



Legislation Details (With Text)

File #: 110130 **Version:** 0

Type: Ordinance **Status:** Passed

File created: 5/24/2011 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 7/6/2011

Effective date:

Title: An ordinance repealing zoning regulations for adult entertainment establishments.

Sponsors: THE CHAIR

Indexes: BUSINESS - REGULATION, ZONING

Attachments: 1. Zoning Code Technical Committee Letter, 2. ZCTC Meeting Minutes 24-May-2011, 3. Audio from May 24 ZCTC Meeting, 4. Notice Published on 6-13-11 and 6-20-11, 5. Hearing Notice List, 6. City Plan Commission Letter, 7. Notice Published on 7-22-11

Date	Ver.	Action By	Action	Result	Tally
5/16/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/25/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
5/25/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/20/2011	0	CITY CLERK	PUBLISHED		
6/23/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/23/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/23/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/24/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/28/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
7/6/2011	0	COMMON COUNCIL	PASSED	Pass	15:0
7/15/2011	0	MAYOR	SIGNED		
7/22/2011	0	CITY CLERK	PUBLISHED		

110130
ORIGINAL

THE CHAIR

An ordinance repealing zoning regulations for adult entertainment establishments.

295-201-11 rp

295-201-659 am

295-203-10-h am

295-203-10-L rp

295-311-2-h-1 am

295-403-2-a (table) am
295-503-1 (table) am
295-503-2-i-3 am
295-603-1 (table) am
295-703-1 (table) am
295-803-1 (table) am
295-803-2-d-3 am
295-903-2-a (table) am
295-903-2-b-1-c am
295-905-2-a (table) am
295-905-2-b-4-c am
295-1015-3-b-1-c am

This ordinance eliminates the term “adult entertainment establishment” from the zoning code. Henceforth, the zoning regulations for an establishment that offers adult entertainment shall be the regulations for the underlying land use (e.g., tavern, assembly hall, etc.).
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-201-11 of the code is repealed.
(Note: The provision being repealed reads as follows:

295-201. Definitions.

11. ADULT ENTERTAINMENT ESTABLISHMENT means an establishment providing nude dancing or other live or recorded performances that depict, describe or relate to specified sexual activities: human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, oral copulation or sodomy; fondling or other erotic touching of human genitals (pubic region), buttocks or female breasts; or specified anatomical areas. This term does not include any establishment for which a license is required under ch. 90.)

Part 2. Section 295-201-659 of the code is amended to read:

659. THEATER means an establishment or facility for presenting motion pictures or live performances for observation by patrons. This term includes an outdoor state, bandshell or amphitheater ~~[[, but does not include an adult entertainment establishment]]~~.

Part 3. Section 295-203-10-h of the code is amended to read:

295-203. Use Definitions.

10. ENTERTAINMENT AND RECREATION USES.

h. “Theater” means an establishment or facility for presenting motion pictures or live performances for observation by patrons. This term includes an outdoor state, bandshell or amphitheater ~~[[, but does not include an adult entertainment establishment]]~~.

Part 4. Section 295-203-10-L of the code is repealed.
(Note: The provision being repealed reads as follows:

L. “Adult entertainment establishment” means an establishment providing nude dancing or other live

or recorded performances that depict, describe or relate to specified sexual activities: human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, oral copulation or sodomy; fondling or other erotic touching of human genitals (pubic region), buttocks or female breasts; or specified anatomical areas. This term does not include any establishment for which a license is required under ch. 90.)

Part 5. Section 295-311-2-h-1 of the code is amended to read:

295-311. Appeals.

2. SPECIAL USE PERMITS.

h. Additional Findings for Day Care Centers.

h-1. The proposed day care center will not be located within 500 feet of an adult retail establishment ~~[[or an adult entertainment establishment]]~~ .

Part 6. Table 295-403-2-a of the code is amended to read:

Table 295-403-2-a NUMBER OF PARKING SPACES REQUIRED, BY USE	
Uses	No. of Parking Spaces Required
RESIDENTIAL USES	
Single-family dwelling	min. of one space; max. of 4 spaces
Two-family dwelling	min. of one space per dwelling unit; max. of 4 spaces on the premises
Multi-family dwelling: Zoning Districts Min. ratio of parking spaces to dwelling units* RM1, RM2, RM3, RM4, RO1, NS1, LB1, RB1 1:1 RT4, RM5, RM6, RM7, RO2, NS2, LB2, RB2, CS, C9A, IM 2:3 * Note: In RM6, RM7, C9A and IM districts, a private elderly housing project shall have one parking space for every 2 dwelling units; in other zoning districts, a private elderly housing project shall have 2 parking spaces for every 3 dwelling units. Public housing for low-income families and public or federally-assisted low-income elderly housing projects shall provide one parking space for every 2 dwelling units.	
Attached single-family dwelling	min. of one space; max. of 4 spaces
Live-work unit	one for each live/work unit in the building
Mobile home	N.A.
Watchman/service quarters	none
Family day care home	see requirement for dwelling unit type
GROUP RESIDENTIAL USES	
Rooming house	one for every 2 rooms
Convent, rectory or monastery	one per facility
Dormitory	one for every 15 beds or fraction thereof
Fraternity or sorority	one for every 2 rooms
Adult family home	one
<i>Foster Homes</i>	
Foster family home	one
Small foster home	one

Group home or group foster home	one
<i>Shelter Care Facilities</i>	
Family shelter care facility	one
Small group shelter care facility	one
Large group shelter care facility	one
Community living arrangement	one
Transitional living facility	one per dwelling unit
EDUCATIONAL USES	
Day care center	None (limited use) or as required by the board (special use)
School, elementary or secondary	none
College	none
School, personal instruction	none
COMMUNITY-SERVING USES	
Library	none
Cultural institution	none
Community center	as required by the board for special use approval
Religious assembly	one for every 6 seats in the assembly hall
Cemetery or other place of interment	none
Public safety facility	none
Correctional facility	none
COMMERCIAL AND OFFICE USES	
General office	one for each 250 sq. ft. of the first 2,000 sq. ft. of gross floor area; one for each 1,000 sq. ft. of gross floor area in excess of 2,000 sq. ft.
Government office	see general office
Bank or other financial institution	see general office
Currency exchange, payday loan or title loan agency	see general retail establishment
Installment loan agency	see general retail establishment
Cash-for-gold business	see general retail establishment
Pawn shop	see general retail establishment
Retail establishment, general	one for each 500 sq. ft. of gross floor area on the first floor; one for each 1,000 sq. ft. of gross floor area on the 2 nd floor and above
Garden supply or landscaping center	see general retail establishment
Home improvement center	see general retail establishment
Secondhand store	see general retail establishment
Outdoor merchandise sales	one for each 500 sq. ft. of outdoor or indoor space devoted to the display of goods for sale
Artist studio	none
Adult retail establishment	see general retail establishment
HEALTH CARE AND SOCIAL ASSISTANCE USES	
Medical office	see general office

