

ARTICLE VI
DEVELOPMENT STANDARDS

6-1 SIGN REGULATIONS

6-1.1 General

All signs located in the Jurisdiction, with the exception of those erected by State or Federal government, are subject to the provisions of this Ordinance. Signs under this Ordinance are treated three ways: (1) some types of signs are specifically prohibited everywhere; (2) certain signs are allowed by right and do not require permits prior to installation; and (3) a third group of signs are considered to be accessory uses and may be installed provided that they meet the provisions of this Section and a permit is obtained.

6-1.2 Prohibited Signs

The following signs are prohibited in all zoning districts:

- (A) Banners, pennants, streamers, balloons, and other gas-filled figures, except as temporary advertising for an event (Event permit required).
- (B) Animated signs: Signs which flash, revolve, rotate or swing by mechanical means.
- (C) Portable signs which are not permanently attached to the ground or a structure or are equipped with wheels.
- (D) Signs which project more than 18 inches from the structure to which they are affixed.
- (E) Signs on vehicles that are parked in a location which is visible to the public and for a period of time which indicates that the principal use of the vehicle is for advertising rather than transport.
- (F) Signs which are affixed to trees, rocks or other natural features.
- (G) Signs of any type which imitate traffic control devices.
- (H) Signs which are affixed to the roof of any structure or which project above the parapet of any wall facing a public street.
- (I) All freestanding signs including billboards.

6-1.3 Signs That Do Not Require a Permit

The following signs are permitted in all zoning districts and may be installed without obtaining a permit, provided that:

- 1) They conform to the specifications shown on Table 6-1-1;
 - 2) They are not illuminated. (Illuminated signs require an electrical permit.)
- (A) Signs affixed to vehicles and trailers used in the normal transport of goods or persons where the sign is incidental and accessory to the primary use of the vehicle or trailer.
 - (B) Directional, Instructional, or Warning signs provided that such signs contain no advertising for any type. Examples include signs identifying restrooms, public walkways, and parking areas or signs warning of high voltage danger.
 - (C) Flags, emblems or insignia of political, professional, religious, or educational organizations. Flags of the United States, North Carolina, local government jurisdiction, foreign nations having diplomatic relations with the United States, and any other flags adopted or sanctioned by the local governing body, are subject to U.S. Congressional protocol.

- (D) Traffic-control and other signs installed by government agencies to protect public health, safety, and welfare.
- (E) Hand-carried signs.
- (F) Signs located on the interior of building, courts, lobbies, stadiums, or other structures, and are not intended to be seen from the exterior of said building or structure.
- (G) Certain temporary signs conforming to the provisions of Table 6-1-1. Other types of temporary signs may be allowed by permit based on the provisions of Table 6-1-2 and 6-1-3. Allowed without a permit are:
 - 1) Temporary holiday decorations
 - 2) Temporary real estate, event and construction signs which are removed within seven (7) days of the end of the event, completion of construction, or sale of property.
 - 3) Temporary yard sale signs which are posted for no longer than three (3) days per sale.
 - 4) Temporary political signs located on private property which are removed within seven (7) days after the election.
- (H) Memorial plaques, tablets or markers.
- (I) Identification signs including:
 - 1) Name and address plates, including those identifying home occupations and rural family occupations.
 - 2) Directory signs in developments with multiple occupants.
 - 3) Building Name and Address signs for buildings with multiple occupants.
 - 4) Building Markers (cornerstones or plaques).

TABLE 6-1-1

SPECIFICATIONS FOR SIGNS NOT REQUIRING A PERMIT

Type	# Permitted	Area (sq ft)	Setback (feet)	Height (feet)	Illum. ^b
Directional, Warning Signs/All Districts	NA	6	NA	8	direct
Flags, Emblems, Insignia/All Districts	NA	60	R/W ^a	40	indirect
Temp. Real Estate, Yard Sale and Construc. Signs/AG &RS Districts	1/frontage	6	R/W ^a	40	none
Temp. Political Signs/All Districts	NA	6	R/W ^a	6	none
Temp. Political Signs/All Districts	NA	6	R/W ^a	6	none
Identification Signs All Districts	1/building	4/unit	R/W ^a	6	indirect
Vending Machine Signs All Districts	NA	18	NA	6	direct
Information Boards All Districts	1/building	50	15	8	indirect

^a Signs must be located outside public street R/W and outside and sight distance area.

^b Electrical permit required is sign is illuminated.

(J) Signs painted or attached to vending machines, gas pumps, ice machines or similar devices which indicated the contents of the machine, the price or operating instructions.

(K) Information Board signs, in non-residential districts and for institutional uses (e.g. churches, schools or cemeteries) permitted in residential zones that list activities or

events which will take place on the premises where the sign is located, provided that no advertising of any type is displayed.

(L) Window signs painted on or attached to a window.

6-1.4 Signs Requiring a Permit

All signs except those listed in 6-1.3 above, shall not be installed until a permit has been obtained. The size, height and number of signs permitted is specified in Table 6-1-2.

6-1.5 Auxiliary Specifications

All signs permitted by this Section shall be constructed in accordance with the following provisions.

- (A) Obstruction: No sign shall be erected so as to obstruct any fire escape, required exit, window, door opening, or wall opening intended as a means of ingress or egress.
- (B) Ventilation Interference: No signs shall be erected so as to interfere with any opening required for ventilation.
- (C) Above Ground Clearance: All signs shall be located in such a way that they maintain horizontal and vertical clearance from all electrical power lines and communication lines in accordance with the applicable provisions of the N.C. Life Safety Code.
- (D) Ground Clearance: All signs and their supporting structure shall maintain clearance from surface and underground utilities, conduits or easements for water, sewage, gas, electricity or communication equipment. IN addition, the placement of signs and their supporting structures shall not interfere with natural or artificial drainageways.
- (E) Interference to Warning or Instructional Sign: No sign shall be erected so as to interfere with any existing warning or instructional sign.
- (F) Minimum Wind Loads: All signs, except those attached flat against the wall of a building, shall be constructed to withstand minimum wind loads as specified by the NC State Building Code.

6-1.6 Computation of Sign Area

- (A) Area: The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof which will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the back drop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall.
- (B) Area for Multi-faced Signs: For multi-faced signs, the sign area shall be computed by including all sign faces visible from any one point. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.
- (C) Height: Sign height shall be computed as the distance from the base of the sign at the normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the existing grade prior to construction or the newly

established grade after construction exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

- (D) Lots with Multi-frontage: Lots with frontage on two or more streets are allowed the permitted sign area for each street frontage. The total sign area that is oriented toward a particular street, however, may not exceed the portion of the lot's total sign area that is derived from that street frontage or building frontage.

6-1.7 Design, Construction, and Maintenance

All signs shall be designed, constructed, and maintained in accordance with the following standards:

- (A) Other Codes: All signs shall comply with applicable provisions of the Building Code and the Electrical Code.
- (B) Permanence: Except for banners, flags, temporary signs and window signs conforming with the requirements of this Ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.
- (C) Maintenance: All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Ordinance at all times.

6-1.8 Master or Common Signage Plan

After the effective date of this Ordinance no permit shall be issued for an individual sign requiring a permit unless and until a Master Signage Plan for the lot on which the sign will be erected has been approved. A Master Signage Plan shall be prepared for developments containing a single principal building on a single lot, while a Common Signage Plan shall be prepared for developments containing more than one principal building or more than one lot.

TABLE 6-1-2
SPECIFICATIONS FOR SIGNS REQUIRING A PERMIT

	Number ^c	Area Max/Min ^a (sq ft.)	Height (feet)	Illumin.	Area Computation
Ground Signs					
All Non-Res Districts	1/bldg.	24/-	4	Direct	-
Wall Signs					
PI,LO,NB	1/bldg./street frontage	100/12	Top of wall	Direct	.5 sq ft/lin ft of bldg. frontage
GB,HB,CB, LI,HI,SC <75,000 sf	1/bldg./street frontage	250/24	Top of wall	Direct	1.5 sq ft/lin ft of bldg. frontage
SC >75,000sf	NA	300/24	Top of wall	Direct	2.0 sq ft/lin ft of bldg. frontage
CB ^d	1/bldg./side	100/-	Top of Wall	Direct	1.5 sq ft/lin ft of bldg. frontage
Awning, Canopy, Marquee Signs					
All Non-Res Districts	1/face	50 total – all faces	Top of canopy ^b	Direct	25% of the canopy, awning, or marque
Suspended Signs					
All Non-Res Districts	1/entrance	6	^b	Direct	NA
Freestanding Signs	See Table 6-1-3				

^a “minimum” sign size refers to the minimum area allowed by right, regardless of the size which would be allowed by the computation.

^b Nine (9) foot height to clear pedestrian walkways of fifteen (15) feet to clear vehicular drives.

^c In multi-tenant buildings calculations may be based on each tenant per store front.

^d Two story buildings that are adjoined to one story buildings.

Table 6-1-3
Specifications for Accessory Freestanding Signs
Requiring a Permit

Zoning District	Number	AR EA		Setback (feet)	Height (feet)	Area Computation
		Max (sq ft)	Min (sq ft)			
PI,LO,NB	1/lot frontage	100	25	R/W ^b	6	.25 sq ft/linear ft lot frontage
CP,LB	1/lot frontage	200	50	R/W ^b	15	.50 sq ft/linear ft lot frontage
HB,LI,III	1/lot frontage	200 ^d	75	R/W ^b	30 ^e	1.0 sq ft/linear ft lot frontage
CB,GB, GO-M, GO-H	1/lot frontage	100	50	R/W ^b	6f	1.0 sq ft/linear ft lot frontage
SC						
Development Identification	1/st frontage	300 ^g	200	10	30 ^{e,g}	# of businesses: 4-15 = 200 sq ft 16+ = 300 sq ft
Outparcel	1/parcel	50	NA	R/W ^b	6	NA
Playbill	1/theater complex	200	NA	10	30	NA
Development Entrance (All Districts)	1 pair/entrance	50/sign		R/W ^b	6	NA
Banners ¹ (RM & Non-Res Districts)	1/500 ft frontage	20	12	R/W ^b	20	0-100 ft = 12 sq ft 101-200 sq ft = 16 sq ft >200 sq ft = 20 sq ft

Notes:

- 1) Freestanding signs shall be allowed only as accessory structures to a principal user.
- 2) All signs may be directly or indirectly illuminated. In NB districts, direct illumination is limited to cut-out lighting.
- 3) Any sign >6 feet in height shall not be located within 100 feet of any residential district.

Footnotes:

^a “Minimum” area refers to the minimum sign size allowed by right, regardless of the size which would be allowed by computation.

^b Signs must be located outside public street right-of-way and outside any sight distance area. However, development entrance signs may be erected in the public right-of-way provided that such signs have been permitted by an encroachment agreement in accordance with subsection 30-5-5.12.

Table 6-1-3 (cont.)

^c One (1) additional freestanding sign may be allowed provided: 1) the lot frontage exceeds 250 linear feet; 2) the minimum area referred to in footnote (a) does not apply to the additional sign; 3) the sign location may be apportioned between the two signs, but in no case shall the maximum area for either sign exceed 200 square feet; 4) the additional signs shall not be located closer than 100 feet to any other freestanding sign on the same zone lot; and 5) the additional sign shall not be located closer than 100 feet to any freestanding sign on an adjoining zone lot that contains more than one freestanding sign. See appendix.

^d The maximum size of a sign may be increased by 75 feet if the sign is within 400 feet of the right-of-way of an Interstate Highway.

^e The height of a sign may be increased to 50 feet if the sign is within 400 feet of the right-of-way of an Interstate Highway.

^f Height may be increased to 15 feet if the sign is a monument sign.

^g Height may be increased by 5 feet and maximum size may be increased by 50 square feet if a permitted freestanding playbill is not separately installed, but is combined with the shopping center identification sign.

^h Permitted only in (1) major subdivision, (2) developments of over fifteen thousand (15,000) square feet of gross floor area, (3) multifamily development with more than eight (8) dwelling units in a single building, or (4) developments with more than forty thousand (40,000) square feet is open air uses of land.

ⁱ For banners, as temporary signs, see Section 30-5-5.16 (Temporary Signs).

(A) Information Required for a Master Signage Plan:

- 1) A site layout Plan in accordance with Appendix 2 (Map Standards).
- 2) Specification for each sign in sufficient detail to determine that the height and area requirements of this Ordinance have been met.
- 3) Accurate location(s) on the Site Layout Plan for each existing and proposed sign.

(B) Common Sign Plan Information: A Common Signage Plan shall contain all of the information required above plus the following additional material:

- 1) Color scheme
- 2) Lettering or graphic style
- 3) Lighting scheme
- 4) Provisions for shared usage of freestanding sign(s)

(C) Other Provisions

- 1) A Master or Common Signage Plan shall be a part of any development plan, site plan, planned unit development or other plan required for development and may be processed simultaneously with such plan(s).
- 2) A Master or Common Signage Plan may be amended by filing a new plan which conforms with all requirements of this Ordinance.
- 3) If any new or amended Common Signage Plan is filed for a property on which existing nonconforming signs are located, it shall include a schedule for bringing said nonconforming signs into compliance with this Ordinance.
- 4) After approval of a Master or Common Signage Plan, no sign shall be erected, placed, painted or maintained except in conformance with such plan and such plan may be enforced in the same way as any other provision of this Ordinance. In case of any conflict between the provisions of such a plan and any other provision of this Ordinance, the Ordinance shall control.

6-1.9 Permits To Construct Or Modify Signs

Signs show as requiring a permit on Table 6-1-2 and 6-1-3 above and billboards, shall be erected, installed or created only in accordance with a duly-issued and valid sign permit. Such permits shall be issued in accordance with the requirements and procedures of Article 3 (Permits and Procedures).

6-1.10 Sign Certificates

The owner of a lot containing signs requiring a permit under this Ordinance shall maintain a Certificate of Occupancy for such sign(s). Sign Certificates shall be issued for individual lots, notwithstanding the fact that a particular lot may be included with other lots in a Common Signage Plan.

