



**TOWN OF EATONVILLE  
PLANNING AND ZONING BOARD**

**Review and Workshop of  
zoning district uses**

**DATE:** March 28, 2024  
**TO:** Planning and Zoning Board  
**FROM:** Tara Salmieri, AICP (Town Planner Consultant)

**SUBJECT: Review of Zoning District Uses**

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**BACKGROUND:**

The planning department has been reviewing the Land Development Code and has determined that there is a need to review the overall uses, by zoning district, to ensure that the most current uses afford the town a wide range of economic development opportunities for new business and development to come to the Town.

**ISSUE:**

Currently the uses, by zoning district are vague and do not provide a definition for that use, so it can be hard to determine appropriate uses.

**ANALYSIS:**

The planning consultant has drafted a consolidated use table (Attached Page 1-9) that provides the board a summary of each zoning districts permitted, and special exception uses. For ease of review, the highlighted yellow box, by zoning district, provide the board with the use(s) as regulated to date. In addition, the consolidated use table adds a wide range of uses, for consideration, to be evaluated and potentially added to zoning districts. The attachment also defines major use classifications and categories to further define the uses that are provided in the consolidated table (Attached page 10-14).

**NEXT STEPS:**

Upon direction of the planning board, the town planner will move forward with development of a more comprehensive list of uses, per zoning district that will be brought back to the board for review, comment, and recommendation. Once the planning board has provided their recommendation, the consolidated use table will move forward for council hearing to amend the land development code.

**Principal Use Table.**

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
Household Living	Dwelling, single-family detached	P	P								
	Dwelling, townhouse			P							
	Dwelling, two-family (duplex)			P							
	Dwelling, three-family (triplex)										
	Dwelling, four-family (fourplex)										
	Dwelling, multifamily			P							
	Dwelling, live-work										
	Dwelling unit(s) above non-residential									P	
	Dwelling, unit within professional office building for owner or custodian										
Group Living	Assisted care community			SE							
	Foster care home										
	Group dwelling or lodging home										
	Group home, small										
	Group home, large										
Community Service	Adult Day Care		SE								
	Cemetery										
	Child care center	SE	SE				P				
	Community center/civic club										
	Community service facility										
	Cultural facility									P	
	Government building										
	Government facilities, general			SE							

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
	Post office										
	Religious Institution	SE	SE	SE							
Education	School, higher education (college or university)										
	School, secondary (K-12)	SE	SE	SE							
	School, vocational or trade										
Health Care	Blood &/ Plasma Banks									NP	
	Clinic and laboratory								P		
	Hospital										
	Medical Marijuana dispensary										
	Nursing home			P							
	Outpatient care facility								P		
	Pain management clinic									NP	
Parks and Open Space	Arboretum/botanical garden										
	Aviary/bird sanctuary										
	Community garden	P	P								
	Park, community	P	P								
	Park, neighborhood	P	P								
	Park, private			P							
Utility, Transportation, and Communication	Bus or rail terminal, private										
	Newspaper/periodical publishing establishment										
	Park-and-ride lot										
	Parking facility, private								P	NP	(p) requires It to be a garage
	Parking facility, public										

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
	Solar energy collection facility, large-scale										
	Television and radio station										
	Transportation terminal and station										
	Utility facility, major				P	P	P				
	Utility facility, minor				P	P	P				
	Wireless communication facility/tower (*)							P			
Animal Uses	Animal kennel										
	Veterinary hospital or clinic										
Business Support Services	Call center							P	P		
	Conference or training center										
	Employment agency										
Eating, Drinking, and Entertainment	Bars, taverns, and nightclubs				P						
	Limited service eating and drinking establishments										
	Microbrewery or microdistillery										
	Restaurant, take-out/delivery only										
	Restaurant, sit-down				P	P	P		P		LDC does not distinguish between type of restaurants (C-3 SE alcohol sales)
Funeral and Mortuary Services	Crematory										
	Funeral home										
Office	Contractors' office										
	General business office				P	P	P		P		