Health clinic	see general office
Hospital	one for every 4 beds
Medical research laboratory	see general office
Medical service facility	see general office
Social service facility	see general office
Emergency residential shelter	as required by the board for special use approval
Nursing home	one for every 4 beds
GENERAL SERVICE USES	
Personal service establishment	see general office
Business service	see general office
Building maintenance service	see general office
Catering service	see general office
Funeral home	one for each 100 square feet of floor area of a chapel, parlor or other room used for funeral services, but not less than 4 spaces
Laundromat	see general retail establishment
Dry cleaning establishment	see general retail establishment
Furniture and appliance rental and leasing	see general retail establishment
Household maintenance and repair service	see general retail establishment
Tool/equipment rental facility	see general retail establishment
<i>Animal Services</i>	
Animal hospital/clinic	see general retail establishment
Animal boarding facility	see general retail establishment
Animal grooming or training facility	see general retail establishment
MOTOR VEHICLE USES	
<i>Light Motor Vehicle</i>	
Sales facility	none (permitted use) or as required by the board (special use)
Rental facility	none (permitted or limited use) or as required by the board (special use)
Repair facility	as required by the board for special use approval
Body shop	none (permitted use) or as required by the board (special use)
Outdoor storage	none (permitted use) or as required by the board (special use)
Wholesale facility	none
<i>Heavy Motor Vehicle</i>	
Sales facility	none (permitted use) or as required by the board (special use)
Rental facility	none (permitted use) or as required by the board (special use)
Repair facility	none (permitted use) or as required by the board (special use)
Body shop	none (permitted use) or as required by the board (special use)
Outdoor storage	none (permitted use) or as required by the board (special use)
<i>General Motor Vehicle</i>	
Filling station	as required by the board for special use approval

Car wash	none
Drive-through facility	none
Parking	
Parking lot, principal use	N.A.
Parking lot, accessory use	N.A.
Parking structure, principal use	N.A.
Parking structure, accessory use	N.A.
Heavy motor vehicle parking lot, principal	N.A.
Heavy motor vehicle parking lot, accessory	N.A.
ACCOMMODATION AND FOOD SERVICE USES	
Bed and breakfast	one for each sleeping room, plus one additional space
Hotel, commercial	one for every 1,000 square feet, or fraction thereof, of gross floor area on the ground floor or above
Hotel, residential	one for every 2 sleeping rooms
Tavern	see general retail establishment
Assembly hall	one for every 1,000 square feet of gross floor area or fraction thereof
Restaurant, sit-down	see general retail establishment
Restaurant, fast-food/carry-out	see general retail establishment
ENTERTAINMENT AND RECREATION USES	
Park or playground	none
Festival grounds	none
Recreation facility, indoor	see general retail establishment
Recreation facility, outdoor	as required by the board for special use approval
Health club	see general retail establishment
Sports facility	as required by the board for special use approval
Gaming facility	N.A.
Theater	one for every 100 square feet of floor area in the theater auditorium
Convention and exposition center	as required by the board for special use approval
Marina	none
Outdoor racing facility	as required by the board for special use approval
[[Adult entertainment establishment	see general retail establishment]]
STORAGE, RECYCLING AND WHOLESALE TRADE USES	
Recycling collection facility	none
Mixed-waste processing facility	none
Material reclamation facility	none
Salvage operation, indoor	none
Salvage operation, outdoor	none
Wholesale and distribution facility, indoor	none
Wholesale and distribution facility, outdoor	none

Warehouse and distribution facility, outdoor	none
Storage Facilities	
Indoor	none
Outdoor	none
Hazardous materials	none
TRANSPORTATION USES	
Ambulance service	see general office
Ground transportation service	see general office
Passenger terminal	none
Helicopter landing facility	none
Airport	none
Ship terminal or docking facility	none
Truck freight terminal	none
Railroad switching, classification yard or freight terminal	none
INDUSTRIAL USES	
Manufacturing, light	none
Manufacturing, heavy	none
Manufacturing, intense	none
Research and development	none
Processing or recycling of mined materials	none
Contractor's shop	see general office
Contractor's yard	none
AGRICULTURAL USES	
Plant nursery or greenhouse	none
Raising of crops or livestock	none
UTILITY AND PUBLIC SERVICE USES	
Broadcasting or recording studio	see general office
Transmission tower	see general office
Water treatment plant	see general office
Sewerage treatment plant	see general office
Power generation plant	see general office
Substation/distribution equipment, indoor	see general office
Substation/distribution equipment, outdoor	see general office
TEMPORARY USES	
Seasonal market	none
Temporary real estate sales office	none
Temporary concrete/batch plant	none
Live entertainment special event	none

Part 7. Table 295-503-1 of the code is amended to read:

Table 295-503-1 RESIDENTIAL DISTRICTS USE TABLE

Y = Permitted Zoning Districts

Uses	RS1-RS5	RS6	RT1-RT3	RT4	RM1-RM2	RM3-RM7	RO1
RESIDENTIAL USES							
Single-family dwell	Y	Y	Y	Y	Y	Y	Y
Two-family dwellin	L	L	Y	Y	Y	Y	Y
Multi-family dwellin	N	N	L	L	Y	Y	Y
Attached single-far	N	N	L	L	Y	Y	Y
Live-work unit	N	N	N	L	L	L	Y
Mobile home	N	N	N	N	N	N	N
Watchman/service	N	N	N	N	N	N	N
Family day care ho	L	L	L	L	L	L	L
GROUP RESIDENTIAL USES							
Rooming house	N	N	N	S	S	S	S
Convent, rectory o	Y	Y	Y	Y	Y	Y	Y
Dormitory	N	N	N	S	S	S	S
Fraternity or sorori	N	N	N	S	S	S	S
Adult family home	L	L	L	L	L	L	L
<i>Foster Homes</i>							
Foster family hor	Y	Y	Y	Y	Y	Y	Y
Small foster hom	L	L	L	L	L	L	L
Group home or g	L	L	L	L	L	L	L
<i>Shelter Care Facili</i>							
Family shelter ca	Y	Y	Y	Y	Y	Y	Y
Small group shel	L	L	L	L	L	L	L
Large group shel	N	N	N	S	S	S	S
Community living a	L	L	L	L	L	L	L
Transitional	N	N	N	S	S	S	S
EDUCATIONAL USES							
Day care center	L	L	L	L	L	L	L
School, elementary	Y	Y	Y	Y	Y	Y	Y
College	N	N	N	S	S	S	Y
School, personal in	N	L	N	L	N	L	Y
COMMUNITY-SERVING USES							
Library	Y	Y	Y	Y	Y	Y	Y
Cultural institution	N	L	N	L	L	L	L
Community center	N	S	N	S	S	S	S
Religious assembly	Y	Y	Y	Y	Y	Y	Y
Cemetery or other	N	N	N	N	N	N	N