- (A) Signs Existing on Effective Date: For any sign existing on the effective date of this Ordinance, an application for a sign Certificate must be submitted within one hundred eighty (180) days after the effective date of this Ordinance. Signs which are the subject of permit application received after this one hundred eighty (180) day grace period shall be subject to all terms and conditions of this Ordinance and shall not be entitled to protection as nonconforming signs unless the sign has a Sign Certificate.
- (B) Sign Erected after Effective Date: For sign erected after the effective date of this Ordinance, a Certificate shall be issued subsequent to approval of all inspections.
- (C) Lapse of Sign Certificate: A Sign Certificate shall lapse automatically if the business license for the premises lapses, is revoked, or is not renewed. A Sign Certificate shall also lapse if the business activity on the premises is discontinued for a period of one hundred eighth (180) days or more.
- (D) Assignment of Sign Certificate: A current and valid Sign Certificate shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject only to filing such application as the Enforcement Officer may require. The assignment shall be accomplished by filing and shall not require approval.

6-1-11 Nonconforming Signs

- (A) Compliance: Except as otherwise provided herein, the owner of any lot or other premises on which exists a sign which is prohibited by or does not conform with the requirements of this Ordinance, or for which there is no current and valid Sign Certificate, shall be obligated to remove such sign or to bring it into conformity with the requirements of this Ordinance.
- (B) Registration of Nonconforming Signs: A sign which would be permitted under this Ordinance but which by reason of its size, height, location, design or construction is not in conformance with the requirements of this Ordinance, shall be issued a Sign Certificate as a nonconforming sign if an application in accordance with 6-1-10 is timely filed. Such certificate shall allow the sign(s) which were made nonconforming by the adoption of this Ordinance to remain in place and be maintained provided that no action is taken which increases the degree or extent of the nonconformity. A change in the information on the face of an existing nonconforming sign is allowed.

6-2 OFF-STREET PARKING, STACKING, AND LOADING AREAS

6-2.1 General Requirements

- (A) Parking, Stacking, and Loading Space Required: When any building or structure is erected, modified, enlarged or increased in capacity, or any open use is established, modified or enlarged, the requirements of this Section shall be met. For enlargements, modifications, or increase in capacity, the requirements of this Section shall apply only to such enlargements, modifications or increases in capacity.
- (B) Required Number: the minimum number of required off-street parking, stacking and loading spaces is indicated in Table 6-2-1 and Section 6-2.7 (Loading Areas). In cases of mixed occupancy, the minimum number of off-street parking, stacking and loading spaces shall be the cumulative total of individual use requirements unless otherwise specified.
- (C) Handicapped Spaces: Spaces for the physically handicapped shall be provided as required by the Building Code.
- (D) Minimum Required: In all instances where off-street parking is required, except for residential uses, a minimum of (5) parking space shall be provided.
- (E) Reduction of Minimum Requirements: Unless there is a change in use requiring a lesser number of space, the number of spaces shall not be reduce below the minimum requirements of this Ordinance except as provided for in Section 6-3.1 (C) (Reduction in Parking Requirements for Pre-Existing Developments).
- (F) Maintenance: All parking, stacking and loading facilities shall be permanently maintained by the owners or occupants as long as the use they serve exists.
- (G) Access: All parking, stacking and loading facilities shall have vehicular access to a public street.
- (H) Use for No Other Purposes: Land used to provide required parking, stacking and loading shall not be used for any other purposes, except for temporary events. If such land is devoted to any other purpose, the Certificate of Occupancy of the affected principal use shall immediately become void.
- (I) Exemption for CB District: The minimum off-street parking requirements of Table 6-2-1 shall not apply to properties within or surrounded by the Central Business District.

6-2.2 Unlisted Uses

For any use not specifically listed in this Section, the parking, stacking and loading requirements shall be those of the most similar use.

6-2.3 Parking Requirements for Change in Use

If a change in use causes an increase in the required number of off-street parking, stacking or loading spaces, such additional spaces shall be provided in accordance with the requirements of this Ordinance; except that if the change in use would require an increase of less than five percent (5%) in the required number of parking spaces of fewer than five (5) spaces, no additional off-street parking shall be required.

TABLE 6-2-1
OFF-STREET PARKING REQUIRMENTS

USE	SPACES REQUIRED
Residential Uses	
1) Boarding and rooming house; bed & breakfast; fraternity or sorority; private dormitory	1/bedroom plus 2/3 employees on largest shift
2) Congregate care, family care, or group care facilities	1/ 4 beds plus 1/employee and visiting specialist plus 1/vehicle used in operation
3) Multi-family dwellings (including condominiums)	
0-1 bedroom units	1.50/unit
2 bedroom units	1.74/unit
3+ bedroom units	2.00/unit
4) Single family detached, duplex and twin home dwellings	2/dwelling units on the same lot
5) Townhouse dwellings	2/dwelling unit, excluding garages and carports
Accessory Uses	
1) Accessory dwelling units	1/attached unit, 2/detached unit, located on the same zone lot
2) Home occupations	Minimum 1 space, maximum 3 spaces in addition to required residential spaces
3) Migrant labor housing	1/ 4 workers
Recreation	
1) Amusement parks, fairgrounds, skating rinks	1/200 sq ft of activity area
2) Athletic Fields	25/field
3) Batting cages, driving ranges; miniature golf; shooting ranges	1/cage, tee, or firing point
4) Billiard parlors; tennis courts	3/table or court
5) Bowling centers	4/lane
6) Clubs or lodges, coin-operated amusement, physical fitness centers and similar indoor recreation	1/200 sq ft of gross floor space
7) Go-cart raceways	1/go-cart plus 1/employee on largest shift
8) Golf Courses	4/tee
9) Recreation facilities exclusively for residents of a development (pools, tennis, courts, clubhouses)	1/25 dwelling units
10) Equestrian facilities	1/ 2 stalls

11) Swimming Pools	1/100 sq ft of water and deck space
--------------------	-------------------------------------

/ = per

TABLE 6-2-1 cont.

Educational and Institutional Uses	
1) Ambulance services; fire stations; police stations	1/employee on largest shift
2) Auditorium; assembly halls; coliseums; convention centers; stadiums	1/5 persons based on designed capacity of building(s)
3) Churches	1/ 4 seats in main chapel
4) Colleges and Universities	1/classroom plus 1/ 4 beds in main campus dorm plus 1/250 sq ft of office space plus 1/5 fixed seats in assembly halls and stadium
5) Correctional institutions	1/10 inmates plus 2/3 employees on largest shift plus 1/vehicle use in the operation
6) Day care, child or adult	1/employee plus 1/10 children with parking located on site
7) Elementary and middle schools; kindergartens	3/room used for offices plus 3/classroom
8) Government offices; post offices	1/150 sq ft of public service area plus 2/3 employees on largest shift
9) Hospitals	¼ in-patient our out-patient beds plus 2/3 employees on largest shift plus 1/staff doctor
10) Libraries, museums and art galleries	1/450 sq ft gross floor area for public use plus 2/3 employees on largest shift
11) Nursing and convalescent homes	1/ 4 beds plus 1/employee and visiting specialist plus 1/vehicle used in operation
12) Senior High Schools	3/room used for offices plus 7/classroom
13) Offices (Not otherwise classified)	1/250 sq ft gross floor area
Business, Professional, and Personal Services	
1) Automobile repair or services	3/service bay plus 1/wrecker or service vehicle plus 2/3 employees on largest shift
2) Banks and financial institution	*1/200 sq ft gross floor area plus stacking for 4 vehicles at each drive-through window or automatic teller machine
3) Barber and beauty shops	3/operator
4) Car Washes	
a) Full-service	*Stacking for 30 vehicles or 10/approach lane, whichever is greater plus 3 spaces in the manual drying area plus 2/3 employees on largest shift
b) Self-service	*3 stacking spaces/approach lane plus 2

	drying spaces/stall
--	---------------------

*NCDOT may require additional stacking spaces on state or federal highway

/ = per

TABLE 6-2-1 cont.

5) Delivery Services	2/3 employees on largest shift plus 1/vehicle used in operation
6) Equipment rental and leasing	1/200 sq ft gross floor space
7) Funeral homes or crematoria	1/ 4 seats in main chapel plus 2/3 employees on the largest shift plus 1/vehicle used in operation
8) Hotels and motels containing...	
a) 5,000 sq. ft. or less ancillary space, i.e. restaurant, meeting rooms, lounge and lobby or a restaurant/lounge containing over 3,000 sq. ft.	1.1/1 rental unit
b) More than 5,000 sq. ft. of ancillary space, i.e. restaurant, meeting rooms, lounge and lobby, or a restaurant/lounge containing more than 3,000 sq. ft.	1.25/1 rental unit
9) Kennels or pet grooming	1/300 sq ft of sales, grooming or customer waiting area plus 2/3 employees on largest shift
10) Laundromats, (coin operated)	1/ 4 pieces of rental equipment
11) Laundry and dry cleaning plants or substation	*2/3 employees on largest shift plus 1/vehicle used in operation plus stacking for 4 vehicles/pickup station
12) Laboratories	*2/3 employees on largest shift plus 1/250 sq ft of office space
13) Medical, dental, or related offices	3/examining room plus 1/employee including doctors
14) Motion picture production	1/1000 sq ft gross floor area
15) Recreational vehicle park or campsite	Refer to development standards recreational vehicle parks (Section 6-4.43)
16) Repair of bulky items (appliances, furniture, boats, etc.)	2/3 employees on largest shift plus 1/vehicle used in operation
17) Theaters (Indoor)	1/ 4 seats
18) Truck wash	*3 stacking spaces/stall
19) Veterinary services (other)	4/doctor plus 1/employee including doctors
20) Vocational, business, or secretarial schools	1/100 sq ft of classroom space plus 1/250 sq ft of office space
21) Services and repairs (not otherwise classified)	1/250 sq ft gross floor area plus 1/vehicle used in operation

*NCDOT may require additional stacking spaces on state or federal highways

/ = per

TABLE 6-2-1 cont.

Drive-Thru (Not otherwise classified)	*Stacking for 4 vehicles at each bay, window, lane, ordering station or machine in addition to use requirement
Retail Trades	
1) Bars, dance halls	1/3 persons in designed capacity of building plus 2/3 employees on largest shift, located on same zone lot
2) Convenience store	*1/200 sq ft gross floor area plus 4 stacking spaces at pump islands
3) Department stores; food stores	1/200 sq ft gross floor area
4) Flea markets; salvage yards and other open air markets	1/acre of site area plus 2/3 employees on largest shift
5) Fuel oil sales	2/3 employees on largest shift plus 1/vehicle used in operation
6) Furniture; floor covering sales	1/1,000 sq ft gross floor space
7) Motor vehicle, motorcycle, or recreational vehicle sales or rental; manufactured home sales	5 spaces plus 1/10,000 sq ft of display area plus 2/3 employees on largest shift
8) Restaurants	*1/ 4 seats plus 2/3 employees on largest shift & 11 total stacking spaces with minimum 5 spaces at or before ordering station
9) Retail sales not otherwise classified	1/200 sq ft gross floor area
10) Retail sales of bulky items (appliances, building materials, etc.)	1/500 sq ft gross floor area
11) Service stations, gasoline	*3/service bay plus 1/wrecker or service vehicle plus 2/3 employees on largest shift plus 4 stacking spaces at pump islands
12) Shopping Centers	
a) <250,000 sq ft	1/200 sq ft gross floor area in main building(s) (excluding theaters) plus parking as required for outparcels or theaters
b) >250,000 sq ft gross floor area	1,250 spaces plus 1/225 sq ft gross floor area above 250,000 sq ft
Wholesale Trade	
1) Market showroom	1/1,000 sq ft gross floor area
2) Wholesale uses	2/3 employees on largest shift plus 1/200 sq ft of retail sales or customer service area plus 1/vehicle used in operation
Transportation, Warehousing and Utilities	

1) Airport, bus and train	1/4 seats plus 2/3 employees on largest shift
---------------------------	---

*NCDOT may require additional stacking space on state or federal highways.

/ = per

TABLE 6-2-1 cont.

2) Communications towers; demolition debris landfills; heliports; utility lines or substations	No required parking
3) Self-storage warehouse	5 spaces
4) Transportation, warehousing and utility uses (not otherwise classified)	2/3 employees on largest shift plus 1/200 sq ft of retail sales or customer service area plus 1/vehicle used in operation
Manufacturing and Industrial Uses	2/3 employees on largest shift plus 1/200 sq ft of retail sales or customer service area plus 1/vehicle used in operation

/ = per

6-2.4 Design Standards for Parking, Stacking and Loading

(A) Design: Parking facilities shall be designed and constructed to:

- 1) Allow unobstructed movement into and out of each parking space without interfering with fixed objects or vehicles.
- 2) Minimize delay and interference with traffic on public streets and access drives.
- 3) Maximize sight distances from parking lot exits and access drives.
- 4) All off-street parking spaces in parking lots shall have access from parking lot driveways and not directly from streets.

(B) Dimensional Requirements: Parking facilities shall be designed and constructed to meet minimum, parking space dimensions, aisle dimensions and other standards found in Table 6-2-2.

(C) Improvements

1) Paving

- a) Required parking spaces, access drives, and loading areas shall be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights.
- b) Access drives shall be paved and maintained from the curbline to a point at least ten (10) feet beyond the public right-of-way line for all parking and loading facilities, whether paved or unpaved.
- c) Paving shall not be required for:
 - i) Parking facilities used on an irregular basis for churches, private clubs or other similar nonprofit organizations.
 - ii) Parking facilities for residential uses where six (6) or fewer spaces are required.
 - iii) Parking areas for agricultural uses in the Agricultural (AG) District.

- iv) Parking areas in the Heavy Industrial (HI) District, provided they are constructed with an all-weather surface.
- v) Parking areas for tracked heavy construction equipment, skid-mounted equipment and similar equipment, provided they are constructed with an all-weather surface.

