise provided in this ordinance, provided that accessory buildings may be located in a rear yard.

YARD FRONT: The yard extending across the entire width of the lot between the nearest part of the principal building or structures, including porches, and the front lot line.

YARD, REAR: The yard extending across the entire width of the lot between the nearest part of the principal building or structure, including porches, and the rear lot line.

YARD, SIDE: The required space unoccupied measured between the side lot line and the nearest point of the principal building or structure, between the front yard and the rear yard on both sides of the principal structure.

ZERO LOT LINE DWELLING: (See definition of dwelling types).

ZONE LOT: For purposes of this ordinance, a lot is a parcel of contiguous land which is or may be developed or utilized under one ownership as a unit site for a use or group of uses and which is of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street. Unless it constitutes a lot of record in which case it may front on a permanently dedicated easement. For the purpose of this definition, the ownership of a zone lot shall be deemed to include a lease of not less than fifty (50) years duration.

ZONING MAP: A map, or series of maps and special overlays (the official copy being maintained at the Shelbyville City Hall) showing districts and special districts that are established under the provisions of, and are thereby, a part of this Ordinance.

ZONING PERMIT: A written permit issued by the Zoning Administrator (the Shelbyville Building Inspector) same being required before commencing any construction, reconstruction, alteration of any building or other structure or before establishing, extending, or changing any activity or use on any zone lot.

2.030. Use Classification

General Classification Rules

The purpose of these provisions is to classify uses into a number of specific categories based on their common functional characteristics and compatibility. This provides a basis for regulations of uses in according to criteria which are relevant to the public interest in differentiating between zoning districts. A general statement appears with each broad use classification, which is intended to provide guidance as to what their common characteristics are. It is not intended that every use within a grouping should necessarily be permitted within a given zone district. Where specific uses within a particular use grouping are individually listed, only those particular uses are permitted. Where a use grouping is listed without further specification or limitation any and all uses within that grouping may be permitted.

2.031. Listing of Activity Classifications

All activities are hereby classified into the following activity types:*

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*Vacant land, itself, shall not constitute an activity type.

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2.032. Accessory Uses.

In addition to the principal activities above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity. The accessory uses permitted are presented with the regulation section of each district.

2.033. (Reserved)

2.034. Residential Activities; Class and Types

2.034.1 ACTIVITY TYPE - PERMANENT RESIDENTIAL ACTIVITIES

A. Intent and Limitations.

This grouping is intended to include permanent residential activities which involve the occupancy of a dwelling unit as defined by the Ordinance. This form of occupancy shall not be construed to include:

- Institutional living arrangements involving the provisions of special care or forced residence, such as nursing homes, convalescent homes, rest homes, orphanages, asylums, and prisons; or
- Semi-transient accommodations such as rooming houses and boarding house, as well as multi-family dwelling complexes having more than thirty (30) percent of their living units occupied on less than a monthly basis; or
- Transient accommodations such as transient hotels, motels, tourist homes, or similar establishments; or
- Dormitories nurses' residences, fraternity or sorority houses, monasteries or convents, or similar establishments containing group living or sleeping accommodations; or
- In a building with mixed use occupancy, that part of the building used for any nonresidential uses, excepting accessory residential uses.

B. Use Listing

The following dwelling types, as defined by this ordinance are generally considered as permanent residential activities when located within any district. (See definition of multi-family dwellings for possible exceptions). However, only those dwelling unit types as indicated by individual district regulations may be permitted therein.

Dwelling, Single Detached
Dwelling, Duplex
Dwelling, Multi-family

2.034.2 ACTIVITY TYPE - SEMI-TRANSIENT RESIDENTIAL ACTIVITIES

A. Intent and Limitations

This grouping is intended to include residential activities which are semi-transient in nature and involve the occupancy of a rooming unit as defined by this ordinance. This form of occupancy shall not be construed to include:

Institutional living arrangement involving provisions of special care or forced residence, such as nursing homes, convalescent homes, rest homes, orphanages, asylums, and prisons.

B. Use Listing

The following rooming unit types are considered as semi-transient residential activities when they meet the general limitations for a rooming unit. However, only those rooming unit types as indicated within individual district regulations may be permitted therein.