Public safety facility	Y	Y	Y	Y	Y	Y	Y
Correctional facility	N	N	N	N	N	N	N
COMMERCIAL AND OFFICE USES							
General office	N	L	N	L	N	L	Y
Government office	N	L	N	L	N	L	Y
Bank or other financial	N	L	N	L	N	L	Y
Currency exchange	N	N	N	N	N	N	N
Installment loan agency	N	N	N	N	N	N	N
Cash-for-gold business	N	N	N	N	N	N	N
Pawn shop	N	N	N	N	N	N	N
Retail establishment	N	L	N	L	N	L	L
Garden supply or landscape	N	N	N	N	N	N	N
Home improvement	N	N	N	N	N	N	N
Secondhand store	N	N	N	N	N	N	S
Outdoor merchandise	N	N	N	N	N	N	N
Artist studio	N	L	N	L	N	L	Y
Adult retail establishment	N	N	N	N	N	N	N
HEALTH CARE AND SOCIAL ASSISTANCE USES							
Medical office	N	L	N	L	N	L	Y
Health clinic	N	N	N	N	N	S	S
Hospital	N	N	N	N	N	N	N
Medical research laboratory	N	N	N	N	N	N	N
Medical service facility	N	N	N	N	N	N	N
Social service facility	N	N	N	S	N	S	S
Emergency residence	N	N	N	N	S	S	S
Nursing home	N	S	N	S	S	S	S
GENERAL SERVICE USES							
Personal service	N	L	N	L	N	L	Y
Business service	N	S	N	S	N	S	L
Building maintenance	N	N	N	N	N	N	N
Catering service	N	L	N	L	N	L	L
Funeral home	N	L	N	L	N	L	Y
Laundromat	N	N	N	N	N	N	L
Dry cleaning establishment	N	L	N	L	N	L	L
Furniture and appliance	N	N	N	N	N	N	N
Household maintenance	N	N	N	N	N	N	N
Tool/equipment rental	N	N	N	N	N	N	N
Animal Services							
Animal hospital/clinic	N	N	N	N	N	N	N

Animal boarding	N	N	N	N	N	N	N
Animal grooming	N	N	N	N	N	N	N
MOTOR VEHICLE USES							
Light Motor Vehicle							
Sales facility	N	N	N	N	N	N	N
Rental facility	N	N	N	N	N	N	N
Repair facility	N	N	N	N	N	N	N
Body shop	N	N	N	N	N	N	N
Outdoor storage	N	N	N	N	N	N	N
Wholesale facility	N	N	N	N	N	N	N
Heavy Motor Vehicle							
Sales facility	N	N	N	N	N	N	N
Rental facility	N	N	N	N	N	N	N
Repair facility	N	N	N	N	N	N	N
Body shop	N	N	N	N	N	N	N
Outdoor storage	N	N	N	N	N	N	N
General Motor Vehicle							
Filling station	N	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	N
Drive-through facility	N	N	N	N	N	N	N
Parking							
Parking lot, principal	N	S	N	S	S	S	S
Parking lot, accessory	Y	L	Y	L	Y	L	Y
Parking structure	N	N	N	N	N	S	S
Parking structure	N	N	N	N	Y	Y	Y
Heavy motor vehicle	N	N	N	N	N	N	N
Heavy motor vehicle	N	N	N	N	N	N	N
ACCOMMODATION AND FOOD SERVICE USES							
Bed and breakfast	S	L	L	L	L	L	Y
Hotel, commercial	N	N	N	N	N	N	N
Hotel, residential	N	N	N	N	N	N	N
Tavern	N	L	N	L	N	L	N
Assembly hall	N	N	N	N	N	N	N
Restaurant, sit-down	N	L	N	L	N	L	Y
Restaurant, fast-food	N	L	N	L	N	L	L
ENTERTAINMENT AND RECREATION USES							
Park or playground	Y	Y	Y	Y	Y	Y	Y
Festival grounds	N	N	N	N	N	N	N
Recreation facility	N	N	N	N	N	N	S

Recreation facility, p	N	N	N	N	N	N	N
Recreation facility,	N	N	N	N	N	N	N
Health club	N	N	N	N	N	N	Y
Sports facility	N	N	N	N	N	N	N
Gaming facility	N	N	N	N	N	N	N
Theater	N	N	N	N	N	N	L
Convention and ex	N	N	N	N	N	N	N
Marina	N	N	N	N	N	N	N
Outdoor racing fac	N	N	N	N	N	N	N
[[N N N N N N N N]]							

STORAGE, RECYCLING AND WHOLESALE TRADE USES

Recycling collectio	N	N	N	N	N	N	S
Mixed-waste proce	N	N	N	N	N	N	N
Material reclamatio	N	N	N	N	N	N	N
Salvage operation,	N	N	N	N	N	N	N
Salvage operation,	N	N	N	N	N	N	N
Wholesale and dis	N	N	N	N	N	N	N
Wholesale and dis	N	N	N	N	N	N	N
<i>Storage Facilities</i>							
Indoor	N	N	N	N	N	N	N
Outdoor	N	N	N	N	N	N	N
Hazardous mate	N	N	N	N	N	N	N

TRANSPORTATION USES

Ambulance service	N	N	N	N	N	N	N
Ground transportat	N	N	N	N	N	N	N
Passenger termina	N	N	N	N	N	N	N
Helicopter landing	N	N	N	N	N	N	N
Airport	N	N	N	N	N	N	N
Ship terminal or do	N	N	N	N	N	N	N
Truck freight termin	N	N	N	N	N	N	N
Railroad switching,	N	N	N	N	N	N	N

INDUSTRIAL USES

Manufacturing, ligh	N	N	N	N	N	N	N
Manufacturing, hea	N	N	N	N	N	N	N
Manufacturing, inte	N	N	N	N	N	N	N
Research and deve	N	N	N	N	N	N	N
Processing or recy	N	N	N	N	N	N	N
Contractor's shop	N	N	N	N	N	N	N
Contractor's yard	N	N	N	N	N	N	N

AGRICULTURAL USES

AGRICULTURAL USES

Plant nursery or gr	Y	Y	Y	Y	Y	Y	Y
Raising of crops or	Y	Y	Y	Y	Y	Y	Y

UTILITY AND PUBLIC SERVICE USES

Broadcasting or re	N	N	N	N	N	N	N
Transmission tow	L	L	L	L	L	L	L
Water treatment pl	S	S	S	S	S	S	S
Sewage treatment	N	N	N	N	N	N	N
Power generation	N	N	N	N	N	N	N
Substation/distrib	S	S	S	S	S	S	S
Substation/distrib	L	L	L	L	L	L	L

TEMPORARY USES

Seasonal market	L	L	L	L	L	L	L
Temporary real est	L	L	L	L	L	L	L
Concrete/batch pla	L	L	L	L	L	L	L
Live entertainment	L	L	L	L	L	L	L

Part 8. Section 295-503-2-i-3 of the code is amended to read:

295-503. Uses.**2. LIMITED USE STANDARDS.****i. Day Care.**

i-3. For any day care center other than an adult day care center, the facility shall not be located within 500 feet of an adult retail establishment ~~[[or an adult entertainment establishment]].~~

Part 9. Table 295-603-1 of the code is amended to read:

Table 295-603-1 COMMERCIAL DISTRICTS USE TABLE							
Y = Permitted	Zoning Districts						
Uses	NS1	NS2	LB1	LB2	RB1	RB2	CS
RESIDENTIAL USES							
Single-fam	Y	Y	Y	Y	Y	Y	Y
Two-family	Y	Y	Y	Y	Y	Y	Y
Multi-fam	Y	Y	Y	Y	Y	Y	Y
Attached	Y	Y	Y	Y	Y	Y	Y
Live-work	Y	Y	Y	Y	Y	Y	Y
Mobile ho	N	N	N	N	N	N	N
Watchma	N	N	N	N	N	N	N
Family day	L	L	L	L	L	L	L