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
	Professional office				P	P	P		P		
Personal Services					P	SE	P		P		Town code does not define this category
	Arts, performing arts, and craft studios										
	Beauty salon, barber shop, nail salon										
	Interior decorating shop										
	Laundry or dry cleaning establishment								P		
	Laundry, self-service								P		
	Lawn care, pool, or pest control service										
	Massage therapy establishment										
	Personal or household goods repair shop										
	Personal training studio										
	Print shops, job printing, bindery, silk screening										
	Tattoo and piercing										
	Travel agency										
Recreation and Lodging	Arena, stadium, or amphitheater										
	Bed & Breakfast								P		
	Hotel or Motel								P		
	Recreation facility, indoor				SE						Code SE pool hall and game room when in a shopping center
	Recreation facility, outdoor										
	Short-term rental unit			SE			SE				Refers to residential lodging
	Theater										

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
Retail Sales					P	SE	P			P	LDC does not expand on definition , overlay cultural/history retail shops (add no thrift or pawnshop)
	Alcoholic beverage retail sales				P		SE				
	Bank or financial institution								P		
	Check cashing										
	Computer hardware service										
	Consumer goods establishment (10,000 square feet or less)						P			NP	Convenience stores with gas are prohibited
	Consumer goods establishment (more than 10,000 square feet)						P			NP	This would include Plant nursery (look at the definition)
	Drugstore/pharmacy					P					
	Farmer's Market										
	Grocery store and food market										
	Pawnshop									NP	
	Shopping center				SE						Min 1 acre
Vehicle Sales, Rental, Service, and Repair	Automobile repair and service garage				SE		SE	SE		NP	LDC has criteria
	Automobile service station				SE						
	Mobility services										
	Personal vehicle rentals							SE			LDC has Criteria
	Personal vehicle sales							SE			LDC has Criteria
	Vehicle Wash									NP	
Water Related Uses	Boat sales and/or rental, service, or repair										
	Boat storage yard										
	Personal boat rentals										

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
	Personal boat sales										
Industrial Service	Educational, scientific, or industrial research or development										
Manufacturing and Production	Manufacturing, assembly or fabrication, light							P			This includes food commissary and wholesaling
Warehouse and Freight Movement Uses	Consolidated Storage, Self Storage										
	Moving and storage facility										
	Showroom, wholesale								P		Office showroom
	Warehouse, distribution										
	Warehouse, storage (mini)							SE			LDC has Criteria
	Warehouse, storage										

Accessory Uses

Use Category	Use Type	Residential Districts			Non-Residential Districts				Mixed Use Districts		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST CULT	
	Air conditioner compressor unit										
	Amateur ham radio antenna										
	Automated teller machine (ATM)										
	Automatic car wash										
	Bicycle parking rack										
	Boathouse										
	Boat dock										
	Chicken keeping										
	Childcare, home, five or fewer children										
	Childcare, home, six or more children										
	Clubhouse, as accessory to a residential development, golf, or tennis facility			P							
	Community garden										
	Cottage residence										
	Composting, small-scale										
	Donation center										
	Drive-through facility									NP	
	Electric vehicle (EV) level 1 or 2 charging station									P	
	Electric vehicle (EV) level 3 charging station									?	
	Food dispensing vehicle										



Use Category	Use Type	Residential Districts			Non-Residential Districts				Mixed Use Districts		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST CULT	
	Garage or carport	P	P								
	Green roof										
	Home garden										
	Home occupation	SE	SE	SE							
	Leasing office, as accessory to rental apartment complex			P							
	Limited fuel/oil/bottled gas distribution										
	Minor home structure										
	Office required for operation of primary use						P				
	Outdoor display of merchandise, as accessory to a retail sales use									NP	
	Outdoor mechanical equipment, residential									NP	
	Outdoor seating, as accessory to an eating, drinking, and entertainment use										
	Outdoor storage, as an accessory use									NP	
	Parking structure and lot, private, as an accessory use			P	P	P	P				
	Rainwater cistern or barrel										
	Retail as an accessory						P				
	Satellite dish, accessory										

Use Category	Use Type	Residential Districts			Non-Residential Districts				Mixed Use Districts		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST CULT	
	Solar energy collection facility, small-scale										
	Swimming pool and pool screen enclosure, as accessory to single-family or two-family use	P	P	P							

**Temporary Uses**

Use Category	Use Type	Residential Districts			Non-Residential Districts				Mixed Use Districts		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST CULT	
	Mobile homes intended to house business activities						SE				

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## Overview of Uses

Structure of the Principal Use Table.

