

# ZONING

## 490 Attachment 2

### Village of Perry

#### Use Table

[Amended 3-15-2021 by L.L. No. 2-2021; 10-21-2024 by L.L. No. 3-2024]

| Principal Uses                                                              | C-1 | C-2 | DDD | M-1 | R-1 | R-2 | R-3 | RCOZ | LD |
|-----------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|------|----|
| <b>Commercial Retail and Personal Service</b>                               |     |     |     |     |     |     |     |      |    |
| Retail shops and sales (30,000 square feet or less)                         | P   | P   | P   | P   | —   | —   | —   | —    | SP |
| Retail shops and sales (Over 30,000 square feet or more)                    | SP  | SP  | —   | —   | —   | —   | —   | —    | —  |
| Personal service shops, (e.g., barbershops, beauty salons, and shoe repair) | P   | P   | P   | P   | —   | —   | —   | —    | —  |
| Restaurants                                                                 | P   | P   | P   | P   | —   | —   | —   | —    | SP |
| Restaurants with drive-through service                                      | —   | P   | —   | P   | —   | —   | —   | —    | —  |
| Financial institutions, with or without drive-through service               | P   | P   | P   | P   | —   | —   | —   | —    | —  |
| Automotive, car washes                                                      | —   | SP  | —   | SP  | —   | —   | —   | —    | —  |
| Automotive, new and used motor vehicle sales and service                    | —   | SP  | —   | SP  | —   | —   | —   | —    | —  |
| Automotive, gasoline service stations                                       | SP  | SP  | —   | SP  | —   | —   | —   | —    | —  |
| Automotive, gasoline service stations, public garages, and collision shops  | —   | SP  | —   | SP  | —   | —   | —   | —    | —  |
| Farm equipment sales and service                                            | —   | P   | —   | P   | —   | —   | —   | —    | —  |
| Nurseries and greenhouses                                                   | —   | P   | —   | P   | —   | —   | —   | —    | —  |
| Auction barns and flea markets, exclusive of livestock                      | —   | P   | —   | P   | —   | —   | —   | —    | —  |
| Boat or marine sales and service                                            | —   | P   | —   | P   | —   | —   | —   | —    | —  |
| Mortuaries and funeral homes                                                | P   | P   | —   | P   | SP  | SP  | SP  | —    | —  |
| Mobile home, trailer and recreational vehicle sales and service             | —   | P   | —   | P   | —   | —   | —   | —    | —  |
| Adult uses                                                                  | —   | —   | —   | SP  | —   | —   | —   | —    | —  |
| Docking facilities                                                          | —   | —   | —   | —   | —   | —   | —   | —    | SP |
| <b>Commercial, Arts, Entertainment, and Recreation</b>                      |     |     |     |     |     |     |     |      |    |
| Art, dance, music or photographic studios                                   | P   | P   | P   | P   | —   | —   | —   | —    | —  |
| Theaters and cinemas                                                        | P   | P   | P   | P   | —   | —   | —   | —    | —  |
| Assembly halls                                                              | P   | P   | —   | P   | —   | —   | —   | —    | —  |
| Outdoor recreation                                                          | P   | P   | —   | P   | —   | —   | —   | —    | —  |
| Indoor recreation                                                           | P   | P   | P   | P   | —   | —   | —   | —    | —  |
| Golf courses and country clubs                                              | —   | —   | —   | —   | SP  | SP  | SP  | —    | —  |
| Campgrounds                                                                 | —   | —   | —   | —   | —   | —   | —   | —    | SP |
| <b>Commercial Hospitality</b>                                               |     |     |     |     |     |     |     |      |    |