TABLE 6-2-2
GEOMETRIC DESIGN STANDARDS

PARKING

a	b	c	d	e	f1	f2
Parking Angle (Degrees)	Stall Width (*)	Stall to Curb (ft.)	Aisle Width (ft.)	Curb Length (ft.)	Center-to-Center width of Two Row Bin With Access Road Between (ft.)	
					Curb to Curb	Overlap C-C
0	7'-6"	7.5	12.0	23.0	27.0	-
	8'-6"	8.5	12.0	23.0	29.0	-
	9'-0"	9.0	12.0	23.0	30.0	-
	9'-6"	9.5	12.0	23.0	31.0	-
	10'-0"	10.0	12.0	23.0	32.0	-
30	7'-6"	16.5	11.0	17.5	44.0	41.0
	8'-6"	16.9	11.0	17.0	44.8	37.4
	9'-0"	17.3	11.0	18.0	45.6	37.8
	9'-6"	17.8	11.0	19.0	46.6	38.4
	10'-0"	18.2	11.0	20.0	47.4	38.7
45	7'-6"	17.0	11.0	10.5	43.0	48.1
	8'-6"	19.4	13.5	12.0	52.3	46.3
	9'-0"	19.8	13.0	12.7	52.6	46.2
	9'-6"	20.1	13.0	13.4	53.2	46.5
	10'-0"	20.5	13.0	14.1	54.0	46.9
60	7'-6"	17.7	14.0	8.7	47.4	44.0
	8'-6"	20.7	18.5	9.8	59.9	55.6
	9'-0"	21.0	18.0	10.4	60.0	55.5
	9'-6"	21.2	18.0	11.0	60.4	55.6
	10'-0"	21.2	18.0	11.5	61.0	56.0
90	7'-6"	17.0	20.0	7.5	54.0	-
	8'-6"	19.0	25.0	8.5	63.0	-
	9'-0"	19.0	24.0	9.0	62.0	-
	9'-6"	19.0	24.0	9.5	62.0	-
	10'-0"	19.0	24.0	10.0	62.0	-

(*) 9'-0" recommended

(*) 8'-6" minimum

(*) 7'-6" Compact Cars only, for non-required spaces

Stacking- Stacking spaces shall be twelve (12) feet by twenty (20) feet.

- 2) Where parking facilities are paved, curb and gutter or an equivalent drainage system shall be provided along the periphery of the parking lot, except where it is determined by the Enforcement Officer that such system is not practical for storm drainage.
- 3) All facilities shall be graded, properly drained, stabilized and maintained to minimize dust and erosion.
- 4) All parking spaces and stacking lanes shall be clearly identified with paint lines, bumper guards, curbs, or similar marking.
- 5) All parking spaces shall be provided with wheel guards or curbs located so that no part of the parked vehicle will extend beyond the property lines or encroach more than two (2) feet into a required planting area.
- 6) Concrete pads for stationary refuse containers shall be provided beneath and in the approach to each container.
- 7) Parking lots shall be designed and constructed such that walkways shall maintain a minimum unobstructed width of four (4) feet. (Vehicle encroachment is calculated as two (2) feet beyond curb.)

6-2.5 Location

- (A) Off-site Parking Lots: When required off-street parking is permitted to be located off-site, it shall begin with four hundred (400) feet of the zone lot containing the principal use. Required off-street parking shall not be located across an intervening major or minor thoroughfare.
- (B) Parking in Nonresidential District: Automobile parking for any use may be provided in any nonresidential district.
- (C) Parking in Residential Districts: Surface parking in a residential district for any use not permitted in that district is allowed under the following conditions:
 - 1) Property on which the parking is located must abut the lot containing the use which the parking serves. The property must be under the same ownership or subject to a parking encumbrance agreement approved by the Enforcement Officer;
 - 2) All access to such parking shall be through nonresidentially zones property;
 - 3) Parking shall be used only during daylight hours except by Special Use Permit;
 - 4) Parking shall be used by customers, patrons, employees, guests, or residents of the use which the parking serves;
 - 5) No parking shall be located more than one hundred twenty (120) feet into the residential zoning district. Parking may be allowed to extend up to four hundred (400) feet into the residential zoning district with approval of a Special Use Permit;

- 6) No parking shall be permitted close than one hundred fifty (150) ft to any public street right-of-way upon which the principal use would not be permitted driveway access; and
- 7) Long-term or dead storage, loading, sales, repair work or servicing of vehicles is prohibited.

6-2.6 Combined Parking

- (A) Separate Uses: The required parking for separate or mixed uses may be combined in one facility.
- (B) Shared Parking: A maximum of fifty percent (50%) of the parking spaces required for a church, theater, auditorium or assembly hall or other similar use may also serve as required spaces for another use located on the same zone lot. Shared space may also be located off-site as allowed in Section 6-2.5 (Off-site Parking Lots). In either case the Enforcement Officer must determine that the various activities will have peak parking demands at different periods of the day or week. Otherwise, not off-street parking required for one (1) building or use shall be applied toward the requirements of any other building or use.
- (C) Reassignment: Required off-street parking spaces shall not be leased or otherwise assigned to another use except as provided in Section 6-2.6 (Shared Parking) below.

6-2.7 Loading Zones

- (A) Location: Off-street loading areas shall be located on the same zone lot as the use they serve.
- (B) Design Standards

1) Minimum Number of Loading Spaces Required:

- a) Retail operations, including restaurant and dining facilities within hotels and office buildings:

Gross Floor Area (ft. ²)	Number of Spaces
0-20,000	0
20,001-40,000	1
40,001-75,000	2
75,001-150,000	3
150,001-250,000	4
For each additional 250,000 sq ft of fraction thereof	1

- b) Office buildings and hotels:

Gross Floor Area (ft. ²)	Number of Spaces
0-100,000	0
For each additional 100,000 sq ft or fraction thereof	1

- c) Industrial and wholesale operations:

Gross Floor Area (ft. ²)	Number of Spaces
--------------------------------------	------------------

0-10,000	0
10,001-40,000	1
40,001-100,000	2
100,001-160,000	3
160,001-240,000	4
240,001-320,000	5
320,001-400,00	6
For each additional 90,000 sq ft or fraction thereof	1

- 2) Each loading area shall be at least twelve (12) feet wide, sixty-five (65) feet long and fourteen (14) feet in clearance.
- 3) All off-street loading areas shall be arranged and marked to provide for orderly and safe unloading and loading, and shall not hinder the free movement of vehicles and pedestrians. All loading and unloading maneuvers shall take place on private property. No backing in from street or maneuvering on right-of-way shall be permitted.

6-3 LANDSCAPING REQUIREMENTS

6-3.1 Applicability

The landscaping requirements of this Ordinance shall apply to all public and private land located within the zoning jurisdiction of the Governing Body. Unless otherwise provided by this Ordinance, no final Certificate of Occupancy shall be issued for any sue until the landscaping requirements have been met.

(A) Exemptions: These requirements shall not apply to:

- 1) Single family detached dwellings or two-family dwellings on own lots;
- 2) Multi-family developments containing eight (8) or fewer dwelling units in a single zone (building) lot;
- 3) Properties within or surrounded by the Central Business (CB) zoning district;
- 4) Property lines abutting railroad rights-of-way and utility easement in excess of sixty (60) feet in width; and
- 5) Property lines abutting dedicated street right-of-way which has remained unopened for a period of at least fifteen (15) years.

(B) Application: These requirements shall apply to the following:

- 1) New Principal Building or Use: Principal buildings or open uses of land constructed or established after the adoption of this Ordinance.
- 2) Changes in Use: Changes in use which result in an increase of two (2) or more in the Land Use Classification number. The requirements of this Section shall be applicable to the zone lot.
- 3) In abutting residential districts separated by a change of two or more zones.
- 4) Expansions or Reconstruction: Expansions which will result in parking or building square footage increases of more than three thousand (3,000) square feet for developments existing on the effective date of this Ordinance. In such cases the landscaping requirements shall apply only to the expansion.

- (C) Reduction or Reconstruction: Expansions for Pre-Existing Developments allow compliance with the landscaping regulations, the number of required off-street parking spaces may be reduced by the Enforcement Officer up to ten (10%).

6-3.2 Planting Yards

(A) Required Planting Areas: The following areas are required to be landscaped:

- 1) Street planting yards;
- 2) Parking lots (excluding vehicle loading, storage, and **dixxxxxx** areas); and
- 3) Planting yards.

(B) Planting Area Descriptions:

- 1) **Street Planting Yard**: A planting area parallel to xxx street designed to provide continuity of vegetation along right-of-way and a pleasing view from the road. No more fifteen (15%) percent of the street planting yard may be for walkways or signs. Parking, merchandise display and off-street loading are prohibited in the street planting yard.
- 2) **Parking Lot Plantings**: Planting areas within an adjacent parking areas designed to shade and improve the attractiveness of large areas or pavement.
- 3) **Type A Planting Yard**: A high density screen intended to substantially visual contact between adjacent uses and create spatial separation. A Type A Planting Yard reduce lighting and noise which would otherwise intrude upon adjacent uses.
- 4) **Type B Planting Yard**: A medium density screen intended to partially block visual contact between uses and create spatial separation.
- 5) **Type C Planting Yard**: A low density screen intended to partially block visual contact between uses and create spatial separation.
- 6) **Type D Planting Yard**: A peripheral planting strip intended to separate uses, provide vegetation in densely-developed areas, and enhance the appearance of individual properties.

6-3.3 Planting Yard Determination

To determine the planting yards required by the Ordinance the following steps shall be taken:

- (A) Identify the classification of the proposed or expanded land use and of any existing or proposed adjacent land use(s) by using the Permitted Use Schedule, Table 4-3-1 in Section 4-3 (Permitted Use Schedule). A land use becomes existing on an adjacent property when a building permit is issued. If a zone lot contains uses with different land use classifications, select the higher numbered classification.
- (B) Use the Planting Yard Chart, Table 6-3-1, to determine the appropriate letter designation for each planting yard.
- (C) Match the letter designation obtained from the Planting Yard Chart with the Planting Rate Chard, Table 6-3-2, to determine the types and numbers of shrubs and trees required.

6-3.4 Landscaping Design and Maintenance Standards

- (A) Calculation of Street Planting Yards: Street planting yard rate and width calculations shall exclude access drives.
- (B) Plant Species: Species used in required street planting yards, parking lots, and planting yards shall be of a locally adopted nature. Refer to the recommended plant species list in Appendix 6 (Landscaping). Other species may be approved by the Enforcement Officer.
- (C) Dimension of Planting Area: Each planting area containing trees, including those located in parking lots, shall have a minimum inside dimension of seven (7) feet and be at least two hundred (200) square feet in area.
- (D) Grouping: For the Type B, C, and D planting yards, shrubs and trees may be grouped or clustered; however, not more than fifty (50%) percent of each required plant material may be grouped or clustered. The remainder of the materials shall be distributed throughout the planting yard. There shall be at least one row of evergreen shrubs or evergreen understory trees in all Type A planting yards.
- (E) Parking Lot Spacing: Required canopy tree areas in parking lots shall be distributed throughout out parking lots and shall be located within or adjacent to parking lots as tree island, at the end of parking bay, medians, or between rows of parking spaces.
- (F) Canopy Tree Size: Canopy trees must be a minimum of eight (8) feet high and two (2) inches in caliper, measured six (6) inches above grade, when planted. When mature, a canopy tree should be at least forty (40) feet high and have a crown width of thirty (30) feet or greater.
- (G) Understory Tree Size: Understory trees must be a minimum of four (4) feet high and one (1) inch in caliper, measured six (6) inches above grade, when planted.
- (H) Shrub Size: All shrubs shall be expected to reach a minimum height of thirty-six (36) inches, and a minimum spread of thirty (30) inches within three (3) years of planting.

TABLE 6-3-1

PLANTING YARD CHART

EXISTING ADJACENT USE(S)

	Land Use Classification	1	2	3	4	5	Undeveloped
Proposed Use	1	*	*	*	*	*	*
	2	C	D	D	D	D	D
	3	B	B	D	D	D	D
	4	A	A	C	D	D	D
	5	A	A	B	C	D	D

*No Planting Yard Required

*For required buffers in residential zones (see Application (B),3), a minimum 12 foot buffer is required and must meet the planting yard requirement for Type A planting Yard see Table 6-3-2-, page 6-23.

TABLE 6-3-2
PLANTING YARD RATE CHART

Yard Type	Min Width (ft.)	Min Avg Width (ft.)	Max Width (Ft.)	Planting Yard Rates		
				Canopy Tree Rate	Understory Tree Rate	Shrub Rate
Street Yard	7	15	20	2/100 lf ^b	NA ^c	17/100 lf
Type A Yard	40	50	75	4/100lf/oc	10/100 lf/oc	33/100 lf/oc
Type B Yard	25 ^a	30 ^a	50	3/100 lf	5/100 lf	25/100 lf
Type C Yard	15 ^a	20 ^a	40	2/100 lf ^b	3/100 lf	17/100lf
Type D Yard	10	10	10	1.5/100 lf ^b	2/100 lf	17/100 lf
Parking Lot	NA	NA	NA	1/8spaces ^b	NA ^c	NA

lf = linear feet oc=on center

^a Walls constructed of masonry, stone or pressure treated lumber may be used to reduce these widths to twenty (20) feet for a Type B planting yard or ten (10) feet for a Type C planting yard. The minimum height of the wall shall be five (5) feet.

^b In street yards, Type C and Type D plating yards, and parking lots understory trees may be substituted for canopy trees at the rate of two (2) understory trees for each required canopy tree.

^c One understory tree may be substituted for each required canopy tree if the Technical Review Committed determines that there would be a major conflict with overhead utility lines.

