

CHAPTER 1255 PERMITTED AND CONDITIONAL LAND USES

1255.01 Use Designations in the Land Use Matrix

1255.02 Land Use Matrix

The principal objective of this Zoning Ordinance is to provide for an orderly arrangement of compatible building and land uses, and for the proper location of all types of uses required for social and economic welfare of the Village. To accomplish this objective, each type and kind of use is classified as a permitted use, a special use, or a prohibited use in one or more of the various districts established by this Ordinance.¹

1255.01 Use Designations in the Land Use Matrix²

This Chapter provides a list of permitted, special, and prohibited land uses in the form of a Land Use Matrix.

- A. Zoning Districts. Each of the Zoning Districts established in Chapter 1250 (Establishment of Districts) are indicated over each of the columns in the Land Use Matrix.
- B. Symbols for Permitted and Special Land Uses. When used in connection with a particular use listed in the Land Use Matrix:
 1. The letter “**P**” means that the use is permitted in the indicated zoning district with a Zoning Permit issued by the Zoning Inspector.
 2. The letter “**S**” means a Special Use Certificate must be obtained in accordance with Chapter 1246 (Special Uses) and Chapter 1257 (Supplemental Land Use Regulations) before a Zoning Permit may be issued by the Zoning Inspector.
 3. The lack of any symbol or the letter “**X**” means the proposed land use is prohibited in the Zoning District.
- C. Interpretation of Land Uses. The permitted and special land uses allowed in the Village are indicated as rows in the matrix. Each land use listed in the matrix has been assigned to one of the following land use categories: agricultural uses, residential uses, public and semi-public uses, commercial uses, and industrial uses. Permitted and special accessory uses are also listed at the end of the Land Use Matrix.
 1. The presumption established by this Chapter is that all principal uses of land allowed in the Village of Whitehouse are listed in the Land Use Matrix and assigned to at least one zoning district.

¹ Amended Ord. 27-2006; Effective August 1, 2006

² Amended Ord. 27-2006; Effective August 1, 2006

2. Since the list of land uses set forth in the Land Use Matrix cannot be all-inclusive, the Zoning Inspector shall refer proposed questionable uses to the Board of Zoning Appeals for determination whether or not a proposed use is of a similar nature, is similar in character, or will have similar impacts to a specified permitted or special land use listed in the Land Use Matrix.
3. The interpretation of uses given in categorical terms shall be as defined in Chapter 1270.02 (Definitions) or as interpreted by the Board of Zoning Appeals.
4. Land uses which are indicated with the letter "X" for any Zoning District or uses not specifically listed or interpreted by the Board of Zoning Appeals to be included categorically under Chapter 1255 (Permitted and Conditional Uses) and Chapter 1270.02 (Definitions) shall be considered prohibited until such uses are amended into these regulations pursuant to Chapter 1248 (Amendments).
5. The Land Use Matrix shall not be interpreted to allow a principal use in one zoning district when the use in question is more closely related to another specified principal use that is listed in another zoning district.
6. Whenever a mixed-use development could fall within more than one use classification in the Land Use Matrix, the classification that most closely and most specifically describes the development shall control. When a mixed use development comprises two or more principal uses where any of the principal uses is a special use, then the entire mixed-use development shall be deemed a special use.

1255.02 **Land Use Matrix**³

Use Permitted: After obtaining a valid zoning permit in accordance with Section 1241.04 (Application and Issuance of Zoning Permits), the following uses are permitted:

| Land Uses | Zoning District | | | | | | | | | | | | | | | |
|--|-----------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---|
| | <u>A</u> | <u>S-1</u> | <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>C-1</u> | <u>C-2</u> | <u>C-3</u> | <u>C-4</u> | <u>TND</u> | <u>B-P</u> | <u>M-1</u> | <u>M-2</u> | |
| A. <u>Agricultural Uses</u> | | | | | | | | | | | | | | | | |
| 1. Agriculture | P | | | | | | | | | | | | | | | |
| 2. Agriculture - Boarding of livestock and domesticated animals | P | | | | | | | | | S | | X | | | | |
| 3. Agriculture - Cropland uses only | P | P | | | | | | | | | | | | | | |
| 4. Farm markets | S | S | | | | | | | | | | | | | | |
| 5. Greenhouses (commercial) | S | | | | | | | | | | | | | | | |
| 6. Road side stands | S | S | | | | | | | | | | | | | | |
| B. <u>Residential Uses</u> | | | | | | | | | | | | | | | | |
| 1. Boarding house | | | | | | | | P | | | P | | P | | | |
| 2. Dwelling - Single family | P | P | P | P | P | P | P | | | | | P | | | | |
| 3. Dwelling - Two-family | | | | | | P | P | | | | | P | | | | |
| 4. Dwelling - Multi-family | | | | | | | P | | | | | P | | | | |
| 5. Nursing home | | S | S | S | S | S | S | P | | S | P | S | P | | | |
| 6. Residential unit(s) in the same building as a commercial use, subject to Section 1257.15.B. (Mixed Residential and Commercial Uses) | | | | | | | | | P | P | P | P | | | | |
| C. <u>Public and Semi-Public Uses</u> | | | | | | | | | | | | | | | | |
| 1. Airports, Fixed Wing Air Facilities | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| 2. Cemetery/Memorial Gardens | S | S | | | | | | | | | | S | | | | |
| 3. Child day care home, Type A | | | | | | | S | S | S | S | S | S | S | | | |
| 4. Child Day care home, Type B | P | P | P | P | P | P | P | S | S | S | S | P | | | | |
| 5. Child Day care center, only when an integral part of an office building or office complex | | | | | | | | S | | | S | P | S | S | S | |

