



The purpose and intent of establishing zoning districts is to ensure that all development is consistent with the goals, objectives and policies of the Comprehensive Plan, by establishing a series of zoning districts that indicate what uses are allowed and site development regulations that control the use of land in each district. All development within each zoning district shall be consistent with the purposes stated for each district. (LDC 7.12.05)

NORTH HARBOR MIXED USE (NHMU)

Purpose and intent: The North Harbor Mixed Use zoning district is intended to complement the South Harbor festive market place by allowing permanent and seasonal single-family and multi-family attached/detached residential dwelling units; commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations; retail; service; restaurant; office; and similar commercial uses.

Table 7-2: Table of Allowable Uses (excerpt from LDC 7.12.06)

PERMITTED USES:

Permanent or long-term residential uses

Multi-family attached dwelling	P
Single room occupancy housing	P

Seasonal or short-term residential uses

Multi-family attached dwelling	P
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NAICS Use Designations

323	Printing and related support activities	P
424460	Fish and seafood merchant wholesalers	P
4412	Other motor vehicle dealers	P
442	Furniture and home furnishings stores	P
443	Electronics and appliance stores	P
444190	Kitchen cabinet stores	P
4451	Grocery stores	P
4452	Specialty food stores	P
4453	Beer, wine, and liquor stores	P
446	Health and personal care stores	P
447	Gasoline stations	P
448	Clothing and clothing accessories stores	P
4511	Sporting goods and musical instrument stores	P
4512	Book, periodical, and music stores	P
4521	Department stores	P
4529	Other general merchandise stores	P
4531	Florists	P
4532	Office supplies, stationery, and gift stores	P
4533	Used merchandise stores	P ⁽⁸⁾
4539	Other miscellaneous store retailers	P
4851	Urban transit systems	P
4582	Interurban and rural bus transportation	P
4872	Scenic and sightseeing transportation, water	P
512131	Motion picture theaters	P
516	Internet publishing and broadcasting	P
518	ISPs, search portals, and data processing	P
519	Other information services	P
52	Finance and Insurance	P
531	Real Estate services	P
531120	Conference/convention center	P

531190	Boat, vehicle, equipment, etc., storage leasing	P
5322	Consumer goods rental	P
5323	General rental centers	P
5324	Machinery and equipment rental and leasing	P
541	Professional and technical services	P
541940	Veterinary services	P
551	Management of companies and enterprises	P
561	Administrative and support services	P
561720	Janitorial services	P
6116	Other schools and instruction	P
6117	Educational support services	P
621	Ambulatory health care services	P
6244	Child day care services	P
711	Performing arts and spectator sports	P
713120	Amusement arcades	P
713940	Fitness and recreational sports centers	P
713950	Bowling centers	P
713990	All other amusement and recreation industries	P
721110	Hotels and motels	P
721191	Bed-and-breakfast inns	P
721199	Other traveler accommodation, C.T.L.A. ⁽¹²⁾	P
7213	Rooming and boarding houses	P
722	Food services and drinking places	P
722110	Full-service restaurants	P
722111	Limited-service restaurants	P
7224	Drinking places, alcoholic beverages	P ⁽⁷⁾
8111	Automotive repair and maintenance	P
81149	Other personal and household goods repair	P
811491	Boat and motorcycle repair	P
812	Personal and laundry services	P
8123	Dry cleaning and laundry services	P
812910	Pet care (except veterinary) services	P
812930	Parking lots and garages (public & private)	P
813	Membership associations and organizations	P
8131	Religious organizations	P
	Tattoo parlors	P ⁽⁸⁾

CONDITIONAL USES:

Permanent or long-term residential uses

Single-family detached dwelling	C
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Seasonal or short-term residential uses

Single-family detached dwelling	C
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NAICS Use Designations

4411	Automobile dealers	C
712	Museums, historical sites, zoos, and parks ⁽¹⁰⁾	C

Other residential uses

Community residential home, small (1-6)	C
Community residential home, large (7-14)	C
Family day care home	C

Footnotes:

- 7 Must meet minimum distance separation requirements; see section 7.16.00 of the Land Development Code.
- 8 Must meet minimum distance separation requirements; refer to the definition of the use in question in article 3 of the Land Development Code.
- 10 Zoos are only allowed in the Industrial zoning district.
- 12 Commercial transient living accommodations

Table 7-3: Schedule of Dimensional Requirements in Zoning Districts (excerpt from LDC 7.12.08)
(all dimensions in feet)

North Harbor Mixed Use (NHMU)				
Dwelling Units		1	2+	Non
Minimum Lot Area (square feet)		7,500	None	None
Minimum Lot Size	Width	70	None	None
	Depth	100	None	None
Maximum Building Height / Stories	Tier 1	35/3	35/3	35/3
	Tier 2	N/A	100/9	100/9
	Tier 3	N/A	160/15	160/15
Setbacks	Front	20	M	M
	Side	7½	M	M
	Rear	10	M	M
Maximum Density (units per acre)	Tier 1	19.90 T	19.90 T	N/A
	Tier 2	26.00 T	26.00 T	N/A
	Tier 3	36.00 T	36.00 T	N/A
Maximum Floor Area Ratio	Tier 1	N/A	N/A	.60
	Tier 2	N/A	N/A	1.75
	Tier 3	N/A	N/A	2.50
Minimum Open Space (%)	Tier 1	25%	25%	25%
	Tier 2	18% V	18% V	18% V
	Tier 3	12% V	12% V	12% V

Footnotes:

- M** The following setbacks shall apply to developments proposed in the CG, NHMU and TCMU zoning districts:
 - i. **Front setback.** For those properties that front U.S. Highway 98, 16 feet minimum to 26 feet maximum for any portion of a building having a height below 40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.
 - ii. **Side setbacks.** Zero feet for any portion of a building having a height of 40 feet or less. For any portion of a building having a height greater than 40 feet, the side setback shall be increased by two feet on each side for each ten feet or fraction thereof exceeding 40 feet in height. Those portions of a development that abut single-family, duplex or townhome uses shall meet the supplemental setbacks requirements set forth in Section 7.09.03.F.1.f.1.
 - iii. **Rear setback.** Zero feet. Those portions of a development that abut single-family, duplex or townhome uses shall meet the supplemental setbacks requirements set forth in Section 7.09.03.D.
- T** One bedroom short-term residential units shall have a maximum density of 40.00 units per acre.
- V** To reduce open space to these percentages, the applicant must comply with the regulations stated in Section 12.04.02 and 12.04.03.