- (I) Berm Size: Any berm shall have a minimum height of three (3) feet, a minimum crown width of three (3) feet and a side slope no greater than 3:1.
- (J) Encroachments Permitted in Required Planting Yards: The following are permitted in required planting yards provided there is no interference with any sight area:

- 1) Landscaping features, including but not limited to ornamental pools, planting boxes, sculpture, arbors, trellises, and birdbaths.
 - 2) Pet shelters, at-grade patios, play equipment, outdoor furniture, ornamental entry columns and gates, flag poles, lamp posts, address posts, HVAC equipment, mailboxes, outdoor fire places, public utility wires and poles, pumps, wells fences, retaining wall, or similar structures.
 - 3) Cornices, steps, canopies overhanging eaves and gutters, window sills, by windows or similar architectural features, chimneys and fire places, fire escapes, fire balconies, and fire towers may project not more than two and one –half (1 ½) feet into any required setback, but in no case shall be closer than three (3) feet to any property line.
- (K) Setback Less the Planting Yard: If the required building setback is less than the required planting yard, the building setback shall control, reducing the required planting yard width only alongside the building. The planting rate of the required planting yard shall still apply.
- (L) Location of Planting Material Outside Shade of Building: Where a building is located less than ten (10) feet from a property line, and the planting yard would be heavily shaded by buildings on both sides of the property line, the required trees and shrubs may be planted outside the shaded area to improve survivability.
- (M) Obstructions: Landscaping shall not obstruct the view of motorists using any street, driveway, or parking aisle.
- (N) Location: Required trees and shrubs shall not be installed in street right-of-way. Required trees and shrubs may be placed in water quality conservation easements. Required trees and shrubs may be planted in electric utility easements below overhead lines and in drainage maintenance and utility easements by approval of the Technical Review Committee.
- (O) Plant Protection: Whenever planting areas are adjacent to parking lots or drives, the planting area shall be protected from damage by vehicles, lubricants or fuels.
- (P) Maintenance: The owner is responsible for maintaining all required plant materials and planting areas in good health and appearance. Any dead, unhealthy or missing plants must be replaced within one-hundred eighty (180) days with vegetation which conforms to the initial planting rates and standards. When plant material is severely damaged due to unusual weather conditions or other acts of God, the owner shall have two (2) years to replant.

6-3.5 Procedures

- (A) Landscaping Plan Required: Prior to obtaining a building permit, an applicant must receive approval of a landscaping plan from the Enforcement Officer, except that site plans submitted in accordance with Section 3-11.4(B)2) may include a conceptual landscaping plan and delay submission of the landscaping plan for up to ninety (90) days after issuance of the building permit.
- (B) Installation of Plant Materials
- 1) Installation of plant material shall occur prior to the issuance of a Certificate of Occupancy.
 - 2) If at the time of a request for a Certificate of Occupancy, the required planting areas are not complete and it can be determined that:

- a) Plant materials are unavailable,
- b) Completion of the planting areas would jeopardize the health of the plant materials, or
- c) Weather conditions prohibit completion of the planting areas,

then the installation of plant materials may be deferred by the Enforcement Officer.

The developer shall submit a copy of a signed contract for installation of the required planting areas and post a surety equal to the amount of the contract. In no instance shall the surety be for a period greater than one-hundred and eighty (180) days. The Enforcement Officer may issue a Temporary Certificate of Occupancy until the planting areas have been completed and approved.

6-3.6 Alternate Methods of Compliance

(A) General Provisions:

- 1) Alternate landscaping plans, plant materials or planting methods may be used where unreasonable or impractical situations would result from application or landscaping requirements. Such situations may result from utility easements, streams, natural rock formations, topography, lot configuration, or where other physical conditions exist, or where other site conditions exist such as unified development design.
- 2) The Enforcement Officer may approve an alternate plan which proposes different plant materials, planting yard widths, for methods provided that quality, effectiveness, durability and performance are equivalent to that required by the Ordinance.
- 3) The performance of alternate Landscaping plans must be reviewed by the Enforcement Officer to determine if the alternate plant meets the intent and purpose of this Ordinance. This determination shall take into account the land use classification of adjacent property, number of planting, species, arrangement and coverage, location of plantings on the lot, and the level of screenings, height, spread, and canopy of the planting at maturity.
- 4) Decisions of the Enforcement Officer regarding alternate methods of compliance may be appealed to the Technical Review Committee.

(B) Lot of Record Provisions: For zone lots less than one hundred (100) feet in width the following provisions may be applies:

- 1) For zone lots less than one hundred (100) feet and greater than eighty (80) in width where Type D Planting Yards are required, one (1) Type D planting yards may be eliminated for the landscaping plan if the Enforcement Officer finds that strict application of the requirements of this Section prevents reasonable use of the property. However, then plantings required for this yard shall be installed in remaining planting yards.
- 2) For zone lots less than eighty (80) feet in width where Type D planting yards are required, two (2) Type D planting yards may be eliminated from the landscaping plan if the Enforcement Officer finds that strict application of the requirements of

this Section prevents reasonable use of the property. All required plants for these yards shall be installed in remaining plant yards.

6-3.7 Provisions for Preservation of Existing Trees

- (A) General: Any existing tree or group of trees which stands within or near a required planting area and meets or exceeds the standards of the Ordinance may be used to satisfy the tree requirements of the planting area. The protection of tree stands, rather than individual trees, is strongly encouraged.
- (B) Protection of Existing Trees: To receive credit, trees must be protected from direct and indirect root damage and trunk and crown disturbance. The following standards shall apply:
 - 1) The protected area around trees shall include all land within the canopy drip line.
 - 2) Construction site activities such as parking, material storage and concrete washout shall not be permitted within tree protection areas.
 - 3) Protective fencing shall be installed around tree protection areas prior to any land disturbance. Such fences shall be at least four (4) feet high and may consist of snow fence or polyethylene safety fencing. Fencing shall remain in place until construction is complete and other landscaping has been installed.
- (C) Dead or unhealthy trees: No credit will be allowed for any dead tree, tree in poor health or any tree subjected to grade alteration. The death of any preserved tree used for credit shall require the owner to plant new trees equal to the number of credited trees.
- (D) Rate of Credit: Credits shall be allowed at the rate of one (1) canopy tree for every three (3) inches of circumference measured at four and one-half (4.5) feet above grade. Credits shall be subtracted from the total number of canopy and understory trees required in the planting yards. In every case, however, there shall be at least one canopy tree for every fifty linear feet of street planning yard, existing or planted.

6-4 DEVELOPMENT STANDARDS FOR INDIVIDUAL USES

6-4A Application of Development Standards

The development standards listed herein are additional to the requirements listed elsewhere in this Ordinance. The development standards listed below are use specific and apply only to those uses designated with a “D” in the Permitted Use Schedule. In addition, use requiring a Special Use Permit shall meet these standards as a minimum permit conditions.

6-4.1 Accessory Dwelling Units (on Single Family Lots) See figure below.

- (A) Where required: AG, all residential, LO, GO-M, GO-H districts, NB and CB districts.
- (B) General Requirements
 - 1) The accessory dwelling unit and principal dwelling unit shall have the same address.
 - 2) No more than one accessory dwelling unit is permitted on the same lot with a principal dwelling unit.
 - 3) *No accessory dwelling unit shall be permitted on the same zone lot with a two-family or multi-family dwelling or family care home.*

(C) Accessory Dwelling Unit Within a Principal Single-Family Dwelling

- 1) The principal building shall not be altered in any way so as to appear form a public or private street to be multi-family housing. Prohibited alterations include, but are not limited to, multiple entranceways, ~~or multiple mailboxes~~. Wherever feasible, consistent with the Building Code, access to the accessory dwelling unit shall be by means of an existing side or rear door, except where a new entrance is required by the NC Building Code. No new doorways or stairways to upper floors are permitted if they are attached to the side of a building facing a public street.
- 2) An accessory dwelling unit shall occupy no more than twenty-five (25%) percent of the heated floor area of the principal building. The sum of all accessory uses (including home occupations) in a principal building shall not exceed twenty-five (25%) of the total floor area.
- 3) The minimum size of an accessory dwelling unit shall be two hundred and fifty (250) square feet.
- 4) *The accessory dwelling unit shall have water, sanitary sewer, and electrical utilities as part of the principal building.*

(D) Detached Accessory Dwelling Units

- 1) A detached accessory dwelling unit may be:
 - a) A manufactured dwelling in zones which permit this use;
 - b) A dwelling unit which is part of an accessory detached garage; or
 - c) A freestanding dwelling unit meeting the NC Building Code.
- 2) The lot containing both the principle and accessory dwelling units shall have one and one-half (1.5) times the minimum lot area required for the district.
- 3) The detached accessory dwelling shall:
 - a) Have an approved sewage disposal connection or system;
 - b) Meet all setbacks applicable to the principal building;
 - c) Be erected behind and at least ten (10) feet from the principal building; and
 - d) Not exceed the maximum lot coverage when added to the square footage of all accessory buildings on the lot.

6-4.1.1 Adult Oriented Establishment

Defined including adult arcades, adult bookstores or adult video stores, adult cabaret, adult massage parlors, adult motels, adult motion picture theaters, adult theaters, escort agencies, nude model studios, sexual encounter centers, or any combination of these uses.

Where Required: GB, HB, and LI district

General Requirements: The following requirements apply to the adult establishments:

- 1) No adult oriented establishment shall locate within one thousand (1000) feet of a church, public or private elementary or secondary school, child day care center or nursery school, Public Park, residentially zoned property, establishments with on and off premise ABC license. The 10000 foot distance shall be measured from a straight line from property line to property line without regard for intervening structures, roads or land forms. IN additions, no adult oriented business may be within 1,200 feet of another AOB.

- 2) Prohibition of Sleeping Quarters: Except for an adult motel, no adult oriented establishment may have sleeping quarters.
- 3) Restriction of Uses on the Same Property or in the Same Building: There shall not be more than one (1) adult oriented establishment in the same building, structure, or portion thereof. No other principal or accessory use may occupy the same building, structure, property, or portion thereof with any adult oriented establishment.
- 4) Signs: Except for business signs permitted by Section 6-1 (Sign Regulations) of this Ordinance, promotional materials shall not be visible to the public from sidewalks, walkways, or streets. No flashing lights or fluttering devices which are designed and use to advertise or promote adult establishments are allowed.
- 5) No amplification of sound shall be permitted to be directed outside of the building used by adult establishment.

6-4.2 Advertising Service, Outdoor

- 1) Where Required: GB and HB districts
- 2) Outdoor Storage: No outdoor storage of any materials related to outdoor advertising shall be permitted.

6-4.3 Airports

- 1) Where Required: AG district
- 2) Minimum Area: Fifty (50) acres for Basic Utility Stage 1 airport with two thousand (2,000) foot runway. More area is required for larger airports. Airport size and layout shall conform to current FAA standards.
- 3) Use Separation: There shall be a minimum three hundred (300) foot distance between airport property and the nearest residence.
- 4) Fencing: Security fencing shall be provided sufficient to control access to runways and taxiways. The fencing shall be a minimum of six (6) feet in height.

6-4.4 Ammunition, Small Arms

- 1) *Where Required: HI district.*
- 2) *Use Separation: No such facility shall locate within a five hundred (500) foot radius of any residential or public-institutional zoning district.*
- 3) *Security Fencing: Security fencing shall be provided along the entire boundary of such a facility.*
- 4) *Operation: The facility and its operation shall observe all Fire Preventions and protection requirements.*

6-4.5 Amusement Park

- 1) Where required: AG, HB, LI Districts
- 2) Minimum Area; Minimum lot size shall be five (5) acres.
- 3) Use Separation: No buildings or structure, temporary or otherwise, shall be located within fifty (50) feet of any property line.
- 4) Security Fencing: Security fencing, a minimum six (6) feet in height, shall be provided along the entire boundary of the park activities.

- 5) Use Separation: No amusement equipment, machinery or mechanical device of any kind may be operated within two hundred (200) feet of any developed residentially or public-institutionally zoned property.

6-4.6 Animal Feeder/Breeder

- 1) Where Required: AG District
- 2) Setback: All structures, buildings or enclosed areas, used for housing of poultry, hogs, cattle or other livestock or animals being bred shall be a minimum of one hundred (100) feet from all property lines.
- 3) Operation: Any violation of County Health Department regulations concerning the operation of the feeder/breeder shall be considered a violation of this Ordinance.
- 4) Noise: Mechanical equipment producing noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.

6-4.7 Animal Service (other), Kennels, and Pet Grooming

- 1) Where Required: GO-M, GO-H, LB, GB, HB, SC, and CP districts.
- 2) Outside Storage: Pens and runs located outdoors are prohibited.

6-4.8 Asphalt Plant

- 1) Where Required: AG and HI Districts.
- 2) Use Separation: Any asphalt plant, or other industrial operations shall be located at least fifty (50) feet from any property line.
- 3) Security fencing: The asphalt operation shall be enclosed by a nonclimbable fence of at least six (6) feet in height.
- 4) Rehabilitation
- 5) Within one (1) year after the cessation of production, all equipment and stock piles, incidental to such operation, shall be dismantled and removed by and at the expense of the owner.
- 6) The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public drainageways, nor to appreciably increase the turbidity of any natural water course, or to occlude any existing drainage course.
- 7) Dust: All unpaved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.
- 8) Access
 - a) Access roads leading to any part of the operation shall be constructed with a gravel or asphalt stone surface and maintained in a dust-free manner.
 - b) No part of such roads shall be located closer than fifteen (15) feet to an external property line other than a limited access highway or railway right-of-way line.
 - c) A truck route plan shall be submitted showing routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools or other uses which will be negatively affected by truck traffic.

6-4.9 Athletic Fields

- 1) Where Required: AG, all residential, LO and NB districts
- 2) Access: All athletic fields shall have access to collector or thoroughfare street only.
- 3) *Lighting: All lighting shall be designed and installed to minimize glare and disturbance with surrounding residential areas.*

6-4.10 Automotive Towing and Storage Service

- 1) Where Required: GB, HB, LI, and HI districts.
- 2) Maximum Automotive Storage:
 - a) In the GB and HB districts no more than twenty (20) motor vehicles shall be stored on the premises at any one time.
 - b) In the LI district no more than one-hundred (100) motor vehicles shall be stored on the premise at any one time.
 - c) In the HI district there is no maximum number.
- 3) Screening: The automotive storage area must be screened with a six (6) foot high opaque fence in addition to the required planting yard.
- 4) Operation: No outdoor disassembly or salvaging shall be permitted.