GROUP RESIDENTIAL USES							
Rooming	S	S	S	S	S	S	S
Convent, Y	Y	Y	Y	Y	Y	Y	Y
Dormitory	S	S	S	S	S	S	S
Fraternity	S	S	S	S	S	S	S
Adult family	L	L	L	L	L	L	L
Foster Home							
Foster family	Y	Y	Y	Y	Y	Y	Y
Small family	L	L	L	L	L	L	L
Group home	L	L	L	L	L	L	L
Shelter Care							
Family services	Y	Y	Y	Y	Y	Y	Y
Small group	L	L	L	L	L	L	L
Large group	S	S	S	S	S	S	S
Community	L	L	L	L	L	L	L
Transition	S	S	S	S	S	S	S
EDUCATIONAL USES							
Day care center	S	S	S	S	S	S	S
School, elementary	Y	Y	Y	Y	Y	Y	Y
College	Y	Y	Y	Y	Y	Y	Y
School, personal	Y	Y	Y	Y	Y	Y	Y
COMMUNITY-SERVING USES							
Library	Y	Y	Y	Y	Y	Y	Y
Cultural institution	Y	Y	Y	Y	Y	Y	Y
Community center	S	S	S	S	S	S	S
Religious assembly	S	S	S	S	Y	Y	Y
Cemetery or other	N	N	N	N	N	N	N
Public safety facility	Y	Y	Y	Y	Y	Y	Y
Correctional facility	N	N	N	N	N	N	N
COMMERCIAL AND OFFICE USES							
General office	Y	Y	Y	Y	Y	Y	Y
Government office	Y	Y	Y	Y	Y	Y	Y
Bank or other financial	Y	Y	Y	Y	Y	Y	Y
Currency exchange	S	S	S	S	S	S	S
Installment	S	S	S	S	S	S	S
Cash-for-gold	S	S	S	S	S	S	S
Pawn shop	S	S	S	S	S	S	S
Retail establishment	L	L	L	L	L	L	L
Garden supply or	N	N	Y	Y	Y	Y	Y

Home improvement	N	N	S	S	Y	Y	Y
Secondhand store	S	S	S	S	S	S	S
Outdoor merchant	S	S	S	S	S	S	S
Artist studio	Y	Y	Y	Y	Y	Y	Y
Adult retail establishment	N	N	N	N	S	S	N
HEALTH CARE AND SOCIAL ASSISTANCE USES							
Medical office	Y	Y	Y	Y	Y	Y	Y
Health clinic	S	S	S	S	S	S	S
Hospital	N	N	S	S	S	S	S
Medical research	N	N	S	S	S	S	Y
Medical service facility	N	N	S	S	S	S	S
Social service facility	S	S	S	S	S	S	S
Emergency residence	S	S	S	S	S	S	S
Nursing home	S	S	Y	Y	Y	Y	Y
GENERAL SERVICE USES							
Personal services	Y	Y	Y	Y	Y	Y	Y
Business services	Y	Y	Y	Y	Y	Y	Y
Building maintenance	N	N	S	S	Y	Y	Y
Catering service	Y	Y	Y	Y	Y	Y	Y
Funeral home	Y	Y	Y	Y	Y	Y	Y
Laundromat	Y	Y	Y	Y	Y	Y	Y
Dry cleaning establishment	Y	Y	Y	Y	Y	Y	Y
Furniture and appliances	S	S	Y	Y	Y	Y	Y
Household maintenance	Y	Y	Y	Y	Y	Y	Y
Tool/equipment rental	Y	Y	Y	Y	Y	Y	Y
Animal Services							
Animal hospital	L	L	L	L	L	L	L
Animal boarding	L	L	L	L	L	L	L
Animal grooming	L	L	L	L	L	L	L
MOTOR VEHICLE USES							
Light Motor Vehicle							
Sales facility	N	N	S	S	Y	Y	S
Rental facility	L	L	L	L	Y	Y	Y
Repair facility	N	N	S	S	S	S	S
Body shop	N	N	S	S	S	S	S
Outdoor storage	N	N	S	S	S	S	S
Wholesale facility	L	L	L	L	L	L	L
Heavy Motor Vehicle							
Sales facility	N	N	S	S	S	S	S

Rental facility	N	N	S	S	S	S	S
Repair facility	N	N	N	N	S	S	N
Body shop	N	N	N	N	S	S	N
Outdoor storage	N	N	N	N	S	S	N
General Motor Vehicle							
Filling station	N	N	S	S	S	S	S
Car wash	N	N	L	L	L	L	L
Drive-through fill	L	L	L	L	L	L	L
Parking							
Parking lot, private	L	L	Y	L	Y	L	L
Parking lot, access	Y	L	Y	L	Y	Y	Y
Parking structure	S	S	L	L	L	L	L
Parking structure	Y	L	Y	L	Y	Y	Y
Heavy motor vehicle	N	N	S	S	S	S	S
Heavy motor vehicle	S	S	S	S	S	S	S
ACCOMMODATION AND FOOD SERVICE USES							
Bed and breakfast	Y	Y	Y	Y	Y	Y	Y
Hotel, commercial	Y	Y	Y	Y	Y	Y	Y
Hotel, residential	Y	Y	Y	Y	Y	Y	Y
Tavern	L	L	Y	Y	Y	Y	Y
Assembly hall	S	S	S	S	S	S	S
Restaurant, sit-down	Y	Y	Y	Y	Y	Y	Y
Restaurant, fast-food	L	L	L	L	L	L	L
ENTERTAINMENT AND RECREATION USES							
Park or playground	Y	Y	Y	Y	Y	Y	Y
Festival grounds	N	N	N	N	N	N	N
Recreation facility	S	S	S	S	S	S	S
Recreation facility	S	S	S	S	S	S	S
Health club	Y	Y	Y	Y	Y	Y	Y
Sports facility	N	N	S	S	S	S	S
Gaming facility	N	N	N	N	N	N	N
Theater	L	L	Y	Y	Y	Y	Y
Convention and center	N	N	S	S	S	S	S
Marina	Y	Y	Y	Y	Y	Y	Y
Outdoor racing facility	N	N	N	N	N	N	N
[[A]]	N	N	N	S	S	N]]	
STORAGE, RECYCLING AND WHOLESALE TRADE USES							
Recycling collection	S	S	S	S	S	S	S
Mixed-waste processing	N	N	N	N	N	N	N

Mixed waste processing	N	N	N	N	N	N	N
Material reclamation	N	N	N	N	N	N	N
Salvage operation	N	N	N	N	N	N	S
Salvage operation	N	N	N	N	N	N	N
Wholesale and distribution	S	S	L	L	L	L	Y
Wholesale and distribution	N	N	S	S	S	S	S
Storage Facilities							
Indoor	S	S	L	L	L	L	Y
Outdoor	N	N	S	S	S	S	S
Hazardous material	N	N	N	N	N	N	N
TRANSPORTATION USES							
Ambulance service	N	N	S	S	Y	Y	S
Ground transport	N	N	S	S	S	S	L
Passenger terminal	N	N	Y	Y	Y	Y	Y
Helicopter landing	N	N	S	S	S	S	S
Airport	N	N	N	N	N	N	N
Ship terminal or dock	N	N	N	N	N	N	N
Truck freight terminal	N	N	N	N	N	N	N
Railroad switching	N	N	N	N	N	N	N
INDUSTRIAL USES							
Manufacturing, light	N	N	L	L	L	L	L
Manufacturing, heavy	N	N	N	N	N	N	N
Manufacturing, iron	N	N	N	N	N	N	N
Research and development	N	N	S	S	S	S	S
Processing or refining	N	N	N	N	N	N	N
Contractor's shop	N	N	L	L	L	L	L
Contractor's yard	N	N	S	S	S	S	S
AGRICULTURAL USES							
Plant nursery or greenhouse	S	S	S	S	S	S	S
Raising of crops	S	S	S	S	S	S	S
UTILITY AND PUBLIC SERVICE USES							
Broadcasting or television	N	N	Y	Y	Y	Y	Y
Transmission tower	L	L	L	L	L	L	L
Water treatment	S	S	Y	Y	Y	Y	Y
Sewage treatment	N	N	N	N	N	N	N
Power generation	N	N	N	N	N	N	N
Substation/distribution	S	S	S	S	S	S	S
Substation/distribution	L	L	L	L	L	L	L
TEMPORARY USES							
Construction material	N	N	N	N	N	N	N

