

PROPOSED ENGROSSED ORDINANCE BILL NO. 10-16

AN ORDINANCE RELATING TO THE COMMERCIAL PRODUCTION OF
RECREATIONAL MARIJUANA IN THE IC AND IP ZONES AND SALE OF MARIJUANA
IN THE CB ZONE; AMENDING SRC 524.005, 551.005 AND 553.005.

The City of Salem ordains as follows:

Section 1. Findings. This is a legislative land use amendment to the IC and IP zoning districts. The criteria applicable to this proceeding are identified in SRC 110.085(b)(1)&(2). Findings demonstrating the amendment complies with the applicable criteria are set forth below.

SRC 110.085(b)(1). The amendment is in the best interest of the public health, safety, and welfare of the City:

Finding: The proposed amendments would allow the commercial growing of recreational marijuana as a conditional use in the IC and the IP zones, where it is currently prohibited. The IC and IP zones are similar in character to the IG zone, where commercial recreational growing is currently allowed, except that IC and IP zones may in some cases be closer to residential and commercial neighborhoods. Under the proposal, all commercial growers of recreational marijuana would require conditional use permit approval to locate in the IC and IP zones. The conditional use permit process includes notice to the surrounding properties and a public hearing before the Hearings Officer for each commercial grow site request. Through this process, appropriate conditions of approval may be applied to conditional use permits on a case by case basis to mitigate possible negative impacts of a particular grow site on the surrounding area, thereby protecting the public health, safety, and welfare of the City.

Prohibiting marijuana sales or transfers in the Central Business Zone District is deemed by the City Council to be in the best interest of the public health, safety, and welfare of the City, due to the nature of the use and the potential adverse effect of abutting uses.

State law gives local governments broad discretion to decide where marijuana sales may be located based on local concerns and preferences through the adoption of zoning regulations. The CB zone is Salem's principal center of business and commerce, and contains many buildings and public spaces of historic and cultural significance to the city and the region. Approximately seven blocks in the center of the CB zone are within the Salem Downtown Historic District, which contains the largest concentration of commercial buildings designated as historic resources in the city. The CB zone also allows a wide mix of residential and commercial uses, which existing together in close proximity. Medical marijuana dispensaries have been prohibited in the CB zone since the City first enacted the medical marijuana ordinance. Maintaining this CB zone prohibition on medical marijuana sales and extending it to the new recreational sales market will keep the existing mix of allowable land uses in the CB zone, thereby helping to preserve its character. Maintaining this essential character of the CB zone will, in turn, promote

the public health, safety, and welfare of the City in satisfaction of this criterion.

SRC 110.085(b)(2). The amendment conforms with the Salem Area Comprehensive Plan, applicable Statewide Planning Goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.

Finding: The proposed code amendments are consistent with and supportive of the goals, objectives, and policies found in the Salem Area Comprehensive Plan and the applicable Statewide Planning Goals as described below:

Compliance with Salem Area Comprehensive Plan

Proposed Amendment to SRC 524.005:

Section II (A)3.d. Definitions and Intent Statements, Plan Map Designations – Central Business District

More than a shopping area, the Central Business District is a special subcategory under Commercial.

This designation indicates the area which serves Salem and the region as a principal center of business and commerce. It is intended that this area contain a compact arrangement of retail and commercial enterprises together with office, financial, cultural, entertainment, governmental, and residential use designed and situated to afford convenient access by pedestrians.

And;

Section IV (G) Commercial Development, Policy 1 – Central Business District:

The central business district shall be maintained and developed as a mixed-use regional retail and employment center for the Salem urban area as well as Marion and Polk counties.

Finding: The proposed code amendments, as engrossed, prohibit medical marijuana facilities and recreational marijuana retailers in the Central Business District (CB) Zone. As the intent statement says, the Central Business District plan map designation is a special category of commercial designation, with various unique characteristics. The Central Business District, which is implemented through the City's CB zoning designation, is Salem's principal center of business and commerce, and contains many buildings and public spaces of historic and cultural significance to the city and the region. Approximately seven blocks in the center of the CB zone are within the Salem Downtown Historic District, which contains the largest concentration of commercial buildings designated as historic resources in the city. The CB zone also allows a wide mix of residential and commercial uses, which exist together in close proximity. Medical marijuana dispensaries have been prohibited in the CB zone since the City first enacted the medical marijuana ordinance. Maintaining this CB zone prohibition on

1 medical marijuana sales and extending it to the new recreational sales market will keep
2 the existing mix of allowable land uses in the CB zone, thereby helping to preserve its
3 special character as the heart of Salem's cultural and business life.