Boarding House
Rooming House

2.035 COMMUNITY FACILITY ACTIVITIES: CLASS AND TYPE

2.035.1 ACTIVITY TYPE - GOVERNMENT ADMINISTRATIVE SERVICES

A. Intent and Limitations

This grouping is intended to include the activities typically performed by public, utility, and private nonprofit administrative offices.

B. Use Listing

City, County, State, and Federal Offices
Civil Defense Facilities
Court Buildings
Fire Department Facilities
Police Department Facilities
Post Offices

2.035.2 ACTIVITY TYPE - COMMUNITY ASSEMBLY

A. Intent and Limitations

This grouping includes a broad range of facilities utilized as public gathering places in conjunction with various social and recreational events. This grouping is not intended to include facilities primarily utilized for profit, nor is it to include any facility which has the characteristics associated with extensive impact community facilities.

B. Use Listing

Civic, Social, Fraternal, and Philanthropic Associations Private (nonprofit)
Clubs, Lodges, Meeting Halls, and (other than) Labor Union Halls), and
Recreation Centers Temporary Nonprofit Festivals

2.035.3 ACTIVITY TYPE - COMMUNITY EDUCATIONAL FACILITIES

A. Intent and Limitations

This grouping is intended to include services and facilities typically performed by public, parochial, and primary and secondary schools. The grouping is not intended to include the special training and schooling services offered by private individuals for profit, or by technical schools, colleges, and universities.

B. Use Listing

Primary, and Secondary Schools

2.035.4 ACTIVITY TYPE - CULTURAL AND RECREATIONAL SERVICES

A. Intent and Limitations

This grouping is intended to include services and facilities of a cultural or recreational nature which are either owned by, or operated for the use and enjoyment of, the general public. The grouping is not intended to include entertainment and amusement facilities which are operated by private persons as profit making ventures.

B. Use Listing

Art Galleries (Non-Commercial)
Libraries
Museums
Parks, Playgrounds, and Athletic Fields
Recreational Centers and Gymnasiums (Public Non-profit)
Swimming Pools and Beaches
Yachting Clubs (Private)
Zoological and Botanical Gardens

2.035.5 ACTIVITY TYPE - ESSENTIAL PUBLIC TRANSPORT, COMMUNICATION, AND UTILITY SERVICES

A. Intent and Limitations

This grouping is intended to include facilities necessary and incidental to the operation of transport, communication, and utility services. The grouping is not intended to include major transport terminals or utility production and processing facilities.

B. Use Listing

Electrical and Gas Substations
Gas, Electric, and Water, Distribution Lines
Pumping Facilities for Water and Sewer Systems
Rights-of-Way for all Modes of Transportation
Sewage Collection Lines
Telephone Switching Facilities

2.035.6 ACTIVITY TYPE - EXTENSIVE IMPACT FACILITIES

A. Intent and Limitations

This grouping includes public activities and facilities which have a high degree of impact upon surrounding land use due to hazard and nuisance characteristics, traffic generation, and parking requirements.

B. Use Listing

Airports, Air Cargo Terminals, Heliports, Helistops, or any other
Aeronautical Devices
Detention or Correction Institutions
Electricity Generating Facilities and
Major Mail Processing Centers
Major Petroleum and Natural Gas Transmission
Lines and Facilities
Marine Terminals
Motion Picture and Television Production Lots
Railroad Terminals, Railroad Yards and Other
Transportation Equipment, Marshalling and
Storage Yards

2.035.7 ACTIVITY TYPE - HEALTH CARE FACILITIES

A. Intent and Limitations

This grouping includes medical and other health care facilities which are required for the promotion and protection of public health and safety. This grouping is not intended to include the offices, clinics, laboratories, etc., of private physicians or other health care professionals

B. Use Listing

Centers for Observation or Rehabilitation
Convalescent Homes
Hospitals
Medical Clinics

2.035.8 ACTIVITY TYPE - INTERMEDIATE IMPACT FACILITIES

A. Intent and Limitations

This grouping is intended to include activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances and typically performed by, or the maintenance and operation of, the following institutions or installations

B. Use Listing

Cemeteries, Columbariums, and Mausoleums
Boat Docks, Marinas, and Yacht Clubs
Golf Courses
Radio and Television Towers and Transmission
Facilities
Water Storage Facilities
Water and Sewage Treatment Plants

2.035.9 ACTIVITY TYPE - PERSONAL AND GROUP CARE FACILITIES

A. Intent and Limitations

This grouping is intended to include facilities for the care of very young and/or disabled persons who have need of special care and supervision. This grouping is not intended to include facilities primarily oriented to the provision of medical care or to the long-term care of rehabilitation and medical patients nor is it to include facilities for delinquent minors, the criminally dangerous, or psychotic.

