

1                                   **PROPOSED ENGROSSED ORDINANCE BILL NO. 10-16**

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

5   *The City of Salem ordains as follows:*

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

9  
10   **SRC 110.085(b)(1).** The amendment is in the best interest of the public health, safety, and  
11   welfare of the City;

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

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

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

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

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

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

8        *Compliance with Salem Area Comprehensive Plan*

9        Proposed Amendment to SRC 524.005:

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

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

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

19        And:

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

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

24        **Finding:** The proposed code amendments, as engrossed, prohibit medical marijuana  
25 facilities and recreational marijuana retailers in the Central Business District (CB) Zone.  
26 As the intent statement says, the Central Business District plan map designation is a  
27 special category of commercial designation, with various unique characteristics. The  
28 Central Business District, which is implemented through the City's CB zoning  
29 designation, is Salem's principal center of business and commerce, and contains many  
30 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

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

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

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

24 **GOAL 1: CITIZEN INVOLVEMENT**

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

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

**GOAL 9: ECONOMIC DEVELOPMENT**

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

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

marijuana production industry.

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

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

**524.005. Uses.**

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

**Table 524-1: Uses**

Long-Term Commercial Lodging	N	
Non-Profit Shelters	P	Non-Profit Shelters serving 5 or fewer persons.
	C	The following Non-Profit Shelters: <ul style="list-style-type: none"><li>Non-Profit Shelters serving 6 to 75 persons.</li><li>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.</li></ul>
	N	All other Non-Profit Shelters.
<b>Retail Sales and Services</b>		
Eating and Drinking Establishments	P	
Retail Sales	<u>N</u>	<u>Medical Marijuana and Recreational Marijuana Sales or Transfers</u>
	P	<u>All Other Retail Sales</u>
Personal Services	P	
Postal Services and Retail Financial Services	P	
<b>Business and Professional Services</b>		
Office	P	
Audio/Visual Media Production	P	
Laboratory Research and Testing	P	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	N	Mobile home dealers.
	P	All other Motor Vehicle and Manufactured Dwelling and Trailer Sales.
Motor Vehicle Services	P	
Commercial Parking	P	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	P	
Heavy Vehicle and Trailer Sales	N	

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

1	Cleaning Plants	P	
2	Industrial Services	P	
3	<b>Wholesale Sales, Storage, and Distribution</b>		
4	General Wholesaling	P	General Wholesaling is permitted, provided that it is combined with retail sales in the same line of goods.
5	Heavy Wholesaling	P	Nursery stock, provided that it is combined with retail sales in the same line of goods.
6		C	The following Heavy Wholesaling activities, provided they are combined with retail sales in the same line of goods:
7			<ul style="list-style-type: none"> <li>▪ Minerals and ore.</li> <li>▪ Metal service centers and wholesalers.</li> <li>▪ Firearms.</li> <li>▪ Wood products and timber.</li> </ul>
8	Heavy Wholesaling	N	All other Heavy Wholesaling.
9		P	Distribution centers for online, mail order, and catalog sales.
10			All other Warehousing and Distribution
11	Warehousing and Distribution	N	
12	Self-Service Storage	N	
13	<b>Manufacturing</b>		
14	General Manufacturing	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:
16			<ul style="list-style-type: none"> <li>▪ Industrial and institutional food service contractors.</li> <li>▪ Costume jewelry and precious metals metalsmithing.</li> <li>▪ Sundries and notions</li> <li>▪ Signs.</li> </ul>
17	General Manufacturing	N	All other General Manufacturing.
18		N	
19			
20	Heavy Manufacturing	N	
21	Printing	P	
22	<b>Transportation Facilities</b>		
23	Aviation Facilities	C	Helicopter landing areas, with or without passenger terminal facilities.
24		N	All other Aviation Facilities.
25	Passenger Ground Transportation Facilities	P	
26	Marine Facilities	P	
27	<b>Utilities</b>		
28	Basic Utilities	C	Reservoirs; water storage facilities.
29		P	Basic Utilities are permitted, unless noted below.
30	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	N	
Fuel Dealers	N	
Waste-Related Facilities	C	The following Waste-Related Facilities: <ul style="list-style-type: none"> <li>Recycling depots.</li> <li>Solid waste transfer stations.</li> </ul>
	N	All other Waste-Related Facilities.
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	N	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	N	Marijuana Production
	P	All other Agriculture
Forestry	N	
Agriculture and Forestry Services	P	
Keeping of Livestock and Other Animals	N	
Animal Services	N	
<b>Other Uses</b>		
Home Occupations	S	Home Occupations, subject to SRC 700.020.