4 Proposed Amendments to the IC and IP Zones:

5 Section IV (E) Residential Development, Policy 8 - Protection of Residential Areas:

6 Residential areas shall be protected from more intensive land use activity in abutting
7 zones.

8 Section IV (I) Industrial Development, Policy 4 - Interface with Other Uses:

9 Industrial land shall be subject to industrial development standards which ensure that
10 development and operation is compatible with surrounding land uses.

11 **Finding:** This code amendment would allow commercial growing of recreational
12 marijuana in the IC and IP zones only with conditional use permit approval. The
13 conditional use permit process provides a public hearing on each grow site request and
14 allows the City to apply appropriate conditions of approval to grow sites on a case by
15 case basis to ensure the grow operation is compatible with surrounding land uses.
16 Example conditions of approval could include such items as requiring the grow site to be
17 located indoors out of site of neighbors, requiring installation of an air filtration system
18 that prevents any odors from leaving the grow facility, or requiring landscaped setbacks
19 from adjacent properties. In this way, the proposed amendments are consistent with the
20 applicable neighborhood compatibility goals and policies of the SACP.

21 Compliance with Statewide Planning Goals. Council finds that only Goal 1, Citizen
22 Involvement, and Goal 9, Economic Development is applicable to this amendment.

23 **GOAL 1: CITZEN INVOLVEMENT**

24 To develop a citizen involvement program that [e]nsures the opportunity for citizens to
25 be involved in all phases of the planning process.

26 **Finding:** Notice of the proposed legislative land use amendment was provided to DLCD
27 at least 35 days in advance of the July 25, 2016 public hearing. In addition notice of the
28 public hearing was provided to the public in accordance with SRC Chapter 300,
29 Procedures for Land Use Applications and Legislative Land Use Proposals.

30 **GOAL 9: ECONOMIC DEVELOPMENT**

31 To provide adequate opportunities throughout the state for a variety of economic
32 activities vital to the health, welfare, and prosperity of Oregon's citizens.

33 **Finding:** By allowing the commercial growing of recreational marijuana on IC and IP
34 zoned land within the city with conditional use approval, the code amendment provides
35 Salem with additional economic development opportunities in the emerging recreational

1 marijuana production industry.

2 Prohibiting marijuana sales in the Central Business Zone District does not violate Goal 9,
3 as adequate opportunities exist in many areas of the City for this use to occur.

4 **Section 2. SRC 524.005 is amended to read as follows:**

5 **524.005. Uses.**

6 (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C),
7 and prohibited (N) uses in the CB zone are set forth in Table 524-1.

8 **Table 524-1: Uses**

9	10 Long-Term Commercial Lodging	11 N	12
13	14 Non-Profit Shelters	15 P	16 Non-Profit Shelters serving 5 or fewer persons.
17	18	19 C	20 The following Non-Profit Shelters: <ul style="list-style-type: none">▪ Non-Profit Shelters serving 6 to 75 persons.▪ Relocation of an existing Non-Profit Shelter within the CB zone serving more than 75 persons, provided the shelter has existed within the CB zone as of September 1, 1993, and there is no increase in bed capacity.
21	22	23 N	24 All other Non-Profit Shelters.
Retail Sales and Services			
25	26 Eating and Drinking Establishments	27 P	28
29	30 Retail Sales	31 N	32 <u>Medical Marijuana and Recreational Marijuana Sales or Transfers</u>
33	34	35 P	36 <u>All Other Retail Sales</u>
37	38 Personal Services	39 P	40
41	42 Postal Services and Retail Financial Services	43 P	44
Business and Professional Services			
45	46 Office	47 P	48
49	50 Audio/Visual Media Production	51 P	52
53	54 Laboratory Research and Testing	55 P	56
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service			
57	58 Motor Vehicle and Manufactured Dwelling and Trailer Sales	59 N	60 Mobile home dealers.
61	62	63 P	64 All other Motor Vehicle and Manufactured Dwelling and Trailer Sales.
65	66 Motor Vehicle Services	67 P	68
69	70 Commercial Parking	71 P	72
73	74 Park-and-Ride Facilities	75 P	76
77	78 Taxicabs and Car Services	79 P	80
81	82 Heavy Vehicle and Trailer Sales	83 N	84