B. Use Listing

Associations for Physically or Mentally
Handicapped Persons
Day Care Centers
Family Day Care Homes (Limited Child Care)
Family and Group Care Facilities
Nursing Homes
Retirement or Rest Homes

2.035.10 ACTIVITY TYPE - RELIGIOUS FACILITIES

A. Intent and Limitations

This grouping is intended to include facilities utilized by various religious organizations for worship or community services functions. The grouping is not intended to include facilities which are primarily function to produce products, including printed matter, for sale or general membership of the organization.

- B. Use Listing
 - Chapels
 - Churches
 - Convents or Monasteries
 - Sanctuaries
 - Synagogues
 - Temples

2.036 COMMERCIAL ACTIVITIES CLASS AND TYPES

2.036.1 ACTIVITY TYPE - ANIMAL CARE AND VETERINARIAN SERVICES

A. Intent and Limitations

this grouping is intended to include the activities or facilities utilized by veterinarians in the care of small domestic pets. The grouping is not intended to include facilities or services for treatment of large farm animals.

B. Use Listing

- Veterinarian Clinics
- Kennels

2.036.2 ACTIVITY TYPE - AUTOMOTIVE PARKING

A. Intent and Limitations

This grouping is intended to include the facilities for parking and/or storage of operative automotive vehicles. The grouping is not intended to include the storage of junk or scrap vehicles.

B. Use Listing

- Auto Parking Lots
- Parking Garages

2.036.3 ACTIVITY TYPE - AUTOMOTIVE SERVICES AND REPAIR

A. Intent and Limitations

This grouping is intended to include establishments primarily engaged in furnishing auto repair services to the general public.

B. Use Listing

- Auto Glass Repair and Replacement Shops
- Auto Inspection and Diagnostic Services
- Auto Paint Shops
- Auto Towing Services
- Auto Cleaning and Repair Services
- Bus Maintenance and Repair Services
- Car Washes

Radiator and Muffler Shops
Tire Retreading and Repair Shops
Wheel Alignment and Transmission Repair Shops

2.036.4 ACTIVITY TYPE - BUILDING MATERIALS AND FARM
EQUIPMENT SALES

A. Intent and Limitations

This grouping includes firms engaging in the retail and wholesale sale and storage of materials used in the construction of buildings and other structures as well as the retail and wholesale sale and storage of implements, equipment, as well as feed and seed used in agricultural pursuits.

B. Use Listing

Farm Equipment and Supplies
Feed Milling and Sales
Heating, Plumbing, and Electrical Supplies
Lumber and Other Building Material Dealers
Retail Nurseries, Lawn and Garden Supply Stores
Seed Storage and Sales

2.036.5 ACTIVITY TYPE - CONTRACT CONSTRUCTION SERVICES

A. Intent and Limitations

This grouping is intended to include firms engaged in the retail sale, from the premises of goods and services which are needed immediately and often and which are purchased where it is most convenient for the shopper; as well as the provision of personal convenience services which are typically needed frequently and recurrently.

B. Use Listing

Builder's Hardware
Carpentering Contractors
Concrete Contractors
Excavation Contractors
General Building Contractors
Glazing Contractors
Highway and Street Construction Contractors
Masonry, Stonework, Tile Setting, and Plastering
Contractors
Painting, Paper Hanging, and Decorating Services
Plumbing, Heating, and Electrical Contractors
Roofing and Sheet Metal Contractors

2.036.6 ACTIVITY TYPE - CONVENIENCE COMMERCIAL

A. Intent and Limitations

Includes the retail sale, from the premises, of groceries, drugs, and other frequently needed personal convenience items, as well as the provision of personal convenience services which are typically needed frequently or recurrently provided that no establishment shall exceed 5,000 square feet of gross floor area.