- (1) Organization and Classification of Principal Uses organizes allowable principal uses within the following three-tier classification hierarchy,
  - (A) Use Classifications. The top-level use classifications are very broad and general (Residential Uses; Public, Civic, and Institutional Uses; Commercial Uses; and Light Industrial, Research and Development, and Warehousing Uses).
  - (B) Use Categories. Use categories represent major subgroups of the use classifications that have common functional, product, or physical characteristics, such as the type and amount of activity, type of occupants or users/customers, or operational characteristics. For example, the Commercial Use Classification is divided into multiple use categories, including Eating, Drinking, and Entertainment and Recreation and Tourism uses.

### Classification of Principal Uses.

#### (a) Residential Uses Classification.

- (1) Household Living Uses. The Household Living Uses category includes use types providing for the residential occupancy of a dwelling unit by a single family. Tenancy is generally arranged on a month-to-month or longer basis. Use types include: live-work dwellings, multifamily dwellings, single-family attached (townhome) dwellings, single-family detached dwellings, two-family (duplex) dwellings, and dwelling units within a professional office building for owner or custodian. This use category does not include residential use types that generally involve some level of managed personal care for a larger number of residents (e.g., continuing care communities or large group homes), which are categorized in the Group Living Uses category. Accessory uses common to Household Living Uses include cottage residences, home-based businesses, and swimming pools.
- (2) Group Living Uses. The Group Living Uses category includes use types providing for the residential occupancy of a group of living units by persons who may or may not constitute a single family and may receive some level of personal care. Individual living units often consist of a single room or group of rooms without cooking and eating facilities (though some do have such facilities), but unlike a hotel/motel, are generally occupied on a monthly or longer basis. Use types include assisted care community, extended care facility, foster home, group dwelling or lodging home, group home, and similar uses. This use category does not include use types where persons generally occupy living units for periods of less than thirty (30) days (e.g., hotel/motels), which are categorized in the Visitor Accommodation Uses category. It also does not include use types where residents or inpatients are routinely provided more than modest health care services (e.g., nursing homes), which are categorized in the Health Care Uses category. Accessory uses common to group living uses include recreational facilities, administrative offices, and food preparation and dining facilities.

#### (b) Public, Civic, and Institutional Uses Classification.

- (1) Community Service Uses. The Community Service Uses category includes use types of a public, nonprofit, or charitable nature providing a local service (e.g., child care facility,

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cultural, recreational, counseling, funeral services, training, religious) directly to people of the community. Generally, such uses provide ongoing continued service on-site or have employees at the site on a regular basis. The category does not include uses with a residential component. Use types include adult day care; banquet facility; child care center; civic building; community center/civic club; community service facility; cultural facility; government building post office; religious institution; and similar uses. This use category does not include private or commercial health clubs or recreational facilities (categorized in the Recreation/Entertainment Uses category), or counseling in an office setting (categorized in the Office Use category), or passenger terminals for public transportation services (categorized in the Transportation Use category). Accessory uses may include offices, meeting areas, food preparation and dining areas, health and therapy areas, and indoor and outdoor recreational facilities.