1	Heavy Vehicle and Trailer Service and Storage	N	
2	Recreation, Entertainment, and Cultural Services and Facilities		
3	Commercial Entertainment - Indoor	P	
4	Commercial Entertainment - Outdoor	N	Drive-in movie theaters
5		P	All other Commercial Entertainment – Outdoor.
6	Major Event Entertainment	P	Major Event Entertainment conducted indoors.
7		N	All other Major Event Entertainment.
8	Recreational and Cultural Community Services	P	
9	Parks and Open Space	P	
10	Non-Profit Membership Assembly	P	
11	Religious Assembly	P	
12	Health Services		
13	Medical Centers/Hospitals	N	
14	Outpatient Medical Services and Laboratories	P	
15	Educational Services		
16	Day Care	P	
17	Basic Education	P	
18	Post-Secondary and Adult Education	P	
19	Civic Services		
20	Governmental Services	P	
21	Social Services	P	
22	Governmental Maintenance Services and Construction	N	
23	Public Safety		
24	Emergency Services	P	
25	Detention Facilities	N	
26	Military Installations	P	
27	Funeral and Related Services		
28	Cemeteries	N	
29	Funeral and Cremation Services	N	
30	Construction Contracting, Repair, Maintenance, and Industrial Services		
31	General Repair Services	P	
32	Building and Grounds Services and Construction Contracting	N	The following Building and Grounds Services and Construction Contracting activities: <ul style="list-style-type: none"> ▪ Building construction. ▪ Heavy construction. ▪ Disinfecting and pest control services. ▪ Building cleaning and maintenance services.
33		P	All other Building and Grounds Services and Construction Contracting.

1	Cleaning Plants	P	
2	Industrial Services	P	
Wholesale Sales, Storage, and Distribution			
3	General Wholesaling	P	General Wholesaling is permitted, provided that it is combined with retail sales in the same line of goods.
4		P	Nursery stock, provided that it is combined with retail sales in the same line of goods.
5		C	The following Heavy Wholesaling activities, provided they are combined with retail sales in the same line of goods: <ul style="list-style-type: none"> ▪ Minerals and ore. ▪ Metal service centers and wholesalers. ▪ Firearms. ▪ Wood products and timber.
6		N	All other Heavy Wholesaling.
7	Heavy Wholesaling		
8		P	Distribution centers for online, mail order, and catalog sales.
9		N	All other Warehousing and Distribution
10	Warehousing and Distribution		
11		P	
12		N	
13	Self-Service Storage	N	
Manufacturing			
14		P	General Manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site.
15		C	The following General Manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: <ul style="list-style-type: none"> ▪ Industrial and institutional food service contractors. ▪ Costume jewelry and precious metals metalsmithing. ▪ Sundries and notions ▪ Signs.
16	General Manufacturing	N	All other General Manufacturing.
17			
18			
19			
20			
21			
22	Heavy Manufacturing	N	
23	Printing	P	
Transportation Facilities			
24		C	Helicopter landing areas, with or without passenger terminal facilities.
25	Aviation Facilities	N	All other Aviation Facilities.
26			
27	Passenger Ground Transportation Facilities	P	
28	Marine Facilities	P	
Utilities			
29	Basic Utilities	C	Reservoirs; water storage facilities.
		P	Basic Utilities are permitted, unless noted below.
30	Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.