³ Amended Ord. 27-2006; Effective August 1, 2006

| Land Uses | Zoning District | | | | | | | | | | | | | | | |
|--|-----------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--|
| | A | S-1 | R-1 | R-2 | R-3 | R-4 | R-5 | C-1 | C-2 | C-3 | C-4 | TND | B-P | M-1 | M-2 | |
| 6. Health care clinics | | | | | | | | P | | P | P | S | P | | | |
| 7. Institutional Health Care | | | | | | | S | | | | | S | | | | |
| 8. Public service facilities | | | | | | | S | P | P | P | P | P | P | P | | |
| 9. Public and semi-public uses | S | S | S | S | S | S | S | P | | | P | P | P | | | |
| D. Commercial Uses | | | | | | | | | | | | | | | | |
| 1. Animal care facilities | S | | | | | | | | | P | P | X | P | | | |
| 2. Animal hospital | | | | | | | | | P | P | P | S | P | | | |
| 3. Auction Markets | | | | | | | | | | S | | | | | | |
| 4. Car washes | | | | | | | | | S | P | P | | P | | | |
| 5. Garage, Public | | | | | | | | | P | P | P | | P | S | | |
| 6. Hotels / motels principally oriented to trucking patronage | | | | | | | | | | | | | X | | | |
| 7. Internet Sweepstake Terminal Cafés | | | | | | | | | | S | | | | S | | |
| 8. Lodging - Bed and breakfast | | S | S | | | | | | S | | | S | | | | |
| 9. Lodging - Hotels and motels | | | | | | | | | | | P | S | P | | | |
| 10. Lodging - Tourist home | | | | | | | | | S | | | | | | | |
| 11. Mortuary | S | S | | | | | | P | P | P | P | | P | | | |
| 12. Offices | | | | | | | | | P | P | P | P | P | P | P | |
| 13. Office Services - Banking, financial, and insurance institutions; including drive-up facilities | | | | | | | | | P | P | P | | P | | | |
| 14. Office Services - Banking, financial, and insurance institutions; without drive-up facilities | | | | | | | | P | P | P | P | P | P | | | |
| 15. Office Services - Banking when included as an integral part of an office building located in a "M-1" Light Industrial/Office Research Facility | | | | | | | | | | | | | | P | P | |
| 16. Office Services - Professional | | | | | | | | P | P | P | P | P | P | P | S | |
| 17. Printing and publishing | | | | | | | | | P | P | P | S | P | P | P | |
| 18. Radioactive Warehouse Storage | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| 19. Recreation facilities | S | S | S | S | S | S | | S | | P | P | P | P | | | |
| 20. Recreation facilities - Bowling alleys | | | | | | | | | | | P | P | P | | | |

| Land Uses | Zoning District | | | | | | | | | | | | | | | |
|---|-----------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|
| | A | S-1 | R-1 | R-2 | R-3 | R-4 | R-5 | C-1 | C-2 | C-3 | C-4 | TND | B-P | M-1 | M-2 | |
| 21. Recreation facilities - Indoor courts for tennis and racquetball, and physical fitness centers | | | | | | | | | | | | P | P | P | | |
| 22. Rental facilities - Equipment | | | | | | | | | | | | P | | P | | |
| 23. Restaurants/Lounges | | | | | | | | S | P | P | P | P | P | | | |
| 24. Restaurants principally oriented to trucking patronage | | | | | | | | | | | | P | | X | | |
| 25. Restaurants with drive-up facilities | | | | | | | | | | | | P | X | P | | |
| 26. Sales - Agricultural products | | | | | | | | | | | P | P | | P | | |
| 27. Big box retail and service development pursuant to Section 1257.03 | | | | | | | | | | | | P | X | | | |
| 28. Sales - Building supply stores where inventory is substantially enclosed in a building | | | | | | | | | | | | P | | P | | |
| 29. Sales - Building supply stores where inventory is not substantially enclosed in a building, such as a lumber yard | | | | | | | | | | | | | X | | P | P |
| 30. Sales - Flea Markets | | | | | | | | | | | S | | X | | | |
| 31. Sales - Food stores | | | | | | | | | | | | P | P | P | | |
| 32. Sales - Garden centers | | | | | | | | | | | | P | S | P | | |
| 33. Sales - General business | | | | | | | | | | P | P | P | P | P | | |
| 34. Sales - Manufactured homes | | | | | | | | | | | S | | X | | | |
| 35. Sales - Neighborhood-oriented business | | | | | | | | P | P | P | P | P | P | P | | |
| 36. Sales - Shopping centers | | | | | | | | | | | S | | P | | | |
| 37. Sales and/or Rental - Motor vehicles | | | | | | | | | | | P | P | X | P | | |
| 38. Service and sales - Agricultural implement | | | | | | | | | | | P | P | X | P | | |
| 39. Service and sales - Aircraft | | | | | | | | | | | | P | X | P | | |
| 40. Service and sales - Motor fuel service stations, principally oriented to trucking patronage | | | | | | | | | | | | P | X | X | | |
| 41. Service and sales - Motor fuel service stations, principally-oriented to automobiles | | | | | | | | | | P | P | P | S | P | | |
| 42. Service and sales - Motor vehicle | | | | | | | | | | | | P | X | P | | |
| 43. Service and sales - Watercraft and marine | | | | | | | | | | | P | P | X | P | | |

