Use Classification Questionnaire

This document is intended to guide applicants so that a sufficient amount of information is provided on applications that include a change of use. The use categories listed below do not cover all the uses in the Zoning Code but they represent some of the uses that commonly require additional information to be clarify.

### Step 1:
Check the Use categories for the best fit
§14-601

### Step 2:
Check the Use Tables to verify if the use category can be approved, referred or denied
§14-602

### Step 3:
Check any applicable overlays
§14-500

### Step 4:
Refer to the questions below to capture additional information needed for the applicable Use Categories.

#### Group Living:
- How many unrelated people will live in the building?
  - 3 or less reverts to Household Living
- **Personal Care Homes:**
  - 4 or more adults not related to operator be present?
  - Are all occupants capable of self-preservation and self-sustaining?
  - Is any occupant under the jurisdiction of a court?
- **Group Living / Single Room Residence**
  - If use is prohibited - How many beds or rooms?

#### Limited Lodging / Visitor Accommodation:
- Accommodation of visitors in a unit that has a primary resident:
  - **Limited Lodging** (Permit is required for this accessory use)
- Accommodation of visitors in a unit that does not have a primary resident:
  - **Visitor Accommodation**
- See Also:
  - FAQ - Can I rent my house/apartment/condo as a short-term rental/limited lodging using services like AirBnB, VRBO, HomeAway? Do I need a permit to do this?

#### Eating / Drinking Establishments Category:
- Smoking (cigarettes, cigars, hookah, vape, etc.) is permitted:
  - **Smoking Lounge**
- There be dancing or live/recorded music on a regular basis:
  - **Nightclub / Private club**
- Number of customer seats to be provided:
  - 0-3 seats - **Take-Out Restaurant**
  - 4-10 seats - **Prepared Food Shop** if no commercial cooking appliances requiring mechanical exhaust
- There are no commercial cooking appliances requiring mechanical exhaust:
  - **Prepared Food Shop** if 4-20 seats
- No public restrooms available:
  - **Take-Out Restaurant**
- A drive-through or exterior service window available:
  - **Take-Out Restaurant**

#### Vehicle and Vehicular Sales / Service Category:
- What size vehicles will be serviced (personal or commercial)?
- What activity will take place on the lot? (vehicles will be repaired, dismantled, stored, sold, painted, etc.)
  - Auto-wrecking - **Junk and Salvage Yards and Buildings**

#### Assembly & Entertainment:
- There are 50 or more people in the space:
  - **Nightclub and Private Club** if dancing or live/recorded music included
  - If no dancing or live/recorded music, use reverts to **Assembly & Entertainment**

#### Child Care:
- Childcare located in the residence of the operator:
  - **Family Child Care**
- How many children will be in the day care?
  - Up to 4/6/12 in operator’s residence - **Family Child Care**
  - Up to 12 children not in residence of operator – **Group Child Care**
  - 13 or more children not in dwelling of operator – **Child Care Center**

#### Massage:
- Operated by a medical practitioner or physical therapist licensed by the state
  - **Medical, Dental, and Health Practitioner Office**
- Operated by a massage therapist licensed by the state
  - **Personal Services**
- Not operated by a medical practitioner, professional physical therapist, or massage therapist licensed by the state
  - **Adult Massage Shop**

#### Industrial and Storage Use Categories:
- What level of production of consumer goods is proposed? (by hand, small scale hand tools, large equipment, etc.).
- What level of vibration, noise, odor, traffic does the process produce? (very little, impacts beyond property line, hazardous chemicals, etc.)
- What type of materials are being stored in the building or on the site (clean soil and aggregate, scrap material, construction and demolition waste, etc.)
  - Transfer stations and storage o waste materials - **Junk and Salvage Yards and Buildings**
- See Also:
  - FAQ - Which Industrial Use Category does my proposed use fall into?
  - FAQ - I would like to open a brewery, winery, cidery, distillery, etc. Which use category does my business fall into?
Questions?

Disclaimer:
This interpretation, policy or code application is intended to provide guidance to staff for consistency of review and is subject to change without notice. Application of this interpretation, policy or code application to specific projects may vary. There may be other ways to comply with the Code. If so, you are not required to use this method. You may want to investigate other options or consult with a professional identifying an equally code compliant solution.