

- (D) The provisions identified in Subsection (C) may not be a complete list of requirements that apply to a lot or use. Failure to include a specific provision in Subsection (C) or anywhere else in this division does not exempt the lot or use from complying with the provision.

23-4D-5030 Allowed Uses and Permit Requirements

(A) **Allowed Uses.**

- (1) Table (A) (Allowed Uses in Main Street Zones) establishes the land uses that are allowed in each main street zone.
 - (2) Each land use listed is defined in Article 23-3M (Definitions and Measurements).
 - (3) On the ground floor of a building along a primary street frontage, an allowed non-residential pedestrian oriented use is required. Lobbies to upper floor uses or lobbies to residential uses are allowed.
- (B) If a table identifies a permit requirement for the land use, then a property may not be used in that manner until the property owner or property operator obtains a permit.
- (C) If a land use is subject to additional requirements, the table identifies the section Division 23-4E-6 (Specific to Uses) that applies.
- (D) If a land use is marked "N/A" or is not included in the table, it is not allowed in the zone.

| Use Type | Specific to Use Requirements | MS1A | MS1B | MS2A | MS2B | MS2C | MS3A | MS3B |
|---------------------------------------|------------------------------|------|------|------|------|------|------|------|
| (1) Residential | | | | | | | | |
| Accessory Dwelling Unit - Residential | 23-4E-6030 | P | P | P | P | P | P | P |
| Accessory Dwelling Unit - Commercial | 23-4E-6040 | P | P | P | P | P | P | P |
| Bed and Breakfast | 23-4E-6090 | P | P | P | P | P | P | P |
| Cooperative Housing | | — | P | P | P | P | P | P |
| Duplex | 23-4E-6170 | — | P | P | P | P | P | P |
| Home Occupations | 23-4E-6200 | P | P | P | P | P | P | P |
| Live/Work | 23-4E-6210 | P | P | P | P | P | P | P |
| Multi-Family | 23-4E-6250 | — | P | P | P | P | P | P |
| Senior/Retirement Housing | | | | | | | | |
| ≤12 | 23-4E-6330 | P | P | P | P | P | P | P |
| >12 | 23-4E-6330 | P | P | P | P | P | P | P |

Key for Table 23-4D-5030(A)

| | | | |
|-----|---------------------------------|-------|---|
| P | Permitted Use | TUP | Temporary Use Permit Required |
| MUP | Minor Use Permit Required | — | Not Allowed |
| CUP | Conditional Use Permit Required | P/CUP | Permitted Use or Conditional Use Permit Required. See Division 23-4E-6 (Specific to Use). |

| Table 23-4D-5030(A) Allowed Uses in Main Street Zones MS1A–MS3B (continued) | | | | | | | | |
|---|------------------------------|------|------|------|------|------|------|------|
| Use Type | Specific to Use Requirements | MS1A | MS1B | MS2A | MS2B | MS2C | MS3A | MS3B |
| (1) Residential (continued) | | | | | | | | |
| Short-term Rental | | | | | | | | |
| Types 1 | 23-4E-6340 | P | P | P | P | P | P | P |
| Types 2 | 23-4E-6340 | — | — | — | — | — | — | — |
| Types 3 | 23-4E-6340 | P | P | P | P | P | P | P |
| Townhouse | | P | P | P | P | P | P | P |
| Work/Live | 23-4E-6380 | P | P | P | P | P | P | P |
| (2) Residential Support | | | | | | | | |
| No Residential Support uses allowed | | | | | | | | |
| (3) Services | | | | | | | | |
| Alternative Financial Services | 23-4E-6080 | — | — | — | — | — | CUP | CUP |
| Animal Service/Boarding | | | | | | | | |
| Level 1 | | P | P | P | P | P | P | P |
| Level 2 | | — | — | — | — | — | — | — |
| Level 3 | | — | — | — | — | — | — | — |
| Business and Financial/ Professional Services | | P | P | P | P | P | P | P |
| Commercial Services and Repair | | | | | | | | |
| No Outside Storage | | CUP | CUP | MUP | MUP | MUP | P | P |
| w/ Incidental Outside Storage | | CUP | CUP | CUP | CUP | CUP | P | P |
| Day Care | | | | | | | | |
| Small <7 | | P | P | P | P | P | P | P |
| Large 7 ≥ and ≤20 | | P | P | P | P | P | P | P |
| Commercial | | P | P | P | P | P | P | P |
| Drive Through, Retail, or Service Facility | 23-4E-6160 | — | — | — | CUP | CUP | MUP | MUP |
| Hotel/Motel | | P | P | P | P | P | P | P |
| Medical Services | | | | | | | | |
| <2,500 sf | | P | P | P | P | P | P | P |
| >2,500 sf | | CUP | CUP | P | P | P | P | P |