# PERRY CODE

| <b>Principal Uses</b>                                                                  | <b>C-1</b>        | <b>C-2</b>     | <b>DDD</b>     | <b>M-1</b>     | <b>R-1</b> | <b>R-2</b> | <b>R-3</b> | <b>RCOZ</b> | <b>LD</b> |
|----------------------------------------------------------------------------------------|-------------------|----------------|----------------|----------------|------------|------------|------------|-------------|-----------|
| Bed-and-breakfast                                                                      | P                 | P              | —              | —              | P          | P          | P          | —           | P         |
| Village inns                                                                           | —                 | —              | P              | —              | —          | —          | —          | —           | —         |
| <b>Commercial, Office and Medical</b>                                                  |                   |                |                |                |            |            |            |             |           |
| Office                                                                                 | P                 | P              | P              | P              | —          | —          | —          | —           | —         |
| Medical offices or clinics                                                             | P                 | P              | P              | P              | —          | —          | —          | —           | —         |
| Nursing or convalescent homes                                                          | P                 | P              | —              | P              | —          | —          | SP         | —           | —         |
| Hospitals                                                                              | —                 | SP             | —              | SP             | —          | —          | SP         | —           | —         |
| Pet daycare                                                                            | P                 | P              | —              | P              | —          | —          | —          | —           | —         |
| Small animal hospitals (veterinary and animal hospitals)                               | —                 | SP             | —              | SP             | —          | —          | —          | —           | —         |
| Kennels                                                                                | SP                | SP             | SP             | P              | —          | —          | —          | —           | —         |
| Pet grooming                                                                           | SP                | SP             | SP             | P              | SP         | SP         | SP         | —           | —         |
| <b>Manufacturing and Industry</b>                                                      |                   |                |                |                |            |            |            |             |           |
| Manufacturing, light                                                                   | —                 | —              | —              | P              | —          | —          | —          | —           | —         |
| Warehousing and distribution                                                           | —                 | SP             | —              | P              | —          | —          | —          | —           | —         |
| Workshops                                                                              | P                 | P              | P              | P              | —          | —          | —          | —           | —         |
| Contractors yards                                                                      | —                 | SP             | —              | P              | —          | —          | —          | —           | —         |
| Building materials supply (warehousing lumber, millwork, construction materials, etc.) | —                 | P              | —              | P              | —          | —          | —          | —           | —         |
| Laundry and dry-cleaning plants                                                        | —                 | P              | —              | P              | —          | —          | —          | —           | —         |
| Printing, publishing, and engraving                                                    | —                 | P              | —              | P              | —          | —          | —          | —           | —         |
| Machine or tool sales, service or rental                                               | —                 | P              | —              | P              | —          | —          | —          | —           | —         |
| Truck terminals                                                                        | —                 | —              | —              | P              | —          | —          | —          | —           | —         |
| <b>Residential Uses</b>                                                                |                   |                |                |                |            |            |            |             |           |
| Single-family dwellings                                                                | SP <sup>2,3</sup> | —              | —              | —              | P          | P          | P          | —           | P         |
| Two-family dwellings                                                                   | SP <sup>2,3</sup> | —              | —              | —              | —          | SP         | —          | —           | SP        |
| Multifamily dwellings                                                                  | SP <sup>2,3</sup> | P              | P              | SP             | —          | —          | P          | —           | SP        |
| Residential conversions                                                                | — <sup>1</sup>    | — <sup>1</sup> | — <sup>1</sup> | — <sup>1</sup> | —          | —          | —          | SP          | —         |
| Group homes                                                                            | —                 | SP             | —              | SP             | —          | —          | —          | —           | —         |
| <b>Civic and Institutional Uses</b>                                                    |                   |                |                |                |            |            |            |             |           |
| Religious places of worship and faith-based facilities                                 | P                 | P              | —              | P              | P          | P          | P          | —           | P         |
| Public and private schools                                                             | —                 | SP             | —              | SP             | P          | P          | P          | —           | P         |
| Parks and playgrounds                                                                  | P                 | P              | —              | P              | P          | P          | P          | —           | P         |
| Buildings, structures, and recreation facilities in parks                              | —                 | SP             | —              | SP             | SP         | SP         | SP         | —           | —         |
| Clubs and fraternal organizations                                                      | —                 | SP             | —              | SP             | SP         | SP         | SP         | —           | —         |
| Civic and institutional uses                                                           | —                 | —              | —              | —              | —          | —          | —          | —           | —         |
| Government facilities (offices, fire stations, public works, etc.)                     | SP                | SP             | —              | SP             | P          | P          | P          | —           | P         |
| Cemeteries                                                                             | —                 | SP             | —              | SP             | SP         | SP         | SP         | —           | —         |

## ZONING

| Principal Uses            | C-1 | C-2 | DDD | M-1 | R-1 | R-2 | R-3 | RCOZ | LD |
|---------------------------|-----|-----|-----|-----|-----|-----|-----|------|----|
| <b>Other Uses</b>         |     |     |     |     |     |     |     |      |    |
| Agriculture               | —   | —   | —   | P   | —   | —   | —   | —    | P  |
| Public utility facilities | —   | SP  | —   | SP  | SP  | SP  | SP  | —    | —  |
| Towers                    | —   | SP  | —   | SP  | SP  | SP  | SP  | —    | —  |

P: Allowed by right

SP: Requires special use permit

—: Not permitted

<sup>1,2,3</sup>: See notes

### NOTE:

<sup>1</sup> Prohibition on First Floor Residential Conversions: It shall be impermissible to convert/build first floor for residential purposes – first floor must remain commercial use in C-1, C-2, DDD, and M-1 Districts

<sup>2</sup> Allowed above the first floor only, unless subject to exception under note (3).

<sup>3</sup> C-1 District Residential Use Exemptions

- (i) C-1 First Floor Residential Uses on Main Street: Within the C-1 District, buildings or structures on lots or parcels located on Main Street which have frontage on Main Street, may use the rear forty percent (40%) of the building, as measured from the Main Street face of the building to the rear of the building, for residential uses if such forty percent (40%) of the building provides a minimum 700 square foot living space and the property is otherwise in compliance with §490-71 of the Code (“Off-street parking, loading and stacking”). The front facing sixty percent (60%) of all buildings on Main Street with Main Street frontage shall remain for commercial use.
- (ii) C-1 First Floor Residential Uses on Side Streets: Within the C-1 District, buildings or structures on lots or parcels located on Borden Avenue, Covington Street, Lake Street, Dolbeer Street, Gardeau Street, Travers Place (private drive) and Page Circle which have previously established first-floor residential uses may continue to use the first-floor for residential use. Any such previously established first-floor residential uses may not be altered or expanded.