B. Use Listing

Bakeries
Barber Shops
Beauty Shops
Candy, Nut and Confectionery Stores
Convenience Markets where gasoline may be sold
Diary Products
Drug Stores
Fruit Stores
Hardware Stores
Health Spas
Laundry, Cleaning and Garment Services
Liquor Stores
Meat and Fish Markets
News Stands
Shoe Repair Shops
Vegetable Markets

2.036.7 ACTIVITY TYPE - CONSUMER REPAIR SERVICES:

A. Intent and Limitations

This grouping is intended to include establishments primarily engaged in the repair of miscellaneous objects. The grouping does not include automobile repair of any type.

B. Use Listing

Blacksmith Shops
Electrical Repair Shops
Gunsmith Shops
Instrument Repair Shops
Lawn Mower Repair Shops
Locksmith Shops
Office Equipment Cleaning and Repair
Refrigeration and Air Conditioning Repair
Reupholstery and Furniture Repair
Saddlery Repair Shops
Watch, Clock, and Jewelry Repair
Welding Shops

2.036.8 ACTIVITY TYPE - ENTERTAINMENT AND AMUSEMENT SERVICES

A. Intent and Limitations

This grouping is intended to include establishments engaged in providing amusement or entertainment on payment of a fee for admission charge.

B. Use Listing

Art Galleries--Commercial
Bowling Alleys and Billiard Parlors
Coin Operated Amusement Arcades
Commercial Recreation

Golf Courses and Driving Ranges
Riding Stables
Skating Facilities
Swimming Pools and Beaches
Tennis Courts

Dance Halls
Exhibition Halls and Commercial Auditoriums
Gardens (Botanical and Zoological)
Marinas, Boat Docks, and Boat Rental
Motion Picture Theaters
Motion Picture Theater-Drive-In
Recording and Television Production Studios
Theaters - Legitimate
Theatrical Producers, Bands, Orchestras, and Entertainers

2.036.9 ACTIVITY TYPE - FINANCIAL, INSURANCE REAL ESTATE, AND CONSULTING SERVICES

A. Intent and Limitations

This grouping includes firms engaged in the provision of financial, insurance, and real estate brokerage services, as well as advice, designs, information, or consultations of a professional nature (other than those classified as Community Facility Activities, Medical and Professional Service, or Business and Communication Services). These also include the executive, management, or administrative activities of private, profit oriented firms but exclude the sale and/or storage of goods or chattel unless otherwise permitted by this ordinance.

B. Use Listing

Agricultural Credit Institution
Banking and Bank-Related Functions
Credit Unions
Holding and Investment Organizations
Installment Sales Finance Companies
Insurance Sales and Services
Money Management and Investment Offices

Real Estates Brokers, Managers and Appraisers
Rediscount and Financing Institutions for Credit
Agencies Other than Banks
Savings and Loan Associations
Securities Commodities, Brokers, Dealers, and
Exchanges
Title Offices

2.036.10 ACTIVITY TYPE - FOOD AND BEVERAGE SERVICE

A. Intent and Limitations

This grouping is intended to include the retail establishments selling prepared foods and drinks to the general public primarily for consumption on the premises. The grouping is not intended to include food preparation facilities which are not open to the general public and are operated as a subordinate service for benefit of employees engaged in other activities.

B. Use Listing

Cafes
Cafeterias
Restaurants
Taverns

2.036.11 ACTIVITY TYPE - FOOD SERVICE DRIVE-IN

A. Intent and Limitations

This grouping is intended to include establishments engaged in the retail sale of prepared food or beverages for either take out or on premises consumption either within the principal structure or within a vehicle parked car on the same lot.

B. Use Listing

Drive-In Restaurants
Fast Food Restaurants

2.036.12 ACTIVITY TYPE - GENERAL BUSINESS SERVICES

A. Intent and Limitations

This grouping includes firms engaged in the provision of clerical, goods brokerage, communications, copying and blueprinting services, custom printing (except books) but exclude the sale and/or storage of goods and chattel unless otherwise permitted by this ordinance.