6-4.11 Banks, Savings and Loan, or Credit Unions

- 1) Where Required: GO-M, GO-H, LB, LI, and CP districts.
- 2) Maximum Area: The total direct customer service floor space shall not exceed four thousand (4,000) square feet.
- 3) Drive-Thru Teller Services: The point of service for window tellers, remote tellers, or automated teller machines (ATM's) shall be located no closer than seventy-five (75) feet to residentially-zones property.

6-4.12 Bars

- 1) Where Required: GB, HB, CB, and SC districts.
- 2) Property Separation: No such establishment shall be located within two-hundred (200) feet of a church, elementary or secondary school, public park or residentially-zoned property.
- 3) Frontage: The main entrance of the building shall be toward a street zoned predominantly for non-residential uses.
- 4) Screening: A minimum of six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residences.
- 5) Parking: Parking areas related to the establishment shall be located no closer than thirty (30) feet to the property line of abutting residences.

6-4.13 Barber Shop, Beauty Shop

- 1) Where Required: CP district
- 2) Operation: Operated as an accessory use to a motel or hotel of fifty (50) or more units, an office building containing more than twenty thousand (20,000) gross square feet, or a high-rise apartment building and limited to two (2) operators per establishment.
- 3) Access: Every entrance to such business shall be from the lobby, hallway or other interior portion of the building.

- 4) Signs: No sign, show window or other matter advertising such business shall be visible from outside the building.

6-4.14 Batting Cages

- 1) Where Required: HB, LI, and HI districts
- 2) Security Fencing: Fencing, netting or other control measures shall be provided around the perimeter of the batting area to prevent balls from leaving the designated area.

6-4.15 Billboards

- 1) Where Required: HB, LI and HI district
- 2) Spacing: No billboard shall be erected within one thousand (1000) linear feet along the same street frontage of another billboard as measured from the billboard pole(s). No Billboard is permitted within a 750' radius of the intersecting centerline of an interchange.
- 3) Height: No billboard shall exceed thirty (30) feet in height; however, the height may be increased to fifty (50) feet if the billboard is within four hundred (400) feet of an Interstate Highway.
- 4) Size: The sign area of any billboard pursuant to Section 6-1.6 (computations of Sign Area) shall not exceed one hundred fifty (150) square feet.
- 5) Adjacent Residential: NO billboard shall be erected closer than three hundred (300) feet to any residentially zoned property.
- 6) Setback: The support post(s) of any billboard shall meet the minimum setbacks of the district in which it is located. No sign portion of a billboard shall project closer than fifteen (15) feet to a street right-of-way or closer than five (5) feet to any other property line, measured horizontally.
- 7) Auxiliary Specifications: All billboards shall meet the minimum requirements of Section 6.1.7 (Location, Construction, and Maintenance Specifications).
- 8) Permits: A permit to erect or install a billboard shall be required in accordance with the requirements and procedures of Article III (Permits and Procedures).
- 9) Nonconforming: Nonconforming billboards may be continued in accordance with the provisions of Section 3-14 (Nonconforming Lots, Uses, and Structures); provided that a Nonconforming Sign Certificate in accordance with Section 6-1.10 (Sign Certificates) is obtained.
- 10) No sign will be permitted to flash, revolve, rotate, or swing by mechanical means.

6-4.16 Building Supply Sales (with storage yard)

- 1) Where Required: GB, HB, and SC districts.
- 2) Screening: All outside storage shall be completely screened from view from all streets and adjacent residentially zoned property.
- 3) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided around all outside storage areas.
- 4) Dust: All storage areas shall be maintained in a manner so as to limit dust from drifting onto adjoining properties.

6-4.17 Caretaker Dwelling

- 1) Where Required: AG and all nonresidential districts.

- 2) Operation: A building permit for the principal building must be obtained or principal use in engaged, prior to occupancy.
- 3) Number: No more than one (1) caretaker dwelling unit shall be permitted per lot.

6-4.18 Car Wash

- 1) Where required: GB, HB, CB, and SC districts.
- 2) Use Separation: Building(s) shall not be less than seventy-five (75) feet from any interior side of rear property line which adjoins residentially or public-institutionally zones property.
- 3) Screening: A minimum six (6) foot high opaque fence shall be provided adjacent to all residentially-zoned property.
- 4) Operation
 - a) All washing operations shall be contained in a building.
 - b) Specific areas shall be provided for the manual drying, waxing, polishing and vacuuming of automobiles and other motor vehicles when these services are offered on site. These areas shall not conflict with on-site circulation patterns.
 - c) Hours of operation shall be between 7:00 a.m. and 10:00 p.m. when adjoining developed residentially zoned property.
 - d) Adequate provision shall be made for the safe and efficient disposal of waste products.

6-4.19 Cemetery/Mausoleum

- 1) Where required: All districts.
- 2) Minimum Area: A minimum of three (3) contiguous acres shall be required to establish a cemetery or mausoleum ~~not located on the same tract of land as a church.~~
- 3) Location: Principal access must be from a collector street or highway capacity street.

6-4.20 Church

- 1) Where Required: All residential districts.
- 2) Location: Within urban areas, church facilities located on sites of three (3) acres or more shall have direct access to a collector or higher capacity street.

6-4.21 Club or Lounge

- 1) Where Required: AG, all residential, and NB districts.
- 2) Location: Except in AG district, clubs and lodges shall have direct access to a collector or higher capacity street.
- 3) Operations: Clubs or lodges shall not be open be open after ~~12:00 midnight~~ 2:00 a.m. when located adjacent to residentially-zoned establishments.

6-4.22 Computer Sales

- 1) Where Required: CP district
- 2) Maximum Area: A maximum of three thousand (3000) square feet of gross floor area shall be permitted per establishment.
- 3) Outside Storage: No outside storage of materials shall be permitted.

6-4.23 Congregate Care Facility

- 1) Where Required: RM-8
- 2) Operation
 - a) The facility shall provide centrally located shared food preparation, service and major dining areas.
 - b) Common recreation, social and service facilities shall be provided at a minimum rate of thirty (30) square feet per dwelling unit.
 - c) All facilities shall be solely for the use of residents and their guests.
 - d) Facilities for administrative services and limited medical services for the exclusive use of the residents shall be located on the site.

6-4.24 Convenience Store (with gasoline pumps)

- 1) Where Required: CP district
- 2) Maximum Area: A minimum of three thousand (3000) square feet of gross floor area shall be permitted per establishment.
- 3) Outside Storage: No outside storage of materials shall be permitted.
- 4) Gasoline Service Islands/Pumps: There shall be no more than one (1) gasoline service island containing no more than four (4) gasoline pumps.

6-4.25 Convenience Store (without gasoline pumps)

- 1) Where Required: CB Districts.
- 2) Maximum Area: A maximum of three thousand (3000) square feet of gross floor area shall be permitted per establishment.
- 3) Outside Storage: No outside storage of materials shall be permitted.

6-4.26 Country Club with Golf Course, Swim and Tennis Club

- 1) Where Required: AG, all residential, GO-M, GO-H, HB, CP, LI, and PI districts.
- 2) Minimum Area: The minimum area shall be two (2) acres in addition to the golf course(s). The minimum shall be one (1) acre if located on common area within a development.
- 3) Use Separation: Fifty (50) foot minimum distance between clubhouse, swimming pool, lighted tennis court, or athletic field and any adjacent residentially-zoned property.
- 4) Security Fencing: Outdoor swimming pools shall be protected by a fence, or equal enclosure, a minimum of four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

6-4.27 Day Care Center, Child or Adult As a Home Occupation

Where Required: All districts.

- 1) Child Day Care Program: A child day care with a maximum of five (5) or fewer pre-school aged children and/or a maximum of three (3) or fewer school aged children for a maximum of eight (8) children may be operated as a Home Occupation, subject to the development standards for a Home Occupation.

- 2) After-School Program: A maximum of fifteen (15) school aged children during a twenty-four (24) hour period may be kept for a maximum of four (4) hours or less as a Home Occupation subject meeting NC Building Code and Environmental Health requirements.
- 3) An Adult Day Care with a maximum of eight (8) attendees may be operated as a Home Occupation, subject to the development standards for a Home Occupation.
- 4) Minimum Area: An indoor activity area shall be provided equivalent to at least twenty-five (25) square feet per attendee.
- 5) Open Space and Recreation: An outdoor activity area shall be provided equivalent to at least seventy-five (75) square feet per attendee and located outside of the street setback.
- 6) Security Fencing: Outdoor activity areas(s) for children shall be enclosed by a security fence at least four (4) feet in height and located outside the street setback.
- 7) No more than one (1) program may be operated at the same location during a twenty-four (24) hour period.

As a Principal Use: An adult or child day care center not operated as a Home Occupation or as an accessory use shall be operated as a principal use and is subject to the following development standards.

Where Required: AG, RM-8, RM-12, RM-18, RM-26, and all nonresidential districts, except HI.

- 8) Minimum Area: An indoor activity area shall be provided equivalent to at least twenty-five (25) square feet per attendee.
- 9) Open Space and Recreation: An outdoor activity area shall be provided equivalent to at least seventy-five (75) square feet per attendee and located outside of the street setback.
- 10) Security Fencing: Outdoor activity area(s) for children shall be enclosed by a security fence at least four (4) feet in height and located outside the street setback.
- 11) Location: Centers on a site greater than three (3) acres shall have frontage on a collector or thoroughfare street.
- 12) Signs: An entrance sign shall be posted and maintained which lists the name and phone number of the current operator, ~~the types of materials accepted, the hours of operation, tipping charges, and any other pertinent information.~~

6-4.28 Construction or Demolition Debris Landfill (C-D)

Where Required: All districts.

- 1) Area, Siting and Location Requirements:
 - a) Waste disposal area cannot exceed one (1) acre and must be at least four (4) feet above the seasonal high groundwater table.
 - b) The landfill must be located at least one-quarter mile from any other landfill of any type.
 - c) The perimeter of the landfill must be at least fifty (50) feet from the boundary of the property and five hundred (500) feet from the nearest existing drinking water well at time of approval.
- 2) Closure and Post Closure:

- a) Within thirty (30) days of the completion or termination of demolition.
 - b) The site must be covered with at least two (2) feet of compacted earth, graded to minimize erosion, and planted with suitable vegetation.
 - c) No building may be built or located immediately above any part of the landfill and no construction on any part of the site may be initiated before the landfill is closed.
- 3) Land Clearing and Inert Debris (LCID) Landfill

Land Clearing and Inert Debris Landfill (Minor)

Where Required: All Districts

- 4) Maximum Area: Two (2) acres.
- 5) Maximum Duration: Landfills are limited to a maximum period of operation of three (3) years from the date of issuance of the Certificate of Occupancy by Guilford County, provided that the Planning Board may upon request grant one or more three year renewals.
- 6) Use Separation: One hundred (100) feet minimum from any property line to the edge of the fill area and three hundred (300) feet minimum from any residence not on the same tract as the landfill.
- 7) Buffer: Where possible a minimum fifteen (15) foot tree buffer shall be retained around the exterior property line.
- 8) Access: Access to the landfill shall be from a state maintained paved road, provided that the Planning Board may grant a waiver to the paving requirement upon reasonable conditions, and shall be controlled with gates, chains, fences, ditches and/or trees to prevent unregulated dumping.
- 9) Dust: All unpaved areas shall be maintained in a manner which prevents dust from leaving the property.
- 10) Operation:
 - a) No filling is permitted in the 100-year floodplain of any stream. Filling to the edge of the 100-year floodplain is permitted only if the back slope is stable and not steeper than 3:1;
 - b) No filling is permitted in minor drainageways unless the drainage has been piped or otherwise diverted in accordance with approved plans; and
 - c) No filling is permitted in utility easements, except electrical transmission easements for 44kv or greater lines.
- 11) Closure: Landfills shall be closed with a minimum of one (1) foot of clean soil, graded to a maximum slope of three to one (3:1), and stabilized with vegetation or by other approved means.

Land Clearing and Inert Debris Landfill (Major)

Where Required: AG and HI districts.

- 12) Use separation: One hundred (100) feet minimum from any property line to the edge of the fill area and three hundred (300) feet minimum from any residence not on the same tract as the landfill.
- 13) Buffer: Where possible a minimum fifteen (15) foot tree buffer shall be retained around the exterior property line.

14) Access: Access to the landfill and shall be controlled by gates, chains, fences, ditches and /or trees to prevent unregulated dumping.

15) Dust: All unpaved areas shall be maintained in a manner which prevents dust from leaving the property.

16) Operation:

- a) No filling is permitted in the 100-year floodplain of any stream. Filling to the edge of the 100-year floodplain is permitted only if the back slope is stable and not steeper than 3:1;
- b) No filling is permitted in minor drainageways unless the drainage has been piped or otherwise diverted in accordance with approved plans; and
- c) No filling is permitted in utility easements, except electrical transmission easements for 44kv or greater lines.
- d) Closure: Landfills shall be closed with a minimum of one (1) foot of clean soil, graded to a maximum slope of three to one (3:1), and stabilized with vegetation or by other approved means.

6-4.37 Drugstore

Where Required: CP District

- 1) Maximum Area: A maximum of three thousand (3000) square feet of gross floor area shall be permitted per establishment.
- 2) Outside Storage: No outside storage of materials shall be permitted.

6-4.38 Elementary or Secondary School

Where Required: All residential lots and LO districts.

- 1) Access: All elementary or secondary schools shall have direct access to a collector street or higher capacity street.
- 2) Minimum Area: All elementary or secondary schools shall be located on a minimum of three (3) acres.

6-4.39 Equestrian Facility

Where Required: AG, RS-40, and PI districts.

- 1) Minimum Area: Minimum area required for an Equestrian Facility to be established in twenty-five (25) acres.
- 2) Use Separation: There shall be a minimum one hundred (100) foot distance between manure storage areas, barns or stables and any adjacent residentially zoned property.
- 3) Dust: All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjoining properties.