| Land Uses | Zoning District | | | | | | | | | | | | | | | |
|--|-----------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|--|
| | <u>A</u> | <u>S-1</u> | <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>C-1</u> | <u>C-2</u> | <u>C-3</u> | <u>C-4</u> | <u>TND</u> | <u>B-P</u> | <u>M-1</u> | <u>M-2</u> | |
| 44. Services - Boat Storage | | | | | | | | | | P | P | | P | | | |
| 45. Services - Motor vehicle body shop | | | | | | | | | | P | P | X | P | | | |
| 46. Services - Personal | | | | | | | | P | P | P | P | P | P | | | |
| 47. Sexually-oriented business, subject to Section 1257.16 | | | | | | | | | | P | | X | | P | | |
| 48. Studios - Photography and art | | | | | | | | P | P | P | P | P | P | | | |
| 49. Warehousing - Building materials/storage garage | | | | | | | | | | | P | | P | P | P | |
| 50. Warehousing - Self service storage facilities, subject to Section 1257.17 | | | | | | | | | | P | P | X | P | | | |
| A. Industrial Uses | <u>A</u> | <u>S-1</u> | <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>C-1</u> | <u>C-2</u> | <u>C-3</u> | <u>C-4</u> | <u>TND</u> | <u>B-P</u> | <u>M-1</u> | <u>M-2</u> | |
| 1. Extraction industries | | | | | | | | | | | | | | | S | |
| 2. Grain Elevator/Storage | | | | | | | | | | | | | | | P | |
| 3. Laboratories - Research | | | | | | | | | | | | S | S | P | P | |
| 4. Laboratories - Service | | | | | | | | | | P | P | | P | P | P | |
| 5. Manufacturing, General Manufacturing, as defined by Section 1270.02.128 | | | | | | | | | | | | | P | P | P | |
| 6. Manufacturing, Heavy Manufacturing, as defined by Section 1270.02.129 | | | | | | | | | | | | | | | P | |
| 7. Manufacturing, Restricted Manufacturing, as defined by Section 1270.02.130 | | | | | | | | | | | | | P | P | P | |
| 8. Metal Stamping / Machine Shop | | | | | | | | | | | | | P | P | P | |
| 9. Toxic Waste Storage | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| 10. Truck Transport Terminals | | | | | | | | | | | | | | P | P | |
| 11. Warehousing | | | | | | | | | | | P | | P | P | P | |
| 12. Sales - Wholesale | | | | | | | | | | | | X | P | P | | |
| B. Accessory Uses | <u>A</u> | <u>S-1</u> | <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>C-1</u> | <u>C-2</u> | <u>C-3</u> | <u>C-4</u> | <u>TND</u> | <u>B-P</u> | <u>M-1</u> | <u>M-2</u> | |
| 1. Accessory buildings and uses customarily incident to any of the above uses when located on the same lot | P | P | P | P | P | P | P | P | P | P | P | S | | P | P | |

| Land Uses | Zoning District | | | | | | | | | | | | | | | |
|--|-----------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|--|
| | <u>A</u> | <u>S-1</u> | <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>R-4</u> | <u>R-5</u> | <u>C-1</u> | <u>C-2</u> | <u>C-3</u> | <u>C-4</u> | <u>TND</u> | <u>B-P</u> | <u>M-1</u> | <u>M-2</u> | |
| 2. Accessory uses, including signs permitted in the C-1 to C-4 or M-1 districts, as well as any others customarily associated with the permitted uses of this district, but excluding those involving outside storage or display | | | | | | | | | | | | S | P | | | |
| 3. Home Occupation | P | P | P | P | P | P | P | | | | | S | | | | |
| 4. Garages used for storage of vehicles used in conjunction with the operation of the business | | | | | | | | | | | P | S | P | | | |
| 5. Restaurants when included as an integral part of an office building located in a "M-1" Light Industrial / Office Research Facility | | | | | | | | | | | | | | P | | |
| 6. Roof mounted solar collectors. The location of the collector shall be approved in accordance with Chapter 1241 (Enforcement) and Section 1257.01 (Accessory Users). | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| 7. Warehousing when included as an integral part of an office building located in a "M-1" Light Industrial / Office Research Facility | | | | | | | | | | | | S | | P | | |
| 8. Small wind energy system | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| 9. Micro wind system | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| 10. Wind cubes | P | | | | | | | P | P | P | P | | | P | P | |

