

Section 23.3-4. Inclusionary as to Permitted Use.

The intent of this chapter is that it be "inclusionary." That is, principal uses, accessory uses, and conditional uses specifically stated for each zoning district shall be the only uses permitted. Any use proposed within any given zoning district which is not a stated use or use type within said district is expressly prohibited. Questions of whether a use is of a type listed shall be interpreted by either the Planning and Zoning Board or the Historic Resources Preservation Board, but no use variance shall be approved.

Section 23.3-31. Hotel District Overlay

a) *Intent.* The Hotel District Overlay is intended to provide a mechanism through a conditional land use process to encourage and facilitate hotels or motels of at least fifty (50) rooms as individual projects or as part of an overall mixed use project. The area is bounded by Golfview Road to the east, Federal Highway to the west, First Avenue South to the south, and Second Avenue North to the north and includes only those lots with the underlying zoning classification of DT designation as depicted on the official zoning map on file in the office of the Planning, Zoning and Preservation Division.

b) *Use restrictions.* There are no additional uses permitted by right provided. Refer to Permitted Use Table at Section 23.3-6 for a complete list of uses.

c) *Development regulations.* In addition to the development regulations of the underlying zoning district, a hotel or motel project inclusive of at least fifty (50) hotel rooms are afforded the following through approval of a conditional land use.

1. Height: Up to sixty five feet (65') and six (6) stories.

2. F.A.R.: Up to 2.2 under the Sustainable Bonus Incentive Program.

d) *Variance Prohibition.* There shall be no variances granted with regard to either height or F.A.R. within the district.