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

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

**TABLE 551-1  
USES**

Table 551-1: Uses		
Use	Status	Limitations & Qualifications
<b>Household Living</b>		
Single Family	P	The following Single Family activities: <ul style="list-style-type: none"> <li>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).</li> <li>Dwelling unit for a caretaker on the premises being cared for or guarded.</li> </ul>
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.

Table 551-1: Uses		
Use	Status	Limitations & Qualifications
	C	The following Single Family activities: <ul style="list-style-type: none"> <li>▪ Single family detached dwelling.</li> <li>▪ Residential Home, as defined under ORS 197.660.</li> <li>▪ Manufactured home.</li> </ul>
	N	All other Single Family.
Two Family	C	Duplex.
	N	All other Two Family.
Multiple Family	C	
<b>Group Living</b>		
Room and Board	C	Room and Board serving up to 75 persons.
	N	All other Room and Board.
Residential Care	C	
Nursing Care	P	
<b>Lodging</b>		
Short-Term Commercial Lodging	P	
Long- Term Commercial Lodging	C	
Non-Profit Shelters	C	Non-Profit Shelters serving up to 75 persons.
	N	All other Non-Profit Shelters.
<b>Retail Sales and Service</b>		
Eating and Drinking Establishments	P	
Retail Sales	P	
Personal Services	P	
Postal Services and Retail Financial Services	P	
<b>Business and Professional Services</b>		
Office	P	
Audio/Visual Media Production	P	
Laboratory Research and Testing	P	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	P	
Motor Vehicle Services	P	
Commercial Parking	P	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	P	



Table 551-1: Uses		
Use	Status	Limitations & Qualifications
Heavy Vehicle and Trailer Sales	P	
Heavy Vehicle and Trailer Service and Storage	P	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
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	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	P	
<b>Education Services</b>		
Day Care	P	
Basic Education	P	
Post-Secondary and Adult Education	P	
<b>Civic Services</b>		
Governmental Services	P	
Social Services	P	
Governmental Maintenance Services and Construction	P	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	P	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	P	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	P	

Table 551-1: Uses		
Use	Status	Limitations & Qualifications
Building and Grounds Services and Construction Contracting	P	
Cleaning Plants	P	
Industrial Services	P	
<b>Wholesale Sales, Storage, and Distribution</b>		
General Wholesaling	P	
Heavy Wholesaling	C	The following Heavy Wholesaling activities: <ul style="list-style-type: none"> <li>Firearms wholesalers.</li> <li>Wood products and timber wholesalers.</li> </ul>
	N	The following Heavy Wholesaling activities: <ul style="list-style-type: none"> <li>Chemicals and allied products wholesalers.</li> <li>Scrap dealers.</li> </ul>
	P	All other Heavy Wholesaling.
Warehousing and Distribution	P	
Self-Service Storage	P	
<b>Manufacturing</b>		
General Manufacturing	P	The following General Manufacturing activities: <ul style="list-style-type: none"> <li>Industrial and institutional food service contractors.</li> <li>Sign Manufacturing.</li> <li>Fabrics, leather goods, footwear, and apparel manufacturing. EXCEPT rubber and plastic footwear manufacturing.</li> <li>General food manufacturing.</li> <li>Beverage and related products manufacturing.</li> <li>Tobacco products manufacturing.</li> <li>Cabinetry.</li> <li>Aircraft and aircraft parts manufacturing.</li> <li>Motor Vehicles and Motor Vehicle Equipment manufacturing.</li> <li>Computer and electronics manufacturing.</li> <li>Paperboard containers and boxes manufacturing.</li> </ul>

**Table 551-1: Uses**

Use	Status	Limitations & Qualifications
	C	<p>The following General Manufacturing activities:</p> <ul style="list-style-type: none"> <li>▪ Rubber and plastic footwear manufacturing.</li> <li>▪ Rubber and plastics products manufacturing.</li> <li>▪ Costume jewelry and precious metals metalsmithing.</li> <li>▪ Furniture manufacturing.</li> <li>▪ Fabricated metal products manufacturing.</li> <li>▪ Wood product manufacturing.</li> <li>▪ Engineered wood product manufacturing.</li> <li>▪ Wood preservation.</li> <li>▪ Plastics and rubber products manufacturing.</li> <li>▪ General chemical manufacturing.</li> <li>▪ Leather tanning.</li> <li>▪ Metal coating and engraving.</li> <li>▪ Battery manufacturing.</li> <li>▪ Ship and boat building.</li> <li>▪ Commercial and service industry machinery manufacturing.</li> <li>▪ Metalworking machinery manufacturing.</li> <li>▪ Sawmill and woodworking machinery manufacturing.</li> </ul>
	N	All other General Manufacturing.
Heavy Manufacturing	N	
Printing	P	
<b>Transportation Facilities</b>		
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	
<b>Utilities</b>		
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.
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	C	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	<del>NC</del>	Marijuana Production
	P	All other Agriculture
Forestry	P	
Agriculture and Forestry Services	P	
Keeping of Livestock and Other Animals	C	The following Keeping of Livestock and Other Animal activities: <ul style="list-style-type: none"> <li>▪ Animal shelters.</li> <li>▪ Boarding kennels.</li> <li>▪ Animal training facilities.</li> </ul>
	N	All other Keeping of Livestock and Other Animals.
Animal Services	C	Wildlife rehabilitation facilities.
	P	All other Animal Services.
<b>Other Uses</b>		
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
<b>Household Living</b>		
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	
<b>Group Living</b>		
Room and Board	N	
Residential Care	N	
Nursing Care	N	
<b>Lodging</b>		
Short-Term Commercial Lodging	P	
Long-Term Commercial Lodging	N	
Non-Profit Shelters	N	
<b>Retail Sales and Service</b>		
Eating and Drinking Establishments	P	
Retail Sales	P	The following Retail Sales activities: <ul style="list-style-type: none"><li>▪ News dealers and newsstands.</li><li>▪ Tobacco stores and stands.</li><li>▪ Caterers.</li></ul>
	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.
<b>Business and Professional Services</b>		