1	Drinking Water Treatment Facilities	C	
2	Power Generation Facilities	C	
3	Data Center Facilities	N	
4	Fuel Dealers	N	
5	Waste-Related Facilities	C	The following Waste-Related Facilities: <ul style="list-style-type: none"> ▪ Recycling depots. ▪ Solid waste transfer stations.
6		N	All other Waste-Related Facilities.
7	Mining and Natural Resource Extraction		
8	Petroleum and Natural Gas Production	N	
9	Surface Mining	N	
10	Farming, Forestry, and Animal Services		
11	Agriculture	N	Marijuana Production
12		P	All other Agriculture
13	Forestry	N	
14	Agriculture and Forestry Services	P	
15	Keeping of Livestock and Other Animals	N	
16	Animal Services	N	
17	Other Uses		
18	Home Occupations	S	Home Occupations, subject to SRC 700.020.

17 **Section 3.** SRC 551.005 is amended to read as follows:

18 **551.005. Uses.** (a) Except as otherwise provided in this section, the permitted (P), special (S),
19 conditional (C), and prohibited (N) uses in the IC zone are set forth in Table 551-1.

21 **TABLE 551-1**

22 **USES**

23 **Table 551-1: Uses**

24 Use	25 Status	26 Limitations & Qualifications
Household Living		
27 28 29 30	P	The following Single Family activities: <ul style="list-style-type: none"> ▪ Residential Home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to SRC 551.005(b). ▪ Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.

Table 551-1: Uses

Table 551-1: Uses

Use	Status	Limitations & Qualifications
Heavy Vehicle and Trailer Sales	P	
Heavy Vehicle and Trailer Service and Storage	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial Entertainment - Indoor	C	Night clubs, located within 200 feet of a residential zone.
	P	All other Commercial Entertainment – Indoor .
Commercial Entertainment - Outdoor	P	
Major Event Entertainment	N	Race tracks.
	P	All other Major Event Entertainment.
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	P	
Religious Assembly	P	
Health Services		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	P	
Education Services		
Day Care	P	
Basic Education	P	
Post-Secondary and Adult Education	P	
Civic Services		
Governmental Services	P	
Social Services	P	
Governmental Maintenance Services and Construction	P	
Public Safety		
Emergency Services	P	
Detention Facilities	N	
Military Installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and Cremation Services	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General Repair Services	P	

Table 551-1: Uses

2	Use	Status	Limitations & Qualifications
3	Building and Grounds Services and Construction Contracting	P	
4	Cleaning Plants	P	
5	Industrial Services	P	
Wholesale Sales, Storage, and Distribution			
7	General Wholesaling	P	
8	Heavy Wholesaling	C	The following Heavy Wholesaling activities: <ul style="list-style-type: none"> ▪ Firearms wholesalers. ▪ Wood products and timber wholesalers.
9		N	The following Heavy Wholesaling activities: <ul style="list-style-type: none"> ▪ Chemicals and allied products wholesalers. ▪ Scrap dealers.
10		P	All other Heavy Wholesaling.
11	Warehousing and Distribution	P	
12	Self-Service Storage	P	
Manufacturing			
15	General Manufacturing	P	The following General Manufacturing activities: <ul style="list-style-type: none"> ▪ Industrial and institutional food service contractors. ▪ Sign Manufacturing. ▪ Fabrics, leather goods, footwear, and apparel manufacturing. EXCEPT rubber and plastic footwear manufacturing. ▪ General food manufacturing. ▪ Beverage and related products manufacturing. ▪ Tobacco products manufacturing. ▪ Cabinetry. ▪ Aircraft and aircraft parts manufacturing. ▪ Motor Vehicles and Motor Vehicle Equipment manufacturing. ▪ Computer and electronics manufacturing. ▪ Paperboard containers and boxes manufacturing.
16			