6-4.40 Equipment Repair, Light

Where Required: AG and HI districts.

- 1) Outside Storage: Outside Storage is prohibited.

6-4.41 Explosives

Where Required: AG and HI Districts.

- 1) Property Separation: No facility shall locate within five hundred (~~500~~ 1000) feet of any residentially or public institutionally zoned property.
- 2) Setbacks: Buildings, including any accessory buildings for storage of explosive raw materials and/or final products, shall be not less than one hundred fifty (150) feet from all property lines.
- 3) Security Fencing: Security fencing, a minimum of eight (8) feet in height, shall be provided along the entire boundary of the facility.
- 4) Operation: Building(s) shall meet the requirements for Hazardous Occupancy under the NC Building Code.

6-4.42 Garden Center or Retail Nursery

Where Required: SC District

- 1) Outside Storage: No outside storage of non-plant material shall be permitted.

6-4.43 Golf Course

Where Required: All residential, HB, CP, LI, and PI districts.

- 1) Use Separation: Fifty (50) foot minimum distance between clubhouse and other principal building(s) and any adjacent residentially-owned property.
- 2) Residential Districts: All golf courses located in a residential district must be part of an approved residential plan.

6-4.44 Golf Driving Range

Where Required: AG, HB, LI, and HI districts

- 1) Minimum Area: The minimum lot depth from the trees to the end of the driving area shall be one thousand (1000) feet or the end shall be controlled with netting and/or berms to prevent golf balls from leaving the property.
- 2) Security Fencing: Fencing, netting, trees, berms, or other control measures shall be provided around the perimeter of the driving area so as to prevent golf balls from leaving the driving area.
- 3) Residential Districts: All driving ranges located in a residential district must be part of an approved residential development plan.

6-4.45 Group Care Facility

Where Required: GoO-M, GO-H, and PI districts

- 1) Property Separation: No such facility shall be located within one-half (1/2) mile of an existing group care facility.
- 2) Operation: The facility shall be limited to not more than thirty (30) persons.

6-4.46 Home Occupations (including renting of rooms)

Where Required: AG all residential, GO-M, GO-H, and NB districts

- 1) Maximum Area: Area set aside for Home Occupation shall occupy no more than twenty-five (25%) percent of the gross floor area of the dwelling unit.
- 2) Outside Storage: No outside storage or display of items associated with the Home Occupation is permitted.
- 3) Operation
- 4) The Home Occupation must be conducted entirely within a dwelling unit. It must be a use which is clearly incidental and secondary to the use of the residence. Home Occupations are not permitted in a detached garage or other accessory structure, except for accessory dwelling units.
- 5) Permitted home occupations include, but not limited to: typing services, telephone sales, barber/beauty services, doctor/dentist office, architects, accountants, day care or after school care, food catering, and handicrafting, etc.
- 6) No display, stock-in-trade, nor commodity sold not made on the premises shall be permitted.
- 7) Only one (1) person may be employed who is not an occupant of the residence.
- 8) Activities shall not generate traffic, parking noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the District in which it is located.
- 9) Instruction in music, dancing, art, or similar subjects shall be limited to no more than five (5) students at a time.

6-4.47 Junked Motor Vehicle (as an accessory use)

Where Required: All districts.

Screening:

- 1) AG district: Up to two (2) vehicles meeting the definition of “motor vehicle, junked” are allowed, but must be located behind the rear building line of the principal building. All vehicles in excess of two (2) vehicles meeting the definition shall be enclosed within a building which meets the dimensional requirements of the district.
- 2) Residential Districts: Any vehicle meeting the definition of “motor vehicle, junked” shall be enclosed within a building which meets the dimensional requirements of the district in which it is located. Or located in the rear yard completely covered by a tarp as per the Town Code.
- 3) Nonresidential Districts: Any vehicle meeting the definition of “motor vehicle, junked” shall be stored, parked or placed on the property in such a manner so as to be totally screened from view from any street and/or from any adjacent residentially or public institutionally zoned property. Total screening shall be effected by placement of the vehicle(s) either within or behind a building and/or by plant materials, fences, berms, or a combination thereof with a minimum height of (6) feet.

6-4.48 Laundry or Dry Cleaning Plant

Where Required: LB and SC districts.

- 1) Maximum Area: A maximum of five thousand (5000) square feet of gross floor area shall be permitted per establishment.
- 2) Outside Storage: No outside storage of materials shall be permitted.

6-4.49 Manufactured Dwelling Park, Recreational Vehicle Park

Where Required:

Manufactured Dwelling Park: RM-5, RM-8, AG districts.

Recreational Vehicle Park: AG and HB districts.

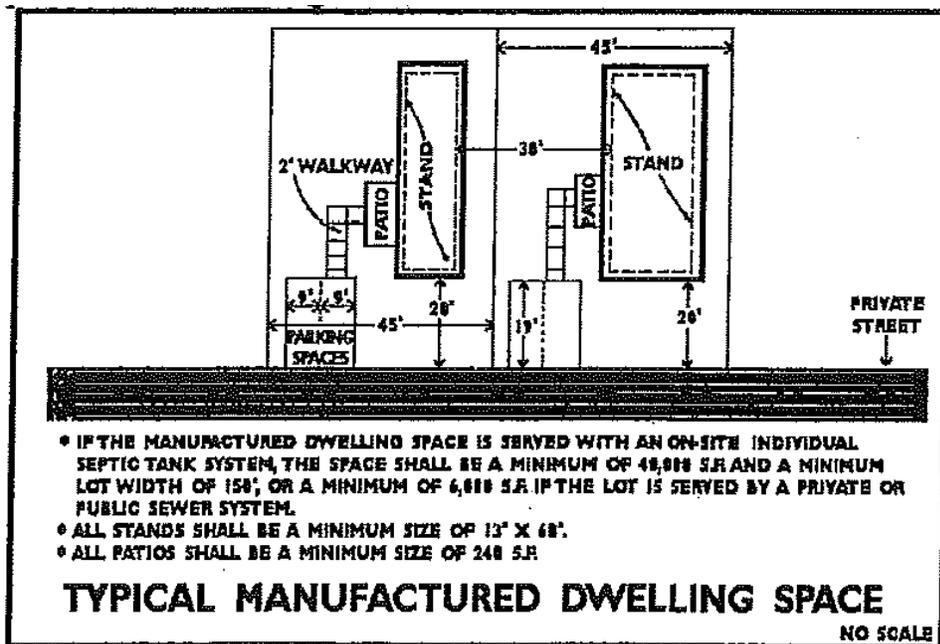
- 1) General Requirements: The following requirements apply to both Manufactured Dwelling Parks and Recreational Vehicle Parks.
 - a) It shall be unlawful for any person to construct a new park or to make an addition or alteration to an existing park, unless a Site Plan for the park has been approved by the Technical Review Committee.
 - b) Compliance with Article V (Subdivision: Procedures and Standards): A manufactured dwelling park (but not a recreational vehicle park) shall be considered a group development and be subject to all procedures and standards of Article V (Subdivision: Procedures and Standards).
 - c) Minimum Tract Area: Five (5) acres.
 - d) Minimum and Maximum Number of Spaces: At least fifteen (15) spaces but not more than three hundred (300) spaces.
 - e) Setback: All spaces shall be located a minimum of one hundred (100) feet from all public rights-of-ways and property lines.
 - f) Number of Homes and Vehicles in Each Space: No more than one (1) manufactured home or recreational vehicle may be parked or set-up on any one space.
- 2) Access:
 - a) No space shall have direct vehicular access to a public street.
 - b) All spaces shall directly abut a private street contained within the park.
 - c) Adequate access shall be provided to each space, with a minimum access width of twenty (20) feet unless more is deemed necessary because of topographical conditions or street curvature.
- 3) Recreational Areas and Facilities: Recreational areas and facilities to serve the needs of the anticipated population within the manufactured home or recreational vehicle park shall be provided and shall consist of at least the following:
 - a) A play lot for pre-school children containing a minimum size of one thousand two hundred (1,200) square feet provided within five hundred (500) feet of every space.
 - b) One or more playgrounds for school-age children and adults, containing a minimum size of one (1) acre per one hundred (100) spaces.
 - c) These recreation areas shall not be in an area utilized for septic tank fields.
- 4) Manufactured Dwelling and Recreational Vehicle Sales: The sales of manufactured dwellings or recreational vehicles in the parks on a commercial basis shall not be permitted.
- 5) Drainage and Grading
 - a) The spaces shall be located on ground with an elevation that is not susceptible to flooding and which is graded to prevent any water from ponding or accumulating on or around the manufactured home park. Where storm drainage pipes are

- located in adjacent streets, underground drainage facilities with connections to the storm drainage system shall be provided for the manufactured home park.
- b) Each space shall be graded and grassed to prevent erosion and provide adequate storm drainage away from the manufactured home or recreational vehicle park.
 - c) The slope of the surface of the stand or pad shall not exceed three (3%) percent.
 - d) No banks, except along drainage ditches, in the park shall have a slope steeper than three (3) feet to one (1).
- 6) Garbage and Refuse Disposal
- a) Containers: All refuse shall be stored in conveniently located, and a leak-proof containers with tight-fitting lids. Containers shall be provided in sufficient number and capacity for proper storage of all refuse.
 - b) Storage Racks or Platforms: Racks or concrete platforms shall be provided on which to store containers for refuse. Dumpsters shall be required in lieu of individual containers in areas where municipal water or sewer are available. Such containers racks or platforms shall be so designed as to prevent tipping, to minimize spillage and container deterioration, and to facilitate cleaning.
 - c) Collection: All refuse shall be collected at least twice weekly, or more often if the need is indicated.
- 7) Registration: It shall be the duty of the operator to keep an accurate register containing a record of all occupants. The register shall contain the following information:
- a) Name, address and space number of each occupant.
 - b) The date the manufactured dwelling or recreational vehicle entered the park.
 - c) The license number of each recreational vehicle and/or car, truck, etc. with state of issuance, make and type of vehicle.
 - d) The operator shall keep the register available at all times for inspections by the Enforcement Officer, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register.
 - e) Park Manager Residence: A single-family detached dwelling may be constructed for the manager of the park.
 - f) Pre-existing Dwellings: Pre-existing dwellings on the site may remain provided they occupy approved spaces.

Manufactured Park Requirements: The following design requirements apply only to Manufactured Dwelling Parks.

- 1) **Minimum Manufactured Dwelling Space Size:** A manufactured dwelling space shall consist of a minimum of six thousand (6,000) square feet and shall have a width of at least forty-five (45) feet at the location of the manufactured dwelling stand.
Exception: A manufactured dwelling space not served by public sewer shall consist of a minimum of forty-thousand (40,000) square feet and shall have a width of at least one hundred fifth (150) feet at the location of the manufactured dwelling stand. Every manufactured dwelling space shall be clearly established on the ground by permanent monument or markers.

- 2) Each Manufactured dwelling space shall contain:
- A manufactured dwelling stand consisting of a properly graded and compacted surface no less than thirteen (13) feet by sixty (60) feet.
 - A patio space constructed of concrete, brick, flagstone or other hard surface material a minimum of two hundred and forty (240) square feet in area.
 - A hard surface walkway a minimum of two (2) feet wide leading from the patio to the parking space or road. See figure below.



- Manufactured Dwelling Additions: Prefabricated structures specifically designed by the manufacturer for manufactured dwelling extensions and any other addition meeting the NC Building Code may be added to any manufactured dwelling provided that setback within the space can be met and a building permit is obtained from the Jurisdiction.
- Construction and Design of Private Streets

- a) Private entrance, collector, and interior streets with no parking or minor or cul-de-sac streets with no parking shall meet the minimum design standards of Article V (Subdivision: Procedures and Standards).
 - b) One-way minor streets with no parking (acceptable only if less than five hundred (500) feet total length and serving less than fifteen (15) manufactured dwelling stands) shall have a twenty (20) foot minimum common area with twelve (12) foot minimum paved surface.
 - c) The private streets shall be lighted at night with no less than two (2) foot-candles of light measured at a height of five (5) feet from the ground along the entire length of the street or drive center line.
- 5) Park Access: If a manufactured dwelling park has more than one (1) direct access to a public street, such access points shall be no less than two hundred (200) feet apart and no closer than three hundred (300) feet to a public street intersection.
- 6) Parking
- a) Two parking spaces, nine (9) feet by nineteen (19) feet shall be provided within each manufactured dwelling space.
 - b) All parking spaces shall be paved or covered with four (4) inches of crushed stone.
 - c) No parking will be allowed on private entrance and collector streets.
- 7) Landscaping: Landscaping shall be provided throughout the park with ample trees and shrubs to provide shade and break up open areas. All banks and open areas shall be grassed.
- 8) Removal of Rubbish: All cut or fallen tree, stumps, or rubbish shall be completely burned or removed from the mobile home park.
- 9) Utilities Installation: Each manufactured dwelling located within a park shall comply with the current North Carolina Regulations for manufactured dwelling in both manufacture and installation and must be inspected to assure compliance prior to occupancy.
- a) All utilities shall be installed underground except where extreme conditions of topography make this requirement unreasonable.
 - b) Placement of utilities serving the mobile home stand shall comply with the NC Building Code for Plumbing.
 - c) Minimum electrical service of two hundred (200) ampere, one hundred twenty (120) –two hundred and fourth (240) volt single phase shall be provided to each manufactured dwelling stand. The service panel and location as well as all wiring shall be in accordance with the National Electrical Code.
 - d) Each manufactured dwelling shall be required to connect to the utilities provided at each manufactured dwelling space.
 - e) Each manufactured dwelling park shall obtain water from a public water supply when available, and when unavailable, from a source approved by the Guilford County Health Department. The water supply and pressure shall be adequate for the park requirements. Water for drinking, cooking, laundry, and general sanitary uses for each individual manufactured dwelling shall be obtained only from faucets or other plumbing connections located within each manufactured dwelling.