Seasonal market	L	L	L	L	L	L	L
Temporary real e	L	L	L	L	L	L	L
Concrete/batch p	L	L	L	L	L	L	L
Live entertainme	L	L	L	L	L	L	L

Part 10. Table 295-703-1 of the code is amended to read:

Table 295-703-1 DOWNTOWN DISTRICTS USE TABLE

Y = Permitted Use

L = Limit

Zoning Districts

Uses	C9A	C9B	C9C	C9D	C9E	C9F	C9G	C9H
RESIDENTIAL USES								
Single-family	Y	Y	L	L	L	L	L	N
Two-family	Y	Y	L	L	L	L	L	N
Multi-family	Y	Y	L	L	L	L	L	N
Attached s	Y	Y	L	L	L	L	L	N
Live-work u	Y	Y	L	L	L	L	L	S
Mobile hom	N	N	N	N	N	N	N	N
Watchman	N	N	N	N	N	N	N	Y
Family day	L	L	L	L	L	L	L	N
GROUP RESIDENTIAL USES								
Rooming h	S	S	S	S	S	S	S	N
Convent, re	Y	Y	Y	Y	Y	Y	Y	N
Dormitory	S	S	S	S	S	S	S	N
Fraternity c	S	S	S	S	S	S	S	N
Adult family	L	L	L	L	L	L	L	N
<i>Foster Hom</i>								
Foster fa	Y	Y	Y	Y	Y	Y	Y	N
Small fos	L	L	L	L	L	L	L	N
Group ho	L	L	L	L	L	L	L	N
<i>Shelter Ca</i>								
Family sh	Y	Y	Y	Y	Y	Y	Y	N
Small gro	L	L	L	L	L	L	L	N
Large gro	S	S	S	S	S	S	S	N
Community	L	L	L	L	L	L	L	N
Transitiona	S	S	S	S	S	S	S	N
EDUCATIONAL USES								
Day care c	S	S	S	S	S	S	S	S
School, ele	Y	Y	Y	Y	S	Y	Y	S
College	S	S	S	Y	S	S	Y	Y
School, pe	S	Y	Y	S	S	S	Y	S

COMMUNITY-SERVING USES								
Library	Y	Y	Y	Y	S	Y	Y	N
Cultural inst	L	L	Y	Y	S	Y	Y	N
Community	S	S	S	S	S	S	S	S
Religious a	Y	Y	Y	Y	L	Y	L	N
Cemetery	N	N	N	N	N	N	N	N
Public safe	Y	Y	Y	Y	Y	Y	Y	Y
Correctional	N	N	N	S	N	N	N	N
COMMERCIAL AND OFFICE USES								
General off	L	Y	Y	Y	L	Y	Y	Y
Government	L	Y	Y	Y	L	Y	Y	Y
Bank or oth	L	Y	Y	Y	Y	Y	Y	N
Currency ex	N	S	S	S	S	S	S	S
Installment	N	S	S	S	S	S	S	S
Cash-for-g	N	S	S	S	S	S	S	S
Pawn shop	N	S	S	S	S	S	S	S
Retail esta	L	Y	Y	S	Y	Y	Y	S
Garden sup	N	N	N	N	N	N	S	S
Home impr	N	N	N	N	N	N	N	S
Secondhar	N	S	S	N	S	S	Y	S
Outdoor m	S	S	S	N	S	S	Y	S
Artist studi	L	Y	Y	N	L	L	Y	S
Adult retail	N	N	N	N	N	N	S	S
HEALTH CARE AND SOCIAL ASSISTANCE USES								
Medical off	L	Y	Y	Y	L	Y	Y	Y
Health clini	S	S	S	S	L	Y	Y	N
Hospital	S	S	S	S	N	S	S	N
Medical res	N	S	S	S	S	Y	Y	Y
Medical se	N	N	N	N	S	S	S	S
Social serv	S	S	S	S	S	S	S	S
Emergency	N	S	S	S	N	N	S	N
Nursing ho	S	S	S	N	N	N	N	N
GENERAL SERVICE USES								
Personal s	L	Y	Y	S	Y	Y	Y	N
Business s	S	Y	Y	Y	L	Y	Y	Y
Building m	N	S	S	N	L	Y	Y	Y
Catering se	L	S	S	N	N	N	Y	Y
Funeral ho	N	S	S	N	N	N	Y	N
Laundroma	S	Y	Y	N	S	Y	Y	N

Dry cleaning	L	Y	Y	Y	Y	Y	Y	N
Furniture and fixtures	N	S	S	N	S	S	S	S
Household goods	N	Y	Y	N	Y	N	Y	Y
Tool/equipment	N	S	S	N	S	N	S	S
Animal Services								
Animal health	N	N	S	N	S	S	S	S
Animal boarding	N	N	N	N	N	N	N	N
Animal grooming	N	N	S	N	S	S	S	S
MOTOR VEHICLE USES								
Light Motor Vehicle								
Sales and service	N	N	N	N	N	N	S	Y
Rental fleet	N	L	L	L	L	L	L	L
Repair fleet	N	S	S	N	S	S	S	S
Body shop	N	N	N	N	N	N	N	S
Outdoor storage	N	N	N	N	N	N	N	S
Wholesale	N	L	L	N	L	L	L	L
Heavy Motor Vehicle								
Sales and service	N	N	N	N	N	N	N	S
Rental fleet	N	N	N	N	N	N	S	S
Repair fleet	N	N	N	N	N	N	N	S
Body shop	N	N	N	N	N	N	N	S
Outdoor storage	N	N	N	N	N	N	N	S
General Motor Vehicle								
Filling station	N	S	S	S	S	S	S	S
Car wash	N	S	S	S	S	S	S	S
Drive-through	N	S	S	S	S	S	S	S
Parking								
Parking lot	S	S	S	L	S	S	L	S
Parking lot	L	S	S	L	S	S	L	S
Parking space	S	S	L	S	L	L	S	S
IL	L	L	L	L	L	L	L	L
Heavy motor vehicle	N	N	S	S	S	S	S	Y
Heavy motor vehicle	S	S	S	S	S	S	S	Y
ACCOMMODATION AND FOOD SERVICE USES								
Bed and breakfast	S	Y	Y	N	L	L	Y	N
Hotel, commercial	S	Y	Y	Y	Y	Y	Y	N
Hotel, residential	Y	Y	Y	N	Y	Y	Y	N
Tavern	S	Y	Y	Y	Y	Y	Y	Y
Assembly hall	S	S	Y	Y	L	Y	Y	Y

