 An exemption for additions to architecturally significant historic structures (as determined by the city planner) not meeting the requirements of *subsection (b)(1) or (2)* above may be considered subject to the approval of a conditional use permit by the city planner. In addition to the required findings in *Article VI, Division 8: Conditional Use Permits*, the city planner shall also find that the addition will not damage the historic integrity, architecture, or significance of the building;

(4) As may otherwise be provided for restoration of a damaged nonconforming structure in *Section 37-50.160: Nonconforming uses and structures*;

(5) When exempted, the regulations of the underlying base zoning district shall apply;

(6) These above-referenced exemptions shall not apply to standards or supplemental regulations applicable to all developments in the city and that are not unique to this overlay district. (Ord. No. 2463 (NCS).)

Sec. 37-40.310. Use classifications.

(a) **Downtown Core Area.** The use classifications for properties located in the downtown core (DC) area shall be those of the underlying base district (as identified in *Article III: Base District Regulations* of the Zoning Code), with the following exceptions:

(1) **Residential Uses.** Residential uses are not permitted on the ground floor fronting Main Street regardless of the underlying base district designation.

(2) **Assembly and Similar Uses.** Clubs, lodges, places of religious assembly, and similar assembly uses shall only be permitted above the ground floor of buildings facing Main Street within the downtown core area.

(3) **Live Entertainment Uses.** Live entertainment uses shall be a permitted use in the downtown core area and shall not be subject to the approval of a conditional use permit for a live entertainment permit if the live entertainment use meets the following requirements:

(A) The live entertainment use shall be limited to a musical, theatrical, dance, karaoke, cabaret, or comedy act performed by one or more persons (excludes adult entertainment);

(B) The venue or location where the live entertainment use will be conducted or performed shall be a restaurant, art gallery, music studio, food and beverage sales establishment, or similar use which is allowed in the applicable zoning district as either a permitted use or as a use permitted subject to the issuance of a site plan review;

(C) The live entertainment use shall be an accessory use to the principal use;

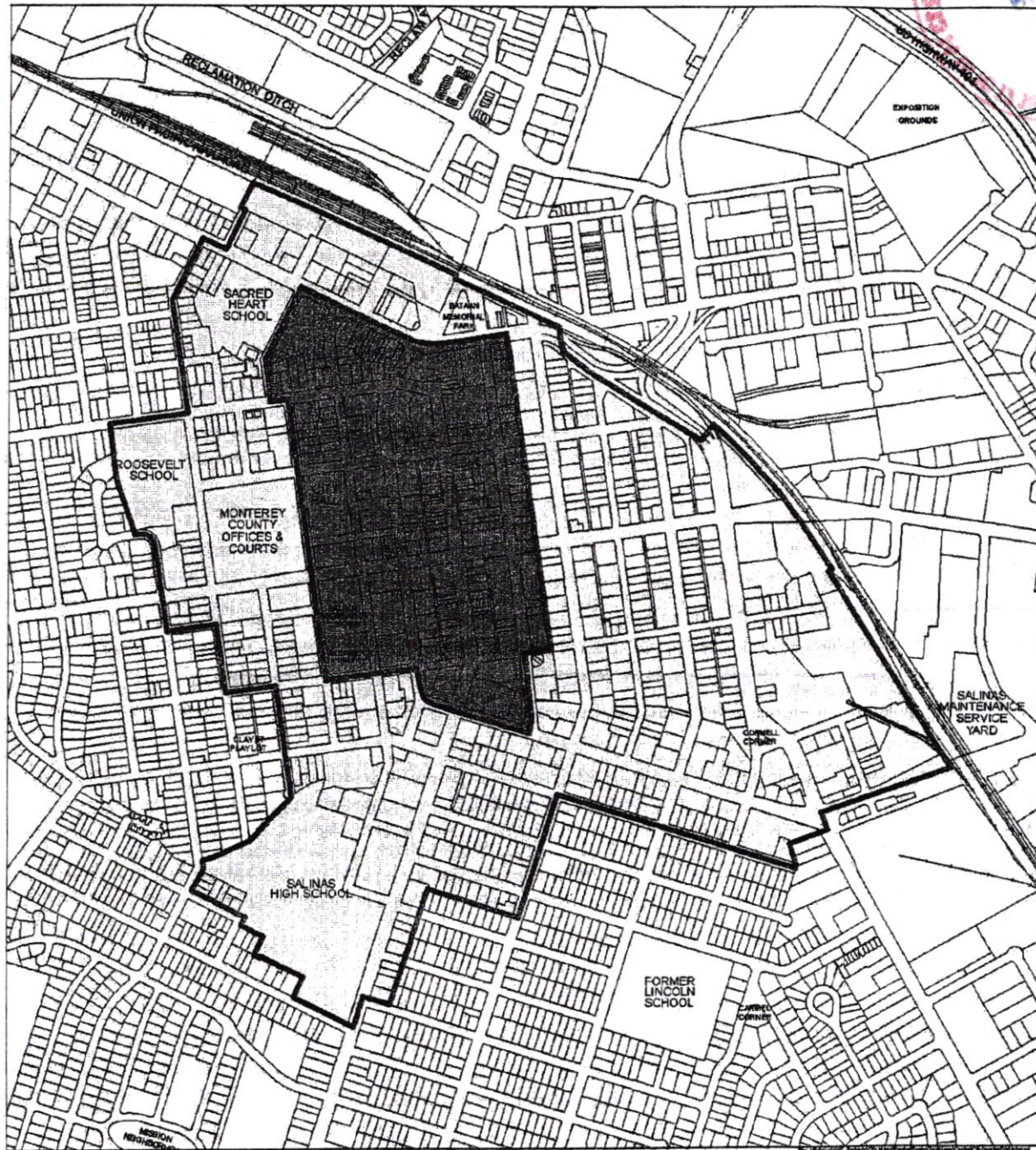
(D) The live entertainment use shall be conducted entirely in an enclosed building;

(E) No admission or cover charge shall be charged for the live entertainment;

(F) The hours of operation (for the live entertainment) shall be limited to Friday, Saturday, and holidays from 9:00 a.m. to 12:00 a.m. and on Sunday through Thursday from 9:00 a.m. to 10:00 p.m.;

(G) The principal use and building complies with all applicable Fire and Building Codes, including accessibility requirements for the disabled, including the maximum occupancy established for seated patrons in the room(s) or areas where the entertainment is provided;

(H) The maximum noise level shall not exceed a maximum of sixty-five decibels at any property line of the lot or parcel where the live entertainment use is being conducted or performed. For mixed use buildings and developments, the applicant shall demonstrate to the satisfaction of the city planner that sound attenuation measures or other buffering features have been incorporated into the building to ensure that the interior noise level (inside any residential dwelling unit) located on the subject site will not exceed a maximum of forty-five decibels;



Legend

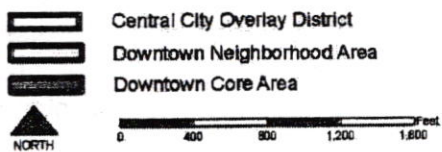


Figure 37-40.100
Central City Overlay District