Table 553-1: Uses		
Use	Status	Limitations & Qualifications
Office	P	The following Office activities: <ul style="list-style-type: none"> <li>▪ Photofinishing laboratories.</li> <li>▪ Headquarters of banks and other financial institutions.</li> <li>▪ Insurance carriers and brokers.</li> <li>▪ Real estate.</li> <li>▪ Communication services.</li> <li>▪ Engineering, architectural, and surveying services.</li> <li>▪ Accounting services.</li> <li>▪ Management and public relations services.</li> <li>▪ Technical services provided by independent authors and artists.</li> <li>▪ Research.</li> <li>▪ Music publishing.</li> <li>▪ Actuarial consulting.</li> <li>▪ Environmental consultants.</li> <li>▪ Call centers.</li> <li>▪ Vocational trade schools.</li> </ul>
	N	All other Office.
Audio/Visual Media Production	P	
Laboratory Research and Testing	P	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	N	
Motor Vehicle Services	P	The following Motor Vehicle Services activities: <ul style="list-style-type: none"> <li>▪ Motorcycle repair.</li> <li>▪ Gasoline service stations.</li> </ul>
	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	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment – Indoor	P	Health clubs, gyms, and membership sports and recreation clubs.
	N	All other Commercial Entertainment – Indoor.

Table 553-1: Uses		
Use	Status	Limitations & Qualifications
Commercial Entertainment – Outdoor	N	
Major Event Entertainment	N	
Recreational and Cultural Community Services	N	
Parks and Open Space	P	
Non-Profit Membership Assembly	N	
Religious Assembly	N	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	N	
<b>Educational Services</b>		
Day Care	P	Child day care services.
	N	All other Day Care.
Basic Education	N	
Post-Secondary and Adult Education	P	Vocational trade schools.
	N	All other Post-Secondary and Adult Education.
<b>Civic Services</b>		
Governmental Services	N	
Social Services	N	
Governmental Maintenance Services and Construction	P	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	N	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	N	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	P	
Building and Grounds Services and Construction Contracting	P	
Cleaning Plants	P	
Industrial Services	P	
<b>Whole Sales, Storage, and Distribution</b>		
General Wholesaling	P	

**Table 553-1: Uses**

Use	Status	Limitations & Qualifications
Heavy Wholesaling	C	The following Heavy Wholesaling activities: <ul style="list-style-type: none"> <li>Petroleum And Petroleum Products wholesalers.</li> <li>Chemicals and allied products wholesalers.</li> <li>Firearms wholesalers.</li> <li>Wood products and timber wholesalers.</li> </ul>
	N	All other Heavy Wholesaling.
Warehousing and Distribution	P	
Self-Service Storage	P	
<b>Manufacturing</b>		
General Manufacturing	P	
Heavy Manufacturing	N	The following Heavy Manufacturing activities: <ul style="list-style-type: none"> <li>Petroleum and coal products manufacturing.</li> <li>Primary metal manufacturing.</li> <li>Cement and concrete product manufacturing.</li> <li>Lime and gypsum product manufacturing.</li> </ul>
	C	All other Heavy Manufacturing activities.
Printing	P	
<b>Transportation Facilities</b>		
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	
<b>Utilities</b>		
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
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	C	
Surface Mining	N	



**Table 553-1: Uses**

Use	Status	Limitations & Qualifications
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	<del>NC</del>	Marijuana Production
	P	All other Agriculture
Forestry	P	
Agriculture and Forestry Services	N	
Keeping of Livestock and Other Animals	C	
Animal Services	C	
<b>Other Uses</b>		
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;

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(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