Restaurant	L	Y	Y	Y	Y	Y	Y	Y
Restaurant	L	L	L	L	L	L	L	L
ENTERTAINMENT AND RECREATION USES								
Park or play	Y	Y	Y	Y	Y	Y	Y	Y
Festival gro	N	N	N	N	N	N	N	N
Recreation	S	S	Y	Y	Y	Y	Y	Y
Recreation	N	S	S	S	N	N	S	S
Health club	L	L	Y	Y	L	Y	Y	Y
Sports faci	S	S	Y	Y	Y	Y	Y	Y
Gaming fac	S	S	S	S	S	S	S	S
Theater	N	Y	Y	Y	Y	Y	Y	Y
Convention	N	N	N	Y	Y	Y	Y	N
Marina	N	Y	Y	Y	Y	Y	Y	Y
Outdoor ra	N	N	N	N	N	N	N	N
[[Adult ente	N	N	N	N	N	N	S	S]
STORAGE, RECYCLING AND WHOLESALE TRAD								
Recycling	N	S	S	N	N	N	S	S
Mixed-was	N	N	N	N	N	N	N	N
Material re	N	N	N	N	N	N	N	N
Salvage op	N	N	N	N	N	N	N	N
Salvage op	N	N	N	N	N	N	N	N
Wholesale	N	S	S	N	N	S	Y	Y
Wholesale	N	N	N	N	N	N	N	N
Storage Fa								
Indoor	N	S	S	N	N	S	Y	Y
Outdoor	N	N	N	N	N	N	N	N
Hazardou	N	N	N	N	N	N	N	N
TRANSPORTATION USES								
Ambulance	N	N	N	N	N	N	S	S
Ground tra	N	N	N	N	N	N	S	Y
Passenger	S	S	S	S	S	S	Y	Y
Helicopter	N	S	S	S	S	S	S	S
Airport	N	N	N	N	N	N	N	N
Ship termin	N	N	N	N	N	N	Y	Y
Truck freig	N	N	N	N	N	N	N	N
Railroad sv	N	N	N	N	N	N	Y	Y
INDUSTRIAL USES								
Manufactu	N	L	L	N	L	L	Y	Y
Manufactu	N	N	N	N	N	N	N	N

Manufacturing	N	N	N	N	N	N	N	N
Research and development	N	Y	Y	N	Y	Y	Y	Y
Processing	N	N	N	N	N	N	N	N
Contractor	N	N	N	N	N	N	S	Y
Contractor	N	N	N	N	N	N	S	Y
AGRICULTURAL USES								
Plant nursery	N	N	N	N	N	N	N	S
Raising of animals	N	N	N	N	N	N	N	N
UTILITY AND PUBLIC SERVICE USES								
Broadcasting	N	Y	Y	Y	L	Y	Y	Y
Transmission	L	L	L	L	L	L	L	L
Water treatment	S	S	S	S	S	S	S	S
Sewage treatment	S	S	S	S	S	S	S	S
Power generation	N	N	N	N	N	N	N	N
Substation	S	S	S	S	S	S	S	Y
Substation	L	L	L	L	L	L	L	Y
TEMPORARY USES								
Seasonal recreation	L	L	L	L	L	L	L	L
Temporary	L	L	L	L	L	L	L	L
Concrete/batch plant	L	L	L	L	L	L	L	L
Live entertainment	L	L	L	L	L	L	L	L

Part 11. Table 295-803-1 of the code is amended to read:

Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE				
Y = Permitted Use Prohibited Use	Zoning Districts			
Uses	IO1/ IO2	IL1/ IL2	IM	IH
RESIDENTIAL USES				
Single-family dwelling	N	N	Y	N
Two-family dwelling	N	N	Y	N
Multi-family dwelling	N	N	Y	N
Attached single-family	N	N	Y	N
Live-work unit	N	N	Y	N
Mobile home	N	N	N	N
Watchman/service quarters	Y	Y	Y	Y
Family day care home	N	N	Y	N
GROUP RESIDENTIAL USES				
Rooming house	N	N	S	N
Convent, rectory or monastery	N	N	Y	N

Dormitory	N	N	S	N
Fraternity or sorority	N	N	S	N
Adult family home	N	N	L	N
<i>Foster Homes</i>				
Foster family home	N	N	Y	N
Small foster home	N	N	L	N
Group home or gro	N	N	L	N
<i>Shelter Care Facilities</i>				
Family shelter care	N	N	Y	N
Small group shelter	N	N	L	N
Large group shelter	N	N	S	N
Community living arra	N	N	L	N
Transitional living fac	N	N	S	N
EDUCATIONAL USES				
Day care center	S	S	L	S
School, elementary o	N	N	Y	N
College	S	S	S	N
School, personal inst	S	S	S	N
COMMUNITY-SERVING USES				
Library	N	N	Y	N
Cultural institution	N	N	L	N
Community center	N	N	S	N
Religious assembly	N	N	S	N
Cemetery or other pla	N	N	N	N
Public safety facility	Y	Y	Y	Y
Correctional facility	N	N	N	N
COMMERCIAL AND OFFICE USES				
General office	Y	Y	Y	L
Government office	Y	Y	Y	L
Bank or other financ	S	S	Y	N
Currency exchange, i	N	N	S	N
Installment loan agen	N	N	S	N
Cash-for-gold busine	N	N	S	N
Pawn shop	N	N	S	N
Retail establishment,	N	N	Y	N
Garden supply or lan	N	Y	Y	N
Home improvement d	N	Y	Y	N
Secondhand store	N	N	S	N
Outdoor merchandise	N	N	L	N

Artist studio	N	Y	Y	N
Adult retail establish	N	N	S	N
HEALTH CARE AND SOCIAL ASSISTANCE				
Medical office	S	N	S	N
Health clinic	L	N	S	N
Hospital	N	N	N	N
Medical research lab	Y	Y	Y	N
Medical service facilit	N	S	N	N
Social service facility	N	S	S	N
Emergency residential	N	N	N	N
Nursing home	N	N	N	N
GENERAL SERVICE USES				
Personal service	N	N	Y	N
Business service	Y	S	Y	N
Building maintenance	S	Y	S	N
Catering service	S	Y	Y	N
Funeral home	N	N	N	N
Laundromat	N	N	Y	N
Dry cleaning establish	N	N	Y	N
Furniture and applian	N	N	Y	N
Household maintenanc	N	Y	Y	N
Tool/equipment renta	N	Y	Y	N
<i>Animal Services</i>				
Animal hospital/clin	N	Y	L	Y
Animal boarding fac	N	Y	L	Y
Animal grooming or	N	Y	L	Y
MOTOR VEHICLE USES				
<i>Light Motor Vehicle</i>				
Sales facility	L	S	S	S
Rental facility	L	S	S	S
Repair facility	L	S	S	L
Body shop	L	S	S	L
Outdoor storage	L	Y	S	Y
Wholesale facility	Y	Y	Y	Y
<i>Heavy Motor Vehicle</i>				
Sales facility	L	Y	S	Y
Rental facility	L	Y	S	Y
Repair facility	L	L	S	L
Body shop	L	L	S	L