Key for Table 23-4D-5030(A)

| | | | |
|-----|---------------------------------|-------|---|
| P | Permitted Use | TUP | Temporary Use Permit Required |
| MUP | Minor Use Permit Required | — | Not Allowed |
| CUP | Conditional Use Permit Required | P/CUP | Permitted Use or Conditional Use Permit Required. See Division 23-4E-6 (Specific to Use). |

| Table 23-4D-5030(A) Allowed Uses in Main Street Zones MS1A–MS3B (continued) | | | | | | | | |
|---|------------------------------|------|------|------|------|------|------|------|
| Use Type | Specific to Use Requirements | MS1A | MS1B | MS2A | MS2B | MS2C | MS3A | MS3B |
| (3) Services (continued) | | | | | | | | |
| Personal Services | | | | | | | | |
| Non-restricted | | P | P | P | P | P | P | P |
| Restricted | | — | — | — | P | P | P | P |
| (4) Office | | | | | | | | |
| Office, General (non-medical) | | P | P | P | P | P | P | P |
| (5) Civic and Public Assembly | | | | | | | | |
| Government | | MUP | MUP | MUP | MUP | MUP | MUP | MUP |
| Library, Museum, or Public Art Gallery | | P | P | P | P | P | P | P |
| Meeting Facility (public or private) | | P | P | P | P | P | P | P |
| Public Safety Facility | | P | P | P | P | P | P | P |
| Religious Assembly Facility | | P | P | P | P | P | P | P |
| School | | | | | | | | |
| Business, or Trade | 23-4E-6320 | P | P | P | P | P | P | P |
| College or University | 23-4E-6320 | P | P | P | P | P | P | P |
| Private Primary | 23-4E-6320 | P | P | P | P | P | P | P |
| Private Secondary | 23-4E-6320 | P | P | P | P | P | P | P |
| Public Primary | 23-4E-6320 | P | P | P | P | P | P | P |
| Public Secondary | 23-4E-6320 | P | P | P | P | P | P | P |
| (6) Restaurant and Bars | | | | | | | | |
| Bar/Nightclub | | | | | | | | |
| Level 1 | | — | MUP | — | MUP | MUP | P | P |
| Level 2 | | — | — | — | — | — | MUP | MUP |
| Micro-Brewery/Micro-Distillery/Winery | | — | MUP | — | P | P | P | P |
| Mobile Food Sales | 23-4E-6230 | P | P | P | P | P | P | P |
| Restaurant | | | | | | | | |
| w/o Alcohol Sales | | P | P | P | P | P | P | P |
| w/ Alcohol Sales | 23-4E-6310 | — | MUP | — | MUP | MUP | P | P |
| Drive Through | 23-4E-6160 | — | — | — | CUP | CUP | MUP | MUP |
| Late Night Operation | 23-4E-6310 | CUP | CUP | CUP | CUP | CUP | CUP | CUP |

Key for Table 23-4D-5030(A)

| | | | |
|-----|---------------------------------|-------|---|
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| MUP | Minor Use Permit Required | — | Not Allowed |
| CUP | Conditional Use Permit Required | P/CUP | Permitted Use or Conditional Use Permit Required. See Division 23-4E-6 (Specific to Use). |