Table 551-1: Uses

Use	Status	Limitations & Qualifications
	C	<p>The following General Manufacturing activities:</p> <ul style="list-style-type: none"> ▪ Rubber and plastic footwear manufacturing. ▪ Rubber and plastics products manufacturing. ▪ Costume jewelry and precious metals metalsmithing. ▪ Furniture manufacturing. ▪ Fabricated metal products manufacturing. ▪ Wood product manufacturing. ▪ Engineered wood product manufacturing. ▪ Wood preservation. ▪ Plastics and rubber products manufacturing. ▪ General chemical manufacturing. ▪ Leather tanning. ▪ Metal coating and engraving. ▪ Battery manufacturing. ▪ Ship and boat building. ▪ Commercial and service industry machinery manufacturing. ▪ Metalworking machinery manufacturing. ▪ Sawmill and woodworking machinery manufacturing.
	N	All other General Manufacturing.
Heavy Manufacturing	N	
Printing	P	
Transportation Facilities		
Aviation Facilities	C	Helicopter landing areas, with or without passenger and freight terminal facilities.
	N	All other Aviation Facilities.
Passenger Ground Transportation Facilities	P	
Marine Facilities	P	
Utilities		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	C	
Power Generation Facilities	C	
Data Center Facilities	P	
Fuel Dealers	P	
Waste-Related Facilities	P	Recycling depots.
	C	Solid waste transfer stations.

Table 551-1: Uses

Use	Status	Limitations & Qualifications
	N	All other Waste-Related Facilities.
Mining and Natural Resource Extraction		
Petroleum and Natural Gas Production	C	
Surface Mining	N	
Farming, Forestry, and Animal Services		
Agriculture	<u>NC</u>	Marijuana Production
	P	All other Agriculture
Forestry	P	
Agriculture and Forestry Services	P	
Keeping of Livestock and Other Animals	C	<p>The following Keeping of Livestock and Other Animal activities:</p> <ul style="list-style-type: none"> ▪ Animal shelters. ▪ Boarding kennels. ▪ Animal training facilities.
	N	All other Keeping of Livestock and Other Animals.
Animal Services	C	Wildlife rehabilitation facilities.
	P	All other Animal Services.
Other Uses		
Home Occupations	S	Home Occupations, subject to SRC 700.020.

(b) Continued Uses. Existing single family and two family uses, other than manufactured dwellings, within the IC zone constructed prior to February 1, 1983, but which would otherwise be made non-conforming by this Chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 551.010(g).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a non-residential use shall thereafter prevent conversion back to a residential use.

Section 4. SRC 553.005 is amended to read as follows:

553.005. Uses. The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IP zone are set forth in Table 553-1.

TABLE 553-1

USES

Table 553-1: Uses

Use	Status	Limitations & Qualifications
Household Living		
Single Family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All other Single Family.
Two Family	N	
Multiple Family	N	
Group Living		
Room and Board	N	
Residential Care	N	
Nursing Care	N	
Lodging		
Short-Term Commercial Lodging	P	
Long-Term Commercial Lodging	N	
Non-Profit Shelters	N	
Retail Sales and Service		
Eating and Drinking Establishments	P	
Retail Sales	P	The following Retail Sales activities: <ul style="list-style-type: none"> ▪ News dealers and newsstands. ▪ Tobacco stores and stands. ▪ Caterers.
	N	All other Retail Sales.
Personal Services	N	
Postal Services and Retail Financial Services	P	Banks, credit unions, and other customer-oriented facilities for financial institutions.
	N	All other Postal Services and Retail Financial Services.
Business and Professional Services		

Table 553-1: Uses

Use	Status	Limitations & Qualifications
Office	P	<p>The following Office activities:</p> <ul style="list-style-type: none"> ▪ Photofinishing laboratories. ▪ Headquarters of banks and other financial institutions. ▪ Insurance carriers and brokers. ▪ Real estate. ▪ Communication services. ▪ Engineering, architectural, and surveying services. ▪ Accounting services. ▪ Management and public relations services. ▪ Technical services provided by independent authors and artists. ▪ Research. ▪ Music publishing. ▪ Actuarial consulting. ▪ Environmental consultants. ▪ Call centers. ▪ Vocational trade schools.
	N	All other Office.
Audio/Visual Media Production	P	
Laboratory Research and Testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	N	
Motor Vehicle Services	P	<p>The following Motor Vehicle Services activities:</p> <ul style="list-style-type: none"> ▪ Motorcycle repair. ▪ Gasoline service stations.
	N	All other Motor Vehicle Services.
Commercial Parking	P	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	N	
Heavy Vehicle and Trailer Sales	N	
Heavy Vehicle and Trailer Service and Storage	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial Entertainment – Indoor	P	Health clubs, gyms, and membership sports and recreation clubs.
	N	All other Commercial Entertainment – Indoor.