Outdoor storage	L	S	S	Y
<i>General Motor Vehicle</i>				
Filling station	S	S	S	S
Car wash	S	S	S	S
Drive-through facility	S	S	S	S
<i>Parking</i>				
Parking lot, principal	Y	Y	L	Y
Parking lot, access	Y	Y	L	Y
Parking structure, principal	Y	Y	L	Y
Parking structure, access	Y	Y	L	Y
Heavy motor vehicle	S	L	L	Y
Heavy motor vehicle	Y	Y	Y	Y
ACCOMMODATION AND FOOD SERVICE USES				
Bed and breakfast	N	N	Y	N
Hotel, commercial	L	N	Y	N
Hotel, residential	N	N	Y	N
Tavern	L	L	Y	L
Assembly hall	S	S	S	N
Restaurant, sit-down	L	L	Y	L
Restaurant, fast-food	L	L	L	L
ENTERTAINMENT AND RECREATION USES				
Park or playground	S	S	S	S
Festival grounds	N	N	N	N
Recreation facility, indoor	N	S	S	N
Recreation facility, outdoor	N	N	S	N
Health club	L	L	Y	N
Sports facility	N	S	S	N
Gaming facility	N	S	N	N
Theater	N	N	Y	N
Convention and expo	S	N	S	N
Marina	Y	Y	Y	Y
Outdoor racing facility	N	N	N	S
[[Adult entertainment]]	N	N	N	N]]
STORAGE, RECYCLING AND WHOLESALE TRADE USES				
Recycling collection facility	S	Y	S	Y
Mixed-waste processing	N	L	S	L
Material reclamation	N	N	N	L
Salvage operation, indoor	L	L	L	L
Salvage operation, outdoor	N	S	S	S

Wholesale and distrib	Y	Y	Y	Y
Wholesale and distrib	S	Y	S	Y
Storage Facilities				
Indoor	Y	Y	Y	Y
Outdoor	N	Y	S	Y
Hazardous material	N	N	N	S
TRANSPORTATION USES				
Ambulance service	Y	Y	S	Y
Ground transportation	S	Y	S	Y
Passenger terminal	Y	Y	Y	Y
Helicopter landing fac	S	S	S	S
Airport	N	Y	N	N
Ship terminal or dock	N	Y	N	Y
Truck freight terminal	N	S	S	L
Railroad switching, cl	N	Y	Y	Y
INDUSTRIAL USES				
Manufacturing, light	Y	Y	Y	Y
Manufacturing, heavy	N	S	S	Y
Manufacturing, intens	N	N	N	S
Research and develop	Y	Y	Y	Y
Processing or recyclin	N	N	N	S
Contractor's shop	Y	Y	Y	Y
Contractor's yard	S	Y	Y	Y
AGRICULTURAL USES				
Plant nursery or gree	Y	Y	Y	Y
Raising of crops or liv	Y	Y	Y	Y
UTILITY AND PUBLIC SERVICE USES				
Broadcasting or recor	Y	S	Y	S
Transmission tower	L	L	L	L
Water treatment plan	Y	Y	Y	Y
Sewerage treatment	N	Y	N	Y
Power generation pla	N	S	N	Y
Substation/distributio	S	Y	S	Y
Substation/distributio	L	Y	L	Y
TEMPORARY USES				
Seasonal market	L	L	L	L
Temporary real estat	L	L	L	L
Concrete/batch plant	L	L	L	L
Live entertainment sp	L	L	L	L

Part 12. Section 295-803-2-d-3 of the code is amended to read:

295-803. Uses.

2. LIMITED USE STANDARDS.

d. Day Care.

d-3. For any day care center other than an adult day care center, the facility shall not be located within 500 feet of an adult retail establishment ~~[[or an adult entertainment establishment]].~~

Part 13. Table 295-903-2-a of the code is amended to read:

Table 295-903-2-a PARKS DISTRICT USE TABLE	
Y = Permitted Use Prohibited Use	L = Limited Use S = Zoning District
Uses	PK
RESIDENTIAL USES	
Single-family dwelling	N
Two-family dwelling	N
Multi-family dwelling	N
Attached single-family dwelling	N
Live-work unit	N
Mobile home	N
Watchman/service quarters	N
Family day care home	N
GROUP RESIDENTIAL USES	
Rooming house	N
Convent, rectory or monastery	N
Dormitory	N
Fraternity or sorority	N
Adult family home	N
<i>Foster Homes</i>	
Foster family home	N
Small foster home	N
Group home or group foster home	N
<i>Shelter Care Facilities</i>	
Family shelter care facility	N
Small group shelter care facility	N
Large group shelter care facility	N
Community living arrangement	N

Transitional living facility	N
EDUCATIONAL USES	
Day care center	L
School, elementary or secondary	Y
College	Y
School, personal instruction	S
COMMUNITY-SERVING USES	
Library	Y
Cultural institution	L
Community center	L
Religious assembly	L
Cemetery or other place of interment	N
Public safety facility	Y
Correctional facility	N
COMMERCIAL AND OFFICE USES	
General office	N
Government office	Y
Bank or other financial institution	N
Currency exchange, payday loan agency or title	N
Installment loan agency	N
Cash-for-gold business	N
Pawn shop	N
Retail establishment, general	L
Garden supply or landscaping center	N
Home improvement center	N
Secondhand store	N
Outdoor merchandise sales	N
Artist studio	N
Adult retail establishment	N
HEALTH CARE AND SOCIAL ASSISTANCE	
Medical office	N
Health clinic	N
Hospital	N
Medical research laboratory	N
Medical service facility	N
Social service facility	N
Emergency residential shelter	N
Nursing home	N
GENERAL SERVICE USES	

Personal service	N
Business service	N
Building maintenance service	N
Catering service	N
Funeral home	N
Laundromat	N
Dry cleaning establishment	N
Furniture and appliance rental and leasing	N
Household maintenance and repair service	N
Tool/equipment rental facility	N
<i>Animal Services</i>	
Animal hospital/clinic	N
Animal boarding facility	N
Animal grooming or training facility	N
MOTOR VEHICLE USES	
<i>Light Motor Vehicle</i>	
Sales facility	N
Rental facility	N
Repair facility	N
Body shop	N
Outdoor storage	N
Wholesale facility	N
<i>Heavy Motor Vehicle</i>	
Sales facility	N
Rental facility	N
Repair facility	N
Body shop	N
Outdoor storage	N
<i>General Motor Vehicle</i>	
Filling station	N
Car wash	N
Drive-through facility	N
<i>Parking</i>	
Parking lot, principal use	S
Parking lot, accessory use	Y
Parking structure, principal use	S
Parking structure, accessory use	S
Heavy motor vehicle parking lot, principal use	N
Heavy motor vehicle parking lot, accessory use	N

ACCOMODATION AND FOOD SERVICE USES	
Bed and breakfast	N
Hotel, commercial	N
Hotel, residential	N
Tavern	N
Assembly hall	L
Restaurant, sit-down	L
Restaurant, fast-food/carry-out	L
ENTERTAINMENT AND RECREATION USES	
Park or playground	Y
Festival grounds	N
Recreation facility, indoor	Y
Recreation facility, outdoor	Y
Health club	N
Sports facility	S
Gaming facility	N
Theater	L
Convention and exposition center	S
Marina	L
Outdoor racing facility	N
[[Adult entertainment establishment	N]]
STORAGE, RECYCLING AND WHOLESALE TRADE USES	
Recycling collection facility	N
Mixed-waste processing facility	N
Material reclamation facility	N
Salvage operation, indoor	N
Salvage operation, outdoor	N
Wholesale and distribution facility, indoor	N
Wholesale and distribution facility, outdoor	N
<i>Storage Facilities</i>	
Indoor	N
Outdoor	N
Hazardous materials	N
TRANSPORTATION USES	
Ambulance service	N
Ground transportation service	N
Passenger terminal	L
Helicopter landing facility	N
Airport	N