| Table 23-4D-5030(A) Allowed Uses in Main Street Zones MS1A–MS3B (continued) | | | | | | | | |
|---|------------------------------|------|------|------|------|------|------|------|
| Use Type | Specific to Use Requirements | MS1A | MS1B | MS2A | MS2B | MS2C | MS3A | MS3B |
| (7) Retail | | | | | | | | |
| Alcohol Sales | 23-4E-6070 | — | CUP | — | CUP | CUP | CUP | CUP |
| Food Sales | | P | P | P | P | P | P | P |
| General Retail | | | | | | | | |
| ≤ 5,000 sq ft | | P | P | P | P | P | P | P |
| >5,000 and ≤10,000 sf | | — | P | — | P | P | P | P |
| w/ Onsite Production | | — | P | — | P | P | P | P |
| w/ Outside Storage | 23-4E-6190 | — | — | — | — | — | CUP | CUP |
| (8) Entertainment and Recreation | | | | | | | | |
| Performance Venue/Theater | 23-4E-6260 | | | | | | | |
| Indoor | 23-4E-6260 | | | | | | | |
| ≤2,500 sf | 23-4E-6260 | MUP | MUP | P | P | P | P | P |
| 2,500-10,000 sf | 23-4E-6260 | CUP | CUP | MUP | MUP | MUP | P | P |
| > 10,000 sf | 23-4E-6260 | — | — | — | CUP | CUP | CUP | CUP |
| Outdoor | 23-4E-6260 | | | | | | | |
| ≤ 2,500 sf | 23-4E-6260 | — | — | MUP | MUP | MUP | P | P |
| 2,500-10,000 sf | 23-4E-6260 | — | — | — | CUP | CUP | CUP | CUP |
| Recreation | | | | | | | | |
| Indoor ≤ 5,000 sf | 23-4E-6290 | P | P | P | P | P | P | P |
| Indoor > 5,000 sf | 23-4E-6290 | CUP | CUP | CUP | CUP | CUP | CUP | CUP |
| Outdoor, Formal | 23-4E-6290 | MUP | MUP | MUP | MUP | MUP | MUP | MUP |
| Outdoor, Informal | 23-4E-6290 | P | P | P | P | P | — | — |
| Outdoor, Natural | 23-4E-6290 | P | P | P | P | P | P | P |
| Studio: art, dance, martial arts, music | 23-4E-6370 | P | P | P | P | P | P | P |
| (9) Industrial | | | | | | | | |
| No Industrial uses allowed | | | | | | | | |
| (10) Agriculture | | | | | | | | |
| Community Agriculture | 23-4E-6120 | MUP | MUP | MUP | MUP | MUP | MUP | MUP |
| (11) Automobile Related | | | | | | | | |
| Gas Station | 23-4E-6180 | — | — | — | CUP | CUP | CUP | CUP |
| Parking Facility | | — | — | — | — | — | CUP | CUP |

Key for Table 23-4D-5030(A)

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| P | Permitted Use | TUP | Temporary Use Permit Required |
| MUP | Minor Use Permit Required | — | Not Allowed |
| CUP | Conditional Use Permit Required | P/CUP | Permitted Use or Conditional Use Permit Required. See Division 23-4E-6 (Specific to Use). |

| Table 23-4D-5030(A) Allowed Uses in Main Street Zones MS1A–MS3B (continued) | | | | | | | | |
|---|------------------------------|------|------|------|------|------|------|------|
| Use Type | Specific to Use Requirements | MS1A | MS1B | MS2A | MS2B | MS2C | MS3A | MS3B |
| (12) Innovation and Technology | | | | | | | | |
| No Innovation and Technology uses allowed | | | | | | | | |
| (13) Other | | | | | | | | |
| Accessory Uses | 23-4E-6050 | P | P | P | P | P | P | P |
| Communications | 23-4E-6110 | P | P | P | P | P | P | P |
| Utilities | | | | | | | | |
| Local | | P | P | P | P | P | P | P |
| Major | | — | — | — | — | — | — | — |
| Telecommunications | 23-4E-6370 | P | P | P | P | P | P | P |
| Temporary Uses | 23-4B-1050 | TUP | TUP | TUP | TUP | TUP | TUP | TUP |
| Transit Terminal | | — | — | — | — | — | CUP | CUP |
| Special Uses | 23-4E-6350 | CUP | CUP | CUP | CUP | CUP | — | — |

Key for Table 23-4D-5030(A)

| | | | |
|-----|---------------------------------|-------|---|
| P | Permitted Use | TUP | Temporary Use Permit Required |
| MUP | Minor Use Permit Required | — | Not Allowed |
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