- (2) Education Uses. The Educational Uses category includes use types such as public schools and private schools (including charter schools) at the elementary, middle, or high school level that provide State-mandated basic education or a comparable equivalent. This use category also includes colleges, universities, and other institutions of higher learning such as vocational or trade schools that offer courses of general or specialized study leading to a degree or certification. Accessory uses at all education uses may include offices, play areas, recreational and sport facilities, cafeterias, theaters, auditoriums, and before- or after-school day care. Accessory uses at colleges or universities may additionally include dormitories, food service, laboratories, health care facilities, meeting areas, athletic facilities and fields, maintenance facilities, and supporting uses (e.g., eating establishments, bookstores).
- (3) Health Care Uses. The Health Care Uses category includes use types providing a variety of health care services, including surgical or other intensive care and treatment, various types of medical treatment, nursing care, preventative care, diagnostic and laboratory services, and physical therapy. Care may be provided on an inpatient, overnight, or outpatient basis. Use types include clinic and laboratory; hospital; nursing home; outpatient care facility; pain management clinic; and similar uses. This use category does not include assisted living facilities or similar facilities which focus on providing personal care rather than medical care to residents and are categorized in the Group Living Uses category. Accessory uses may include food preparation and dining facilities, recreation areas, offices, meeting rooms, teaching facilities, hospices, maintenance facilities, staff residences, and limited accommodations for members of patients' families.
- (4) Parks and Open Space Uses. The Parks and Open Space Uses category includes use types focusing on open space areas largely devoted to natural landscaping and outdoor recreation, and tending to have few structures. Use types include: arboretum or botanical garden; aviary and bird sanctuary; neighborhood park; community park; and similar uses. This use category does not include golf courses, golf driving ranges, or other primarily outdoor recreational uses (categorized in the Recreation and Lodging Uses category). Accessory uses may include caretaker's quarters, clubhouses, statuary, fountains, maintenance facilities, concessions, and parking.
- (5) Utility, Transportation, and Communication Uses. The Utility Uses category includes both major utilities, which are infrastructure services that provide regional or City-wide service, and minor utilities, which are infrastructure services that need to be placed in or near where the service is provided. Large-scale solar energy collection systems that constitute a principal

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use of a lot are included as a special type of major utility use. Services may be publicly or privately provided and may include on-site personnel. Accessory uses may include offices, monitoring, or storage areas.

The Transportation Uses category includes use types providing for passenger terminals for surface or water-based transportation. Accessory uses may include freight handling areas, concessions, offices, maintenance, limited storage, and fueling facilities. Use types include passenger stations/terminals for ground transportation services (e.g., buses); park and ride facilities; and parking facilities (as a principal use). This use category does not include transit-related infrastructure such as bus stops and bus shelters (deemed minor utilities under the Utility Uses category).

The Communication Uses category includes use types that accommodate communication-related uses. Use types include television and radio stations; wireless communication facilities; and related uses.

**(c) Commercial Uses Classification.**

- (1) **Animal Care Uses.** The Animal Care Uses category is characterized by use types related to the provision of medical services, general care, and boarding services for household pets and domestic animals. Use types include animal kennels (that provide boarding); veterinary hospitals or clinics; and similar uses.
- (2) **Business Support Services Uses.** The Business Support Service Uses category includes use types primarily providing routine business support functions for the day-to-day operations of other businesses, as well as to households. Use types include call center; conference or training center; employment agency; and similar uses.
- (3) **Eating, Drinking, and Entertainment Uses.** The Eating or Drinking Establishment Uses category consists of establishments primarily engaged in the preparation and serving of food or beverages for on- or off-premises consumption. Use types include bars and nightclubs; limited-service eating and drinking establishments; microbreweries and microdistilleries; restaurants, take-out/delivery only; restaurants, sit-down; and similar uses. Accessory uses may include areas for outdoor seating, drive-through service facilities, facilities for live entertainment, and valet parking services.
- (4) **Funeral and Mortuary Services Uses.** The Funeral and Mortuary Services Uses category consists of establishments that provide services related to the death of a human being or animal. Use types include crematories; funeral homes; and similar uses.
- (5) **Office Uses.** The Office Uses category includes office buildings that house activities conducted in an office setting, usually with limited contact with the general public, and generally focusing on the provision of business services, professional services (e.g., accountants, attorneys, engineers, architects, planners), financial services (e.g., lenders, brokerage houses, tax preparers), or small-scale video or audio production services that are entirely conducted indoors (e.g. video editing, podcast recording and production). Use types include contractors' offices; general business offices; professional offices; and similar uses. This use category does not include offices that are a component of or accessory to a principal use in another use category, such as medical/dental offices (categorized in the Health Care Uses category) or banks or other financial institutions (categorized in the Retail Sales and Service Uses category). Accessory uses may include cafeterias, lunch rooms, recreational or fitness

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facilities, incidental commercial uses, or other amenities primarily for the use of employees in the offices.