Ship terminal or docking facility	N
Truck freight terminal	N
Railroad switching, classification yard or freight	N
INDUSTRIAL USES	
Manufacturing, light	N
Manufacturing, heavy	N
Manufacturing, intense	N
Research and development	N
Processing or recycling of mined materials	N
Contractor's shop	N
Contractor's yard	N
AGRICULTURAL USES	
Plant nursery or greenhouse	L
Raising of crops or livestock	Y
UTILITY AND PUBLIC SERVICE USES	
Broadcasting or recording studio	N
Transmission tower	L
Water treatment plant	Y
Sewerage treatment plant	N
Power generation plant	N
Substation/distribution equipment, indoor	S
Substation/distribution equipment, outdoor	L
TEMPORARY USES	
Seasonal market	L
Temporary real estate sales office	N
Concrete/batch plant, temporary	L
Live entertainment special event	L

Part 14. Section 295-903-2-b-1-c of the code is amended to read:

295-903. Parks District (PK).

2. USES.

b. Limited Use Standards.

b-1. Day Care Center.

b-1-c. For any day care center other than an adult day care center, the facility shall not be located within 500 feet of an adult retail establishment ~~[[or an adult entertainment establishment]]~~ .

Part 15. Table 295-905-2-a of the code is amended to read:

Table 295-905-2-a INSTITUTIONAL DISTRICT USE TABLE	
Y = Permitted Use Prohibited Use	L = Limited Use S = Zoning District
Uses	TL
RESIDENTIAL USES	
Single-family dwelling	N
Two-family dwelling	N
Multi-family dwelling	N
Attached single-family dwelling	N
Live-work unit	N
Mobile home	N
Watchman/service quarters	Y
Family day care home	N
GROUP RESIDENTIAL USES	
Rooming house	S
Convent, rectory or monastery	Y
Dormitory	Y
Fraternity or sorority	S
Adult family home	N
<i>Foster Homes</i>	
Foster family home	N
Small foster home	N
Group home or group foster home	L
<i>Shelter Care Facilities</i>	
Family shelter care facility	N
Small shelter care facility	L
Large shelter care facility	S
Community living arrangement	L
Transitional living facility	S
EDUCATIONAL USES	
Day care center	L
School, elementary or secondary	Y
College	Y
School, personal instruction	Y
COMMUNITY-SERVING USES	
Library	Y
Cultural institution	Y

Community center	S
Religious assembly	Y
Cemetery or other place of interment	Y
Public safety facility	Y
Correctional facility	S
COMMERCIAL AND OFFICE USES	
General office	Y
Government office	Y
Bank or other financial institution	L
Currency exchange, payday loan agency or title	S
Installment loan agency	S
Cash-for-gold business	S
Pawn shop	S
Retail establishment, general	L
Garden supply or landscaping center	N
Home improvement center	N
Secondhand store	N
Outdoor merchandise sales	N
Artist studio	Y
Adult retail establishment	N
HEALTH CARE AND SOCIAL ASSISTANCE	
Medical office	Y
Health clinic	S
Hospital	S
Medical research laboratory	Y
Medical service facility	S
Social service facility	S
Emergency residential shelter	S
Nursing home	Y
GENERAL SERVICE USES	
Personal service	L
Business service	L
Building maintenance service	S
Catering service	S
Funeral home	Y
Laundromat	S
Dry cleaning establishment	S
Furniture and appliance rental and leasing	N
Household maintenance and repair service	N

Tool/equipment rental facility	N
<i>Animal Services</i>	
Animal hospital/clinic	N
Animal boarding facility	N
Animal grooming or training facility	N
MOTOR VEHICLE USES	
<i>Light Motor Vehicle</i>	
Sales facility	N
Rental facility	N
Repair facility	N
Body shop	N
Outdoor storage	N
Wholesale facility	N
<i>Heavy Motor Vehicle</i>	
Sales facility	N
Rental facility	N
Repair facility	N
Body shop	N
Outdoor storage	N
<i>General Motor Vehicle</i>	
Filling station	N
Car wash	N
Drive-through facility	L
<i>Parking</i>	
Parking lot, principal use	S
Parking lot, accessory use	Y
Parking structure, principal use	S
Parking structure, accessory use	S
Heavy motor vehicle parking lot, principal use	N
Heavy motor vehicle parking lot, accessory use	N
ACCOMMODATION AND FOOD SERVICE USES	
Bed and breakfast	S
Hotel, commercial	N
Hotel, residential	N
Tavern	N
Assembly hall	S
Restaurant, sit-down	Y
Restaurant, fast-food/carry-out	L
ENTERTAINMENT AND RECREATION USES	

RECREATION AND AMUSEMENT USES	
Park or playground	Y
Festival grounds	Y
Recreation facility, indoor	S
Recreation facility, outdoor	S
Health club	Y
Sports facility	S
Gaming facility	N
Theater	N
Convention and exposition center	S
Marina	Y
Outdoor racing facility	N
[[Adult entertainment establishment	N]]
STORAGE, RECYCLING AND WHOLESALE TRADE USES	
Recycling collection facility	S
Mixed-waste processing facility	N
Material reclamation facility	N
Salvage operation, indoor	N
Salvage operation, outdoor	N
Wholesale and distribution facility, indoor	N
Wholesale and distribution facility, outdoor	N
<i>Storage Facilities</i>	
Indoor	N
Outdoor	N
Hazardous materials	N
TRANSPORTATION USES	
Ambulance service	Y
Ground transportation service	N
Passenger terminal	Y
Helicopter landing facility	S
Airport	N
Ship terminal or docking facility	N
Truck freight terminal	N
Railroad switching, classification yard or freight	N
INDUSTRIAL USES	
Manufacturing, light	N
Manufacturing, heavy	N
Manufacturing, intense	N
Research and development	S
Processing or recycling of mined materials	N

Processing or recycling of mined materials	N
Contractor's shop	N
Contractor's yard	N
AGRICULTURAL USES	
Plant nursery or greenhouse	S
Raising of crops or livestock	S
UTILITY AND PUBLIC SERVICE USES	
Broadcasting or recording studio	Y
Transmission tower	L
Water treatment plant	Y
Sewerage treatment plant	Y
Power generation plant	S
Substation/distribution equipment, indoor	Y
Substation/distribution equipment, outdoor	L
TEMPORARY USES	
Seasonal market	L
Temporary real estate sales office	L
Concrete/batch plant, temporary	L
Live entertainment special event	L

Part 16. Section 295-905-2-b-4-c of the code is amended to read:

295-905. Institutional District (TL).

2. USES.

b. Limited Use Standards.

b-4. Day Care Center.

b-4-c. For any day care center other than an adult day care center, the facility shall not be located within 500 feet of an adult retail establishment ~~[[or an adult entertainment establishment]]~~ .

Part 17. Section 295-1015-3-b-1-c of the code is amended to read:

295-1015. Lakefront Overlay Zone (LF).

3. STANDARDS.

b. Limited Use Standards.

b-1. Day Care Center.

c-1-c. For any day care center other than an adult day care center, the facility shall not be located within 500 feet of an adult retail establishment ~~[[or an adult entertainment establishment]]~~ .

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

City Attorney

LRB125525-1

Jeff Osterman

05/16/2011