- f) Each manufactured dwelling park shall be provided with an adequate sewage disposal system, either by connection to a public sewer or a septic tank constructed in compliance with the regulations of the Guilford County Board of Health. All sewage wastes from toilets, showers, bathtubs, lavatories, wash basins, refrigerator drains, sinks, faucets, and water-using appliances not herein mentioned shall be piped into the manufactured dwelling park sewage disposal system.
- 10) Fuel Oil Drum: Each manufactured dwelling that requires the use of fuel oil shall be furnished with an oil drum having a minimum capacity of one hundred fifty (150) gallons, set upon a painted, prefabricated metal stand.

Recreational Vehicle Park (RVP) Regulations: The following design requirements apply only to Recreation Vehicle Parks.

- 1) Minimum space requirements
 - a) Each recreational vehicle space shall consist of a minimum of two thousand (2000) square feet.
 - b) Each recreational vehicle space shall be designated on the ground by permanent markers or monuments.
- 2) Setbacks: All structures, buildings, and sewage facilities shall meet the setbacks requirement for the district in which they are located.
- 3) Roads and Drives
 - a) The RVP shall have all-weather roads and driveways that directly abut all spaces.
 - b) Entrance and circulation drives must meet the minimum design standards of Article V (Subdivisions: Procedures and Standards).
- 4) Parking: Parking space sufficient to accommodate at least one (1) automobile and camping vehicle shall be constructed within each space and shall be paved.
- 5) Installation, Alteration, and Use of Utilities
 - a) The installation, alteration, or use of all utilities including, but not limited to, electrical service, plumbing fixtures, and sewage disposal systems shall conform with all applicable codes.
 - b) Water Supply
 - c) A safe, adequate, and conveniently located water supply must be provided for each park in compliance with applicable regulations.
 - d) Areas around faucets or drinking fountains shall be properly drained.

6) Sanitary Facilities

- a) Each park shall have a central structure or structures that will provide separate toilet and bathing facilities for both sexes.
- b) The minimum number of facilities per sex to be provided shall follow the schedule below:

Toilets	1 per 15 spaces
Urinals	1 per 30 space (male facilities only)
Lavatories	1 per 15 spaces
Showers	1 per 15 spaces

- c) All toilets, shower, lavatory, and laundry facilities shall be provided and maintained in a clean, sanitary condition and kept in good repair at all times. They

shall be safely and adequately lighted. Facilities shall be easily accessible to all persons and conveniently located.

- d) Sewage Disposal: Each park shall provide a sewage dumping station. In accordance with Guilford County Health Department regulations, all sewage wastes from the park, including waste from toilets, showers, bathtubs, lavatories, wash basins, refrigerator drains, sinks, faucets, and water-using appliances not herein mentioned, shall be piped into the park's sewage disposal system approved by the Guilford County Health Department.
- 7) Insect and Rodent Control Measures: Insect and rodent control measures to safeguard the public health and comfort shall be practiced for all uses, structures, etc. used in the Park.
- 8) Retail Sales: The recreational vehicle park may contain a retail sales counter and/or coin operated machines for the park residents' use only, provided they are completely enclosed within a structure and there is no exterior advertising.
- 9) Permanent Sleeping Quarters: Permanent sleeping quarters shall not be permitted within the park for guests.
- 10) Manufactured Dwellings in Recreational Vehicle Parks: It shall be unlawful for a person to park or store a manufactured dwelling in a recreational vehicle park, except that one (1) manufactured dwelling may be located within the park for exclusive use as the dwelling quarters for the park manager or operator. Such a manufactured dwelling shall be located in an area designated on the site plan, and approved by the Technical Review Committee.

6-4.50 Market Showroom

Where Required: GB and HB districts.

- 1) Display Area: Display areas shall exist within permanent buildings only.

6-4.51 Migrant Labor Housing

Where Required: AG district.

- 1) Minimum Area: Each site shall contain not less than two (2) acres of land. An additional two thousand (2,000) square feet of land shall be required for each worker in excess of twenty (20) people.
- 2) Setback
 - a) Minimum required front yard shall be one hundred (100) feet.
 - b) Minimum required interior yard shall be fifty (50) feet.
- 3) Building Area: Rooms or compartments for sleeping shall contain not less than thirty-nine (39) square feet of floor space for each person.
- 4) Health and Safety
 - a) Not more than ten (10) people shall be housed in any one (1) room or compartment for sleeping purposes.
 - b) Separate toilet and shower facilities shall be provided for male and female workers. A minimum of one (1) toilet and one (1) shower shall be provided for each ten (10) workers.

- c) A laundry room shall be required with one (1) wash sink of at least ten (10) gallons capacity for each ten (10) workers. Adequate clothes drying lines shall be provided.
- d) Dining and food service facilities shall be provided and shall contain at least twelve (12) square feet of floor space per worker and shall be approved by the Guilford County Health Department.
- e) All water, sewer and sanitary facilities shall be approved by the Guilford County Health Department.
- f) All garbage and refuse shall be stored in water-tight and fly-tight receptacles and it shall be the responsibility of the owner of the property to insure that all garbage and refuse is regularly disposed of in a sanitary manner acceptable to the County Health Department.

6-4.52 Mining and Quarrying

Where Required: HI district.

- 1) Use separation
 - a) The edges of any pit where a mining operation is taking place and any equipment used in the processing of rock and gravel, any asphalt, or other industrial uses operated in conjunction with the mine or quarry shall be located at least fifty (50) feet from any property line.
 - b) Where the mining operation site is bounded by a railroad right-of-way currently being used for rail service to the mining operation, no setback shall be required between the railroad right-of-way and such operation.
- 2) Security Fencing
 - a) The mining operation shall be enclosed by a nonclimbable fence of at least six (6) feet in height.
 - b) Abandoned locations shall have a fence of at least six (6) feet in height around the perimeter of the site.
- 3) Rehabilitation
 - a) Within one (1) year after the cessation of production at all mining operations, all equipment and stock piles, incidental to such operation, shall be dismantled and removed by and at the expense of the owner.
 - b) Except in a case where redevelopment for another permitted use in is progress on the site of an abandoned extractive operation, all excavations shall be graded to reduce the surface to gently rolling topography in substantial conformity to the land area immediately surrounding; and shall be planted with a cover of sod, trees, shrubs, legumes, or grasses, which will minimize erosion due to wind or rainfall.
 - c) The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designated and controlled so as not to cause erosion of silting of neighboring properties or public ways, not to appreciable increase the turbidity of any natural water course, or to occlude any existing drainage course.

- 4) Noise: All operations involving blasting discernible beyond the external property line on a quarry shall only be conducted between the hours of 7:00 A.M. to 6:00 P.M.
- 5) Dust: All non-paved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.
- 6) Access
 - a) Access roads leading to any part of the operation shall be constructed with a gravel or crushed stone surface and maintained in a dust-free manner.
 - b) No part of such roads shall be located closer than fifteen (15) feet to an external property line other than a limited access highway or railroad right-of-way line.
 - c) A truck route plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools or other uses which will be negatively affected by truck traffic.

6-4.53 Mixed Development

Where Required: GB, HB, SC, and CP Districts.

- 1) Location of Residential Use: No residential use(s) shall be permitted on or below the ground floor.
- 2) Percentage of Mix: Where residential and non-residential uses are mixed in a principal building, at least twenty (20%) percent of the gross floor area shall be devoted to the permitted nonresidential office and/or commercial use(s).
- 3) Dimensional Requirements: Any building must conform to the nonresidential dimensional requirements of the district in which it is located.

6-4.54 Newsstand

Where Required: CP district

- 1) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- 2) Outside Storage: No outside storage of materials shall be permitted.

6-4.55 Optical Goods Sales

Where Required: GO-M, GO-H districts.

- 1) Maximum Area: A maximum of three thousand (3,000) square feet for gross floor area shall be permitted per establishment.

6-4.56 Petroleum and Petroleum Products

Where Required: HI district.

- 1) Use Separation
 - a) Storage tanks protected by either an attached extinguishing system approved by the Fire Marshall or an approved floating roof shall not be located closer to an exterior property line than a distance equal to the greatest dimension of either

diameter or height of the tank, except that distance need not exceed one hundred twenty (120) feet.

- b) Storage tanks not equipped as indicated in 1) above, shall not be located any closer to an exterior property line than a distance equal to one and one-half (1 ½) time the greater dimension of either the diameter or the height of the tank, except that such distance need not exceed one hundred and seventy five (175) feet.
 - c) Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- 2) Access: Gravel or paved roadways shall be provided to all storage tanks.
 - 3) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
 - 4) Dikes
 - a) Tanks or group of tanks shall be diked to prevent the spread of liquid onto other property, waterways, or drainageways. The volumetric capacity of the diked area shall not be less than the capacity of the largest tank within the diked area.
 - b) Dikes or retaining walls shall be of earth, steel, concrete, or solid masonry designed and constructed to be liquid tight and to withstand a full hydraulic head. Earthen dikes three (3) feet or more in height shall have a flat section at the top not less than two (2) feet in width. The slope shall be consistent with the angle or repose of the material of which the dikes are constructed. Dikes shall be restricted to an average height of not more than six (6) feet above the exterior grade unless means are available for extinguishing a fire in any tank. Dikes enclosing such tanks shall be provided at the top with a flareback section designed to turn back a boil-over wave. A flareback section shall not be required for dikes and walls enclosing approved floating roof tanks. No loose combustible material, empty or full drums or barrels, shall be permitted within the diked area.
 - c) Where provision is made for draining rainwater from dikes areas, such drains shall normally be kept closed and shall be so designated that when in use they will not permit flammable liquids to enter natural watercourses, public sewers, or public drains. Where pumps control material, empty or full drums or barrels, shall be permitted within the diked area.
 - 5) Tank Maintenance
 - a) All storage tanks shall be maintained in lead-proof condition with an adequately painted, rust free exterior surface.
 - b) A firm substrate shall be constructed under each storage area to eliminate differential subsidence and to prevent the product from seeping.
 - 6) Operation: The product shall be sold in the same form as received and shall not be altered, except that two or more products may be blended. Any other alteration of the product shall be deemed a manufacturing use, requiring approval of a special use permit.
 - 7) Storage: All storage facilities shall comply with the latest edition of the “Flammable and Combustible Liquids Code, NFPA 30” of the National Fire Protection Association.

6-4.57 Private Dormitory

Where Required: GO-M, GO-H districts.

1) **Use Separation:** The property on which the use is located shall be within one-half (1/2) mile radius of property developed as the primary campus of a college, business college, trade school, or university.

2) ~~**Maximum Density:** For the purpose of calculating maximum density, two (2) bedrooms shall be equivalent to one dwelling unit.~~

Density Requirements:

a) *Conversions of existing hotels or motels to a private dormitory shall be exempt from the density requirement of Section 4.*

b) *After January 1, 1994, a newly constructed private dormitory in the GO-M or GO-H District shall be exempt from the density requirements of Section 4. The residential capacity of the facility shall be determined by provisions of the NC Building Code in conjunction with the applicable setbacks, planting yards, and minimum off-street parking requirements of this Ordinance.*

6-4.58 Public Park: Public Recreation Facility

Where Required: All residential districts, LO and NB districts.

1) **Parking:** Overflow parking (in addition to required parking) must be designated on the site plan and be kept available to handle all traffic from special events such as softball tournaments and outdoor concerts.

2) **Access:** *All parks greater than ten (10) acres shall have primary access to a collector or higher capacity street.*

6-4.59 Telecommunications Towers (principal)

Where Required: AG, GB, GO-M, GO-H, HB, CP, LI, HI, and PI districts.

1) **Tower Classifications:** See Section 2 for Definitions.

a) Free-Standing

b) Concealed/Camouflaged

c) Roof-Top Communications Tower

2) **ZONING PER TOWER CLASSIFICATION**

a) Free Standing

i) Permitted by Special Use Permit in the following zones: AG, GO-M, GO-H, HB, LI, and PI.

ii) Prohibited in all residential zones, with the exception upon local, state, or federally-owned properties currently in public use.

b) Concealed/Camouflaged

i) Permitted by ~~right~~ *SPECIAL USE PERMIT* in all zones including residential zones.

ii) Towers and appurtenant structures and equipment must be completely concealed within an architectural feature of a building or other structure so as to be indiscernible as a separate entity. Plans for these towers must meet approval of Town Staff prior to construction.

c) Roof Top Communications Tower

i) Permitted in zones: GB, GO-M, GO-H, HB, CP, LI, HI, and PI districts.

- ii) Towers placed on the tops of buildings or other structures are prohibited within *Residential-Single Family* zones except when placed upon public utility structures, such as water tanks and public buildings.
 - iii) Such towers shall be no more than twenty-five (25%) percent of the building or structure height above the building or structure, or, thirty five (35) feet above the building or structure, whichever is less.
 - iv) Towers must meet all applicable building codes.
 - v) Tower must output and EMF emissions must be within applicable codes.
 - vi) The tower base and supporting structures must be contained within the perimeter of the same roof-top.
- 3) APPROVAL: The Board of Alderman on a recommendation from the Planning Board.
 - 4) SETBACK: (applicable to free standing towers)
 - a) General- The minimum distance shall be equal to the height of the tower, measured from the tower's base to the nearest property line.
 - b) Self-Collapsing – In case of a self-collapsing design, the Board of Alderman shall have the option to waive the general provision upon the receipt of certified documentation supplied by the applicant that the tower is engineered to fall upon itself, and within the property boundaries in which it is located. This option may require the establishment of a setback equivalent to a fall zone easement certified by a Professional Engineer registered in North Carolina in which case, the minimum setback for this type of tower and all appurtenance structures shall be twenty-five (25) feet from the nearest property line.
 - c) Adjacent Residentially Zoned Property – The minimum setback from adjacent residentially-zoned property shall be twice the height of the tower. In the case on monopole towers, the minimum distance from the adjacent residentially zoned property shall be the height of the tower or seventy-five (75) feet whichever is greater.
 - d) All guy wires, anchors, and supporting cables shall be contained on the same lot.
 - 5) Appurtenant Structures: Structures constructed for the express purpose of housing equipment related to tower operation may accompany each tower. Such structures shall be unmanned and limited to four hundred (400) feet gross floor area. Setback for these structures shall be at a minimum of five (5) feet from any property line.
 - 6) POWER OUTPUT, EMF EMISSIONS: Power output and EMF emission shall not exceed federally-approved levels. The tower design engineer shall certify that tower operations will not interfere with normal radio and television reception in the vicinity. Towers shall be provided with warning lights pursuant to FAA and FCC guidelines.
 - 7) USE SEPERATION: Minimum distance between towers higher than seventy-five (75) feet shall be one thousand (1,000) feet.
 - 8) Co-location: Co-location is required. Towers not exceeding one hundred-fifty (150) feet shall be adequately designed and of sufficient height to accommodate at least one additional user. Towers higher than one hundred-fifty (150) feet must be designed to accommodate multiple users. Where new tower sites are proposed, vendors shall provide that co-locating at existing sites will not meet their needs. Documentary evidence shall consist of but are not limited to site plan, and/or design engineer's statement, and/or statement form the owner of existing towers.