- (6) **Personal Service Uses.** The Personal Services Uses category consists of establishments primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Use types include arts, performing arts, or craft studio; beauty salon, barber shop, or nail salon; caterer, interior decorating shop; laundry or dry cleaning pick-up establishment; laundry, self-service; lawn care, pool, or pest control service; personal or household goods repair shop; print shops, job printing, bindery, or silk screening; travel agency; and similar uses.
- (7) **Recreation and Lodging Uses.** The Recreational/Entertainment Uses category includes use types providing indoor or outdoor facilities for recreation or entertainment-oriented activities by patrons or members. Use types include: arenas, stadiums, or amphitheaters; cinemas; country clubs; golf courses; golf driving ranges; nightclubs; performance arts centers; recreation facilities, recreation facilities, indoor (amusement arcades, amusement centers, aquatics centers health clubs, recreation courts, skating facilities, swimming pools, and similar uses); and recreation facilities, outdoor (archery, baseball batting ranges, athletic fields, miniature golf courses, recreation courts, swimming pools, and similar uses). It does not include recreational facilities that are accessory to parks (categorized as open space uses), or that are reserved for use by a residential development's residents and their guests (e.g., accessory community swimming pools and other recreation facilities). Accessory uses may include offices, concessions, snack bars, and maintenance facilities.
- (8) **Retail Sales Uses.** The Retail Sales Uses category includes use types involved in the sale, rental, and incidental servicing of goods and commodities that are generally delivered or provided on the premises to a consumer. Use types include alcoholic beverage retail sales; bank or financial institution; carpentry and cabinet shop; computer hardware service; consumer goods establishment; drugstore/pharmacy; farmers' market; grocery store and food market; shopping center; and related uses. This use category does not include sales or service establishments related to vehicles (the Vehicle Services and Sales Uses category), the provision of financial, professional, or business services in an office setting (categorized in the Office Uses category), uses providing recreational or entertainment opportunities (categorized in the Recreation and Tourism Uses category), uses that provide personal services such as dry cleaning or laundry establishments, or product repair or services for consumer and business goods (categorized in the Personal Services Uses category). Accessory uses may include offices, storage of goods, assembly or repackaging of goods for on-site sale, concessions, ATM machines, and outdoor display of merchandise. No non-medical marijuana sales use is permitted.
- (9) **Vehicle Sales, Rental, Service, Repair, and Parking Uses.** The Vehicle Sales and Service Uses category includes use types involving the direct sales and servicing of motor vehicles, including automobiles, trucks, motorcycles, and recreational vehicles, as well as trailers — whether for personal transport, commerce, or recreation. Use types include automotive repair and service garages; automobile service station; bus or rail terminal; mobility services; personal vehicle sales; personal vehicle rentals; and similar uses. Accessory uses may include offices, sales of parts, maintenance facilities, and vehicle storage.

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(10) Boat Sales, Rental, Service, Repair, and Parking Uses. The Boat Sales and Service Uses category includes use types involving the direct sales and servicing of boats, including jet ski's, sailboats, motorized boats, as well as trailers — whether for personal transport, commerce, or recreation. Use types include boat sale repair and service garages; boat service station; boat sales; boat rentals; and similar uses. Accessory uses may include offices, sales of parts, maintenance facilities, and boat storage

(d) **Light Industrial, Research and Development, and Warehousing Classification.**

- (1) Industrial Service Uses. The Industrial Services use category includes use types involving the repair or servicing of industrial or business machinery equipment, products, or by-products, and firms that service consumer goods for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.
- (2) Light Industrial. The Light Industrial use category includes use types involved in the processing, production, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, made for transfer to other plants, or made to order for firms or consumers. This use category does not include heavy manufacturing, which generally has more significant impacts off-site and additional outside storage. Goods are generally not displayed or sold on-site, but if so, such sales are a subordinate part of total sales. Relatively few customers come to the site. Accessory uses may include limited retail sales and wholesale sales, offices, cafeterias, employee recreational facilities, warehouses, storage yards, repair facilities, and security and caretaker's quarters.
- (3) Warehouse and Freight Movement Uses. The Warehouse and Freight Movement Uses category includes use types involving the storage or movement of goods for themselves or other firms or businesses. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Accessory uses include offices, truck fleet parking, outdoor storage, and maintenance areas. Example use types include separate storage warehouses (used for storage by retail stores such as furniture and appliance stores), distribution warehouses (used primarily for temporary storage pending distribution in response to customer orders), cold storage plants (including frozen food lockers), and outdoor storage (as a principal use). This use category does not include contractor's yards or uses involving the transfer or storage of solid or liquid.