

## Article 4 Uses by Zoning Districts

### Section 4-1 Permissible Uses and Specific Exclusions

- (A) Because the list of permissible uses set forth in the Table of Uses by Districts cannot be all inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed ones.
- (B) Uses that are not listed in the Table of Uses by Districts even with the liberal interpretation mandated by subsection 4-1.(A), are prohibited.
- (C) Without limiting the generality of the foregoing provisions, the following uses are prohibited as specified below:
- (1) No additional Class C manufactured dwelling units may be located in the planning area (Either inside the corporate limits or in the ETJ). However, existing units may remain subject to provisions of this ordinance regarding nonconforming uses (*See Article 11*) and subject to any other ordinances.
  - (2) Class A (doublewides) or Class B (singlewides) shall not be located on any lot fronting on Main Street.
  - (3) The manufacturing, processing, fabrication, and/or bulk storage of acetylene gas (accept for use on premises) explosives, fireworks, ammunition or matches.
  - (4) Scrap and waste materials salvage yards (SIC 5015)
  - (5) Chemical, paints, and allied products manufacturing (SIC 2800)
  - (6) Metal fabrication products (SIC 3400)
  - (7) Junk or salvage yards
  - (8) Agriculture production-livestock as specified in SIC 02; particularly, intense livestock operations such as commercial chicken, turkey, and hog operations (see Definition in Article 17)

## **Section 4-2      Accessory Uses**

- (A) The Table of Uses by Districts classifies different principal uses according to their different impacts. Whenever an activity (which may or may not be separately listed as a principal use in this table) is conducted in conjunction with another principal use and the former use (i) constitutes only an incidental or insubstantial part of the total activity that takes place on a lot, or (ii) is commonly associated with the principal use and integrally related to it, then the former use may be regarded as accessory to the principal use and may be carried on underneath the umbrella of the permit issued for the principal use. For example, a swimming pool is an accessory to a dwelling which is a principal use in a residential district.
- (B) The following activities, so long as they satisfy the general criteria set forth above, are specifically regarded as accessory to residential principal uses:
- (1) offices or studios within an enclosed building and used by an occupant of a residence located on the same lot as such building to carry on administrative or artistic activities of a commercial nature, so long as such activities do not fall within the definition of a home occupation;
  - (2) hobbies or recreational activities of a noncommercial nature; and,
  - (3) the renting out of one or two rooms within a single-family residence to not more than two persons who are not part of the family that resides in the single-family dwelling.

## **Section 4-3      Permissible Uses Not Requiring Permits**

Notwithstanding any other provisions of this ordinance, no zoning or conditional-use permit is necessary for the following uses:

- (1) roads;
- (2) electric power, telephone, cable television, gas, water and sewer lines, wires or pipes, together with supporting poles or structures, located within a public right-of-way.

<b>P = Permitted by Right; C = Conditional Use Approved by Town Board/Board of Adjustment, as specified</b>	<b>RA</b>	<b>R 15</b>	<b>R 15 R</b>	<b>H</b>	<b>R MF</b>	<b>B1</b>	<b>B2</b>	<b>M 1</b>	<b>M 2</b>
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<b>Accessory Uses and Structures</b>									
Accessory Uses and Structures (customary), subject to the development criteria in Article 6, Section 6-1	P	P	P	P	P	P	P	P	P
<b>Agriculture Uses</b>									
Agriculture Production-Crops (SIC 01) Intensive Life stock Operations as defined in Article 17 is specifically prohibited in the planning area	P	P	P			P	P	P	P
<b>Educational/Institutional</b>									
Cemeteries	P								
Churches	P	P	P	P	P	P			
Clubs (non-profit organizations such as Moose lodges, VFW, or Ruritans)	P	P	P						
Day Care Centers		P	P			P	P		
Government Offices (Town Hall)		P	P	P			P		
Post Office		P	P	P			P		
Public Safety Facilities, including fire, police		P	P				P		
Schools, public or private, K-12		P	P						
<b>Manufacturing</b>									
Light Manufacturing, provided no use specifically prohibited In Article 4, Section 4-1 is allowed and the use meets the general guidelines of light manufacturing as described In Article 3, Section 3-3.								P	P
Heavy manufacturing, provided no use specifically prohibited in Article 4, Section 4-1 is allowed and the use meets the general guidelines of heavy manufacturing as described n Article 3, Section 3-3									P
<b>Recreation Uses</b>									
Community Centers	P	P	P						
Public Parks	P	P	P						
<b>Residential</b>									
Bed and Breakfast Dwellings, subject to the development criteria in Article 6, Section 6-2	P	P	P	P					
Dwellings, Single Family, Detached (site-built and modular unit only)	P	P	P	P					
Dwelling, Single-Family, Manufactured Home, <b>Doublewides</b> (Class A) subject to the development criteria in Article 6, Sections 6-4. <i>However, No doublewides shall be located on any lot fronting on Main Street.</i>	P	P	P						

P = Permitted by Right; C = Conditional Use Approved by Town Board/Board of Adjustment, as specified	RA	R 15	R 15 R	H	R MF	B1	B2	M 1	M 2
Dwelling, Single-Family, Manufactured Home, <b>singlewides</b> (Class B), subject to the development criteria in Article 6, Section 6-5. <i>However, No singlewide manufactured unit shall be located on any lot fronting on Main Street.</i>	P	P							
Home Occupations, subject to the development criteria in Article 6, Section 6-3	P	P	P						
Family Care Homes	P	P	P	P	P				
Multi-family Dwellings, subject to the development criteria in Article 6, Section 6-6					C				
Planned Unit Developments (PUDs), subject to the development criteria in Article 6, Section 6-8	C	C	C	C					
<b>Retail Sales/Services</b>									
Accounting and Bookkeeping						P	P		
Agricultural Sales							P		
Appliance Store, sales and services						P	P		
Apparel and Accessory Stores						P	P		
Antique Stores						P	P		
Auto Parts, new only							P		
Auto Repair Shops (garage)							P		
Auto Sales							P		
Auto Service Stations						P	P		
Banks or other Financial Institutions						P	P		
Beauty shops/Barber Shops/Stylists						P	P		
Cabinet, Woodworking, and Upholstery Shops							P		
Craft /Curio Shops						P	P		
Convenience Stores with gas pumps							P		
Electrical Appliance, sales and service							P		
Electrical Equipment, repair shops							P		
Farm Equipment, sales and repair							P		
Feed and Grain, sales and storage							P		
Florists, including gift shops and commercial greenhouses						P	P		
Food and Grocery Stores						P	P		
Furniture Stores							P		
General Merchandise Stores, including the sale of fishing equipment and supplies						P	P		
Gift Shops						P	P		
Hardware Stores							P		
Insurance Agencies						P	P		
Jewelry Stores including watch repair						P	P		
Restaurants without drive-thru windows						P	P		
Restaurants with drive-thru windows							P		