Table 553-1: Uses

2	Use	Status	Limitations & Qualifications
3	Commercial Entertainment – Outdoor	N	
4	Major Event Entertainment	N	
5	Recreational and Cultural Community Services	N	
6	Parks and Open Space	P	
7	Non-Profit Membership Assembly	N	
8	Religious Assembly	N	
9	Health Services		
10	Medical Centers/Hospitals	N	
11	Outpatient Medical Services and Laboratories	N	
12	Educational Services		
13	Day Care	P	Child day care services.
14		N	All other Day Care.
15	Basic Education	N	
16	Post-Secondary and Adult Education	P	Vocational trade schools.
17		N	All other Post-Secondary and Adult Education.
18	Civic Services		
19	Governmental Services	N	
20	Social Services	N	
21	Governmental Maintenance Services and Construction	P	
22	Public Safety		
23	Emergency Services	P	
24	Detention Facilities	N	
25	Military Installations	N	
26	Funeral and Related Services		
27	Cemeteries	N	
28	Funeral and Cremation Services	N	
29	Construction Contracting, Repair, Maintenance, and Industrial Services		
30	General Repair Services	P	
31	Building and Grounds Services and Construction Contracting	P	
32	Cleaning Plants	P	
33	Industrial Services	P	
34	Whole Sales, Storage, and Distribution		
35	General Wholesaling	P	

Table 553-1: Uses

Use	Status	Limitations & Qualifications
Heavy Wholesaling	C	<p>The following Heavy Wholesaling activities:</p> <ul style="list-style-type: none"> ▪ Petroleum And Petroleum Products wholesalers. ▪ Chemicals and allied products wholesalers. ▪ Firearms wholesalers. ▪ Wood products and timber wholesalers.
	N	All other Heavy Wholesaling.
Warehousing and Distribution	P	
Self-Service Storage	P	
Manufacturing		
General Manufacturing	P	
Heavy Manufacturing	N	<p>The following Heavy Manufacturing activities:</p> <ul style="list-style-type: none"> ▪ Petroleum and coal products manufacturing. ▪ Primary metal manufacturing. ▪ Cement and concrete product manufacturing. ▪ Lime and gypsum product manufacturing.
	C	All other Heavy Manufacturing activities.
Printing	P	
Transportation Facilities		
Aviation Facilities	C	Helicopter landing areas, with or without passenger and freight terminal facilities.
	N	All other Aviation Facilities.
Passenger Ground Transportation Facilities	P	
Marine Facilities	N	
Utilities		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	C	
Power Generation Facilities	C	
Data Center Facilities	P	
Fuel Dealers	N	
Waste-Related Facilities	P	Recycling depots.
	C	Solid waste transfer stations.
	N	All other Waste-Related Facilities
Mining and Natural Resource Extraction		
Petroleum and Natural Gas Production	C	
Surface Mining	N	

Table 553-1: Uses

2	Use	Status	Limitations & Qualifications
3	Farming, Forestry, and Animal Services		
4	Agriculture	NC	Marijuana Production
5		P	All other Agriculture
6	Forestry	P	
7	Agriculture and Forestry Services	N	
8	Keeping of Livestock and Other Animals	C	
9	Animal Services	C	
10	Other Uses		
11	Home Occupations	S	Home Occupations, subject to SRC 700.020.

(b) Continued Uses. Existing single family and two family uses, other than manufactured dwellings, within the IP zone constructed prior to February 1, 1983, but which would otherwise be made non-conforming by this Chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 553.010(g).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a non-residential use shall thereafter prevent conversion back to a residential use.

Section 5. Codification. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such limitations, may:

- (a) Renumber sections and parts of sections of the ordinance;
- (b) Rearrange sections;
- (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- (d) Delete references to repealed sections;
- (e) Substitute the proper subsection, section or chapter, or other division numbers;
- (f) Change capitalization and spelling for the purpose of uniformity;

- (g) Add headings for purposes of grouping like sections together for ease of reference; and
- (h) Correct manifest clerical, grammatical or typographical errors.

Section 6. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this _____ day of _____, 2016.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: B. Colbourne