B. Use Listing

Advertising Agencies and Services
Bus and Transit Terminals for Passengers
Commercial Cleaning Services
Commercial Testing Laboratories

Communication Services:

Radio and Television Broadcasting Studios
Telegraph Offices and Message Centers
Telephone Exchanges and Relay Towers
Television and Recording Production Studios

Computer and Data Processing Services
Credit Reporting, Adjustment, and Collection Agencies
Detective Agencies and Protective Services
Drafting Services
Employment, Personnel, and Temporary Help Services
Exterminating Services
Interior Decorator and Consulting Services
Mailing, Reproduction, and Commercial Art Services
Management, Consulting, and Public Relations Services
Membership Organizations:

Automobile Clubs
Better Business Bureaus
Chamber of Commerce
Labor Unions
Political Organizations
Professional Associations

News Syndicates
Photofinishing Services
Research and Development Laboratories
Trading Stamp Services
Travel Agencies
Vehicular and Equipment Rental and Leasing Services

2.036.13 ACTIVITY TYPE - GENERAL PERSONAL SERVICES

A. Intent and Limitations

This grouping includes firms engaged in the retail sales or rental from the premises, primarily for personal or household use, or goods and/or services but excluding goods and services listed in other classifications herein.

B. Use Listing

Funeral and Crematory Services (Undertaking Services)
Catering Services
Clothing Repair and Rental
Photographic Studios
Hat Cleaning Shops
Special Training and Schooling Services:

Art and Music Schools
Barber and Beauty Schools
Dancing Schools
Driving Schools
Athletic Clubs

2.036.14 ACTIVITY TYPE - GENERAL RETAIL TRADE

A. Intent and Limitations

This grouping includes the retail sales or rental from the premises, primarily for personal or household use, of goods and/or services; but excluding goods and services listed under other activity types.

B. Use Listing

Antique Stores
Second Hand Merchandise Stores

(No exterior display or storage)

Automotive Parts (No exterior Storage)

Book and Stationery Stores

Camera Stores

Children's and Infant's Stores

Department Stores

Drapery, Curtain, and Upholstery Stores

Family Clothing Stores

Floor Covering Stores

Florists

New Furniture Stores

Furriers and Fur Shops

Gift Shops

Grocery Stores

Hardware Stores

Hobby, Toy, and Game Stores

Household Appliance Stores

Jewelry Stores

Luggage Shops

Men's and Boy's Clothing and Furnishing Stores

Miscellaneous Apparel and Accessory Stores:

Bathing Suit Stores

Custom Tailors

Shirt Shops

Sports Apparel Stores

Uniform Stores

Direct Selling Organizations

Mail Order Houses

Bedding and Linen Stores

Cookware Stores

Cutlery Stores

Glassware and China Shops

Lamp and Shade Shops

Paint and Wallpaper Stores

Music Stores

News Stands

Radio and Television Stores

Sewing and Piece Goods Stores

Shoe Stores
Sporting Goods Stores
Tobacco Shops
Variety Stores
Women's Accessory and Specialty Stores
Women's Ready-to-Wear Store

2.036.15 ACTIVITY TYPE - GROUP ASSEMBLY

A. Intent and Limitations

This grouping includes the provisions of cultural, entertainment, educational, and athletic services, other than those classified as Community Facilities, to large groups of assembled spectators and/or participants (500 or more) or that have a substantial potential impact upon adjoining property.

B. Use Listing

Amusement Parks and Fairgrounds
Commercial Resorts
Commercial Sports Arenas and Playing Fields
Race Tracks (Auto, Motorcycle, Dog, and Horse)
Schools for Profit
Colleges and Universities
Technical and Trade Schools

2.036.16 ACTIVITY TYPE - PROFESSIONAL SERVICES MEDICAL

A. Intent and Limitations

This grouping is intended to include establishments primarily engaged in providing medical, dental, and other health services to individuals. The grouping does not include services provided at general care facilities located with Community Facilities Health Care.

B. Use Listing

Chiropractors Offices
Dental Offices and Laboratories
Medical Laboratories
Optometrists
Physicians' Offices and Clinics (Out Patient Services)
Psychologists and Psychotherapists
Medical Facilities

2.036.17 ACTIVITY TYPE - PROFESSIONAL SERVICES - NON MEDICAL

A. Intent and Limitations

This grouping is intended to include a broad listing of generally recognized professions, other than medicine, which are compatible with one another and tend to exert similar impacts upon their surroundings.

B. Use Listing

Accounting, Auditing, and Bookkeeping Services
Artists Studios
Attorneys and Law Offices
Consulting Scientists
Educational and Scientific Research Services
Engineering and Architectural Services
Songwriters and Music Arrangers
Urban Planning Services
Writers and Lecturers

2.036.18 ACTIVITY TYPE - TRANSIENT HABITATION

A. Intent and Limitations

This grouping is intended to include commercial and institutional establishments engaged in furnishing lodging, or lodging and meals on a fee basis.

B. Use Listing

Hotels, Motels
Tourist Homes or Courts
Sporting and Recreational Vehicle Camps
(Commercial Camp Grounds)
Bed and Breakfast Facilities

2.036.19 ACTIVITY TYPE - VEHICULAR, MARINE CRAFT, AIRCRAFT AND RELATED EQUIPMENT SALES, RENTAL AND DELIVERY

A. Intent and Limitations

This grouping is intended to include the retail dealers selling new and used automobiles, boats, aircraft, recreational vehicles, utility trailers, and motorcycles. Repair Shops and Parts Sales Facilities are to be included, along with Gasoline Service Stations. The grouping is not intended to

include automotive distributors, from which the greater part of whose sales are to dealers or to institutional or industrial users (See Wholesale Trade-Durable Goods).

B. Use Listing

Aircraft Dealers
Auto and Home Supply Stores
Boat Dealers
Gasoline Service Stations
Motor Vehicle Dealers (New and Used)
Motorcycle Dealers
Recreational and Utility Trailer Dealers

2.036.20 ACTIVITY TYPE - WAREHOUSING, GOODS TRANSPORT AND STORAGE

A. Intent and Limitations

This grouping is intended to include establishments and facilities associated with the warehousing, storage, and transport of goods. Due to the very close relationship between to the extensive impact of the truck traffic, etc., associated with these uses, they are included within this grouping even though certain aspects of these uses are closely aligned with wholesale trade activity.

B. Use Listing

Freight Forwarders
General Warehousing
Household Goods Storage
Local and Long Distance Trucking Terminals
Packing and Crating Services
Refrigerated Warehousing
Truck Terminals and Freight Handling

2.036.21 ACTIVITY TYPE - WHOLESALE SALES

A. Intent and Limitations

This grouping includes the storage and sale from the premises of goods to other firms for resale, as well as the storage of goods and their transfer to retail outlets' but exclude sale or storage of motor vehicles, except for parts and accessories.

B. Use Listing

Apparel, Piece Goods, and Notions
Beer, Wine and Distilled Alcoholic Beverages
Chemicals and Allied Products
Drugs, Drug Proprietaries, and Sundries
Electrical Goods and Appliances
Farm Products Raw Materials
Farm Supplies
Furniture and Home Furnishings

Groceries and Related Products
Hardware, Plumbing, and Heating Equipment and
Supplies
Lumber and Other Construction Materials
Machinery, Equipment, and Supplies
Metals and Minerals
Motor Vehicle and Automotive Parts and Supplies
Paints, Varnishes, and Supplies
Paper and Paper Products
Petroleum and Petroleum Products
Sporting, Recreational, Photographic, and Hobby
Goods
Tobacco and Tobacco Products
Toys and Supplies

2.037 INDUSTRIAL ACTIVITIES: CLASS AND TYPES

2.037.1 ACTIVITY TYPE - MANUFACTURING LIMITED

A. Intent and Limitations

This grouping is intended to include manufacturing activities that include on-site production of goods by methods other than agricultural or extractive in nature.

B. Use Listing

1. These activities include manufacturing operations involving the compounding, processing, assembling, packaging, treatment or fabrication of materials necessary to create the following products:

Apparel Accessories, such as hats, jewelry, and umbrellas
Art Objects
Bakery Goods
Beverages (non alcoholic)
Dairy Products
Instruments for Scientific, Medical, Dental,
Engineering, and Other Professional Purposes
Optical Instruments and Lens
Printed Matter
Signs

All activities and operations within this grouping shall in all respects comply on a continuous basis with the performance standards applicable within the I-1 (Light Industrial District).

2. In addition to the manufacturing of the above products, the following activities and operations are held to be limited manufacturing activity:

Book Binding
Data Processing Service
Photocopying
Photoengraving
Precision Machining of Dies, Jigs, and
Fixtures

Printing
Publishing
Record Pressing
Upholstering

2.037.2 ACTIVITY TYPE - MANUFACTURING INTERMEDIATE

A. Intent and Limitations

This grouping is intended to include a broad range of manufacturing operations. All activities and operations within this grouping shall in all respects comply on a continuous basis with the performance standards applicable within any Industrial District. The grouping includes the manufacture, compounding, assembling, packaging, treatment or fabrication of various products, except the following:

Cotton Seed Oil
Explosives
Fireworks
Organic Fertilizers

B. Use Listing

Subject to the general intent and limitations set out above for this type of manufacturing use grouping all types of variations of manufacturing activities and operations excepting the following shall be considered intermediate manufacturing.

Abrasive, Asbestos, and Non-metallic
Mineral Processing
Arsenals
Asphaltic Cement Plants
Atomic Reactors
Automobile Wrecking Yards
Cement and/or Concrete Plants
Chemicals Manufacturing in excess
of 1 ton per day
Cotton Ginning
Fat Rendering
Foundries
Grain Milling
Junk Yards
Offal Processing
Lumber and Wood Products Manufacturing
Meat Products Manufacturing
Dying and Finishing of Textiles
Primary Metal Industries
Ordinance and Accessories Manufacturing
Automotive, Truck, and Vehicle Assembly
Manufacturing

2.037.3 ACTIVITY TYPE - MANUFACTURING EXTENSIVE

A. Intent and Limitations

This grouping is intended to include all Intermediate Manufacturing Activities (described in A and B above) and the exceptions listed above for that grouping, except the uses listed below in B.

B. Use Listing

The following activities are held to not fall within the general definitions of extensive manufacturing activities.*

Arsenals
Atomic Reactors
Explosives Manufacturing and Storage
Fireworks Manufacturing
Radioactive Waste Handling
Solid Waste Disposal (Landfill)

2.038 AGRICULTURAL, AND EXTRACTIVE ACTIVITIES CLASS AND TYPES

2.038.1 ACTIVITY TYPE - AGRICULTURAL SERVICES

A. Intent and Limitations

This grouping is intended to include a variety of service functions which are directly linked to the agricultural activities which these functions support.

B. Use Listing

Crop Drying, Storage, and Processing Services
Crop Planting, Cultivating, and Protection
Services
Horticultural Services
Soil Preparation Services
Veterinary Services for Livestock

2.038.2 ACTIVITY TYPE - CROP AND ANIMAL RAISING

A. Intent and Limitations

This grouping is intended to include the raising of tree, vine, field, forage, and other plant crops intended to provide food or fiber, as well as keeping, grazing, or feeding animals for animal products, animal increase, or value increase, but specifically excluding commercial feed lots and facilities for the processing, packaging, or treatment of agricultural products.

*The definitions of Extensive Manufacturing Activities may be expanded to include these exceptions upon the consideration of a specific proposed use by the Board of Zoning Appeals. If any of these uses are considered to be extensive manufacturing activities by the Board, they shall then be considered as special exceptions in the I-2 Zoning District.

2.038.3 ACTIVITY TYPE - FEED LOTS AND STOCKYARDS

A. Intent and Limitations

This grouping is intended to include facilities and operations involved in the storage and feeding (other than pasture grazing) of animals for resale or slaughter.

B. Use Listing

Feed Lots
Stockyards

2.038.4 ACTIVITY TYPE - MINING, AND QUARRYING

A. Intent and Limitations

This grouping is intended to includes operations and facilities either utilized by, or in support of the extraction of minerals, ores, petroleum, and natural gas or in the quarrying and collection of stone, sand, and gravel, clay, and other non-metallic minerals (such as phosphate rock).

B. Use Listing

Chemical Fertilizer and Non-metallic Mineral
Mining
Clay, Ceramic, and Refractory Minerals
Coal Mining
Crude Petroleum and Natural Gas Production
and Field
Metal Ore and Mineral Mining
Sand and Gravel Quarrying
Stone Quarrying

2.038.5 ACTIVITY TYPE - PLANT AND FOREST NURSERIES

A. Intent and Limitations

This grouping is intended to include the cultivation for sale of horticultural specialties, such as flowers, shrubs, and trees, intended for ornamental, landscaping, or tree planting purposes.

B. Use Listing

Forest Nursery
Plant Nursery