- 9) ALDERMEN TO IMPOSE ADDITIONAL RESTIRCTIONS AS REQUIRED: The Board of Alderman may impose such additional restrictions deemed necessary to protect surrounding property and carry out the purpose and intent of this ordinance.
- 10) LANDSCAPING: Landscaping shall be provided per section 6-3 of this Ordiance.

6-4.60 Refrigerator or Large Appliance Repair

Where Required: CB, GB, and HB districts.

- 1) Outdoor Storage: No outdoor storage of appliances, equipment or parts shall be permitted.

6-4.61 Restaurant (no drive thru)

Where Required: LB district.

- 1) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- 2) Outside Storage: No outside storage of materials shall be permitted.

6-4.62 Restaurant (serving mixed alcoholic drinks)

Where Required: LB district.

- 1) Maximum Area: A maximum of three thousand (3000) square feet of gross floor area shall be permitted per establishment.
- 2) Outside Storage: No outside storage of materials shall be permitted.
- 3) Screening: A minimum of six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residences, churches, elementary or secondary schools, or public park.

6.4.63 Rural Family Occupation – See figure below.

Where Required: AG district.

- 1) Minimum Area: The Rural Family Occupation (RFO) must be located on a tract of two (2) acres or more. A portion of the tract measuring forty thousand (40,000) square feet with one hundred and fifty (150) feet of width must be designated and reserved as exclusively residential.
- 2) Maximum Area: The total floor area of all buildings occupied by the RFO shall not exceed five thousand (5,000) square feet. The total land area that may be used in conjunction with the Rural Family Occupation is fifteen thousand (15,000) square feet.
- 3) Use Separation: All operations of the RFO shall observe a one hundred (100) foot setback from all property lines.
- 4) Location: All operations of the RFO shall be located behind the rear line of the building occupied as the principal residence.
- 5) Landscaping: All operation of the RFO, including buildings, outside storage areas, and parking shall be treated as a separate use and subject to the landscaping provisions of this Ordinance.
- 6) Environmental Review: The appropriate County Environmental Health Division shall evaluate each RFO request to determine the occupation's impact on the surrounding

area with respect to excessive noise, dust, air emissions, odors and surface or groundwater discharge. The RFO shall mitigate the impact of these and other environmental concerns. A written evaluation of these potential impacts is required by the Environmental Health Division prior to the consideration of any request for an RFO.

- 7) Operation
 - a) The RFO must be owned by the landowner who must reside on the property.
 - b) No more than five (5) persons shall be employed other than those residing on the property.
 - c) There shall be no more than two (2) commercial vehicles operating in and out of the property.
 - d) The RFO shall not be operated between the hours of 9:00 P.M. and 6:00 A.M.
- 8) Permitted uses shall be limited to those products assembled or manufactured on-site for resale elsewhere, services sold or provided on premises, or stick-in-trade clearly incidental to such services. Commercial retail or wholesale operations which bring to the site goods specifically for the purpose of resale shall be prohibited.

6-4.64 Shoe Repair or Shoeshine Shop

Where Required: LB district.

- 1) Maximum Area: A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- 2) Outside Storage: No outside storage of materials shall be permitted.

6-4.65 Salvage Yards, Auto Parts and Scrap Processing

Where Required: HI district,

- 1) Minimum Area: The minimum are required to establish a salvage yard shall be five (5) acres.
- 2) Outside Storage: An approved opaque fence or uniform construction not less than six (6) feet in height shall be required around the perimeter of the activity. Such fencing shall be located between the salvage yard and the required planting yards.
 - a) The facility operator(s) shall provide continuous on-site supervision by an employee(s) and/or volunteer(s) during hours of operation.
- 3) Use Separation: No salvage yard, scrap processor, or auto wrecking shall be located within three hundred (300) feet of any residence existing or under construction at the time of installation of such operation or business.

6-4.66 Satellite Dish/Communication Tower (accessory)

Where Required: All districts.

- 1) Location
 - a) All supporting cables and anchors shall be contained on the property.
 - b) In residential districts, structures shall not be located or placed in any street yard or side yard.
 - c) *Attached and detached satellite dishes eighteen (18) inches in diameter or less shall be exempt from the requirements of subsection (B) (2) above. Detached*

satellite dishes eighteen inches in diameter or less shall not exceed six (6) feet in height and shall not be located within fifteen (15) feet of any public or private street right-of-way or private lane.

6-4.67 Shelter for the Homeless

Where Required: GO-M, GO-H, GB, HB, LI, HI, and PI districts.

- 1) Property Separation: No such facility shall be located within one-quarter (1/4) mile of an existing shelter for the homeless.
- 2) Minimum Floor Area: A minimum floor space of fifty (50) square feet shall be provided for each individual sheltered.
- 3) Operation:
 - a) The facility shall be contained within one building and operated by a government agency or nonprofit organization.
 - b) The facility operator(s) shall provide continuous on-site supervision by an employee(s) and/or volunteer(s) during the hours of operation.

6-4.68 Shooting Range

Where Required: AG, GB, HB, LI, and HI districts.

- 1) Noise: The facility shall be designed to absorb sound to the maximum extent feasible.

6-4.69 Shooting Range (Outdoor)

Where Required: AG and PI districts.

- 1) Use Separation: Separation shall be a minimum three hundred (300) feet between range and closest exterior property line.
- 2) Access: Controlled to prevent unregulated entrance to firing area.
- 3) Security Fencing: Security fencing to prevent an individual from crossing the property downrange.
- 4) Dikes (berms): Dikes shall be of sufficient height and thickness to stop all rounds fired downrange. Elevation control is required along the shooting stands to prevent rounds from being fired over the berm.

6-4.70 Sports Instructional Schools

Where Required: SC district.

- 1) Location of Instruction: No outside instruction shall be allowed.

6-4.71 Swimming Pools

Where Required: All districts.

- 1) Use Separation:
 - a) Pools shall be located so as to comply with the minimum setback requirement for accessory structures for the district in which it is located.
 - b) Pools which are not an integral part of the principal building shall be located a minimum of ten (10) feet from the principal building.

- 2) Security Fencing: Swimming pools located outdoors shall be protected by a fence, or equal enclosure four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

6-4.72 Tourist Home (Bed and Breakfast)

Where Required: AG, all residential districts, NB, and LB districts.

- 1) Use Separation: No such facility shall locate within four hundred (400) feet of a rooming house, boarding house or another tourist home.
- 2) Operation
 - a) The tourist home must be owned by the landowner who also resided on the property.
 - b) The use shall be located in a structure which was originally constructed as a dwelling.
 - c) Meals served on the premise shall be for guests of the facility.
- 3) Signs: There shall be no exterior advertising except that which is permitted for a home occupation.

6-4.73 Turkey Shoots

Where Required: AG district.

- 1) Setbacks
 - a) No turkey shoot shall be allowed within a required setback.
 - b) All turkey shoots shall be established with the line of fire perpendicular to and away from a road right-of-way. The line of fire is a line which passes through the firing point and bisects the target. The back stop or target area shall be located not less than five hundred (500) feet from the road right-of-way.
 - c) Sites adjacent to more than one road right-of-way must designate the higher classified road as the front, and set the line of fire perpendicular thereto. Any resultant line of fire parallel to a road must be a minimum distance of two hundred (200) feet from and parallel to the road right-of-way.
- 2) Parking: An off-street parking area adequate in size to store two (2) cars for every back stop shall be provided.
- 3) Operation
 - a) Backstops shall be constructed of a material that will allow the shot to penetrate and not pass through. It shall be a minimum thickness of two (2) feet and maintained at a height of four (4) feet above the target.
 - b) The firearms used in turkey shoots shall be limited to shotguns firing shot no larger than number eight (#8). No firearms may be used which have been altered from manufacturer's specifications.
 - c) The operators of the turkey shoot shall be responsible for maintaining adequate fire protection by notifying the local fire department as to the dates and times of the turkey shoot.
 - d) Turkey shoots shall be limited to Thursdays, Fridays, and Saturdays and be in operation no later than 11:00 P.M.
 - e) Provisions for sanitation and refuse disposal must be made in accordance with health standards.

- 4) Event Permit: The Enforcement Officer shall issue an even permit not to exceed ninety (90) days in a given year for a qualifying turkey shoot.

6-4.74 Utility Substation including Transformer Stations, Telephone Exchanges, Repeater Stations, Pressure Regulator Stations, Pump & Lift Stations, & Similar Structures

Where Required: All districts.

- 1) Dimensional Requirements: All buildings shall be considered accessory buildings or structures.
- 2) Noise: Equipment producing noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.
- 3) Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided around the entire facility.
- 4) Outside Storage: If the facility has no outside storage or placement of materials or equipment the Land Use Classification (LUC) shall be considered a one (1), otherwise the LUC shall be considered a four (4).

6-4.75 Veterinary Service (other)

Where Required: GO-M, GO-H, LB, GB, HB, SC, and CP districts.

- 1) Outside Storage: Pens and runs located outdoors are prohibited.

6-4.76 Warehouse (general storage/enclosed)

Where Required: GB and HB districts.

- 1) Maximum Area: A maximum of ten thousand (10,000) square feet of gross floor area shall be permitted for warehouse or wholesaling per establishment per lot.
- 2) Outdoor Storage: No outdoor storage of warehousing or wholesaling items is permitted.
- 3) Land Use Classification: Warehousing or wholesaling uses shall have a land use classification of three (3)

6-4.77 Warehouse (Self-Storage)

Where Required: GB and HB districts.

- 1) Minimum Size: Minimum lot size shall be two (2) acres.
- 2) Maximum Size: Maximum lot size shall be five (5) acres.
- 3) Lot Coverage: The total ground are covered by buildings shall not exceed fifty percent (50%) of the site.
- 4) Maximum Height: Maximum height of building(s) shall be twenty (20) feet.
- 5) Storage
 - a) No outside storage shall be permitted.
 - b) Storage of hazardous, toxic or explosive substance shall be prohibited.
- 6) Operation

- a) No business activity other than the rental of storage units shall be conducted on the premises.
- b) One residential dwelling unit shall be allowed on the same lot for use as a caretaker dwelling.

6-4.78 Watch or Jewelry Repair

Where Required: CP district.

- 1) Maximum Area: A maximum of three thousand (3000) square feet of gross floor area shall be permitted per establishment.
- 2) Outside Storage: No outside storage of materials shall be permitted.

6-4.79 Wholesale Trade of Agricultural Chemicals, Pesticides, and Fertilizers, Agricultural Products

6-5 FENCES

6-5.1 Applicability

This Section regulates all fences unless otherwise provided in this Ordinance. Fences are permitted in required setbacks according to Section 4-5.3 (Encroachments into Required Setbacks), provided the requirements of this Section are met.

6-5.2 Permitted Fence Types

The following fence types are permitted in all zoning districts:

- 1) Masonry or stone walls;
- 2) Ornamental iron;
- 3) Chain-link or woven wire; and
- 4) Wood or similar material.

6-5.3 Prohibited Fence Types

The following fence types are prohibited:

- 1) Fences constructed primarily of barbed wire, except for the purpose of enclosing livestock in agricultural zoning districts;
- 2) Fences carrying electrical current, except for the purpose of enclosing livestock in agricultural zoning districts;
- 3) Fences constructed in whole or in part of readily flammable material such as paper, cloth or canvas;
- 4) Fences topped with barbed wire or metal spikes in residential zoning districts, except those serving a public institution requiring a security fence for public safety purposes; and
- 5) Fences constructed of concertina wire.

6-5.4 Maintenance Required

Any fence which, through neglect, lack of repair, type or manner of construction, method of placement or otherwise, constitutes a hazard or endangers any person, animal or property is hereby deemed a nuisance. If such conditions exist, the Enforcement Officer shall require the owner or occupant of the property upon which the fence is located to repair, replace or demolish the fence causing the nuisance.

6-5.5 Height

- 1) Residential Uses
 - a) Before Front Setback: No fence shall exceed four (4) feet in height up to the front setback line.
 - b) Behind Front Setback: No fence shall exceed seven (7) feet in height behind the front setback line.
 - c) Exceptions:
 - i) No fences shall exceed four (4) feet in height within fifteen (15) feet of any public or private street right-of-way line in a group housing development unless the sole purpose is to enclose a patio; a patio enclosure shall not exceed seven (7) feet in height.
 - ii) On through lots where a front setback abuts a major or minor thoroughfare and there is no driveway access or sight distance interference, a fence may be seven (7) feet in height.
- 2) Recreational Uses: No fence shall exceed twelve (12) feet in height if the fence is within the required setback. Otherwise, no fence shall exceed eight (8) feet in height.
- 3) Commercial, Industrial, Institutional, or Office Uses: No fence shall exceed eight (8) feet in height.
- 4) Measurement:
 - a) Fence height shall be measured in the same manner as buildings. However, where fences are located on retaining walls or man-made berms, the height of the retaining wall or berm shall be considered as part of the overall height of the fence.
 - b) Fence height limitations do not apply to fences built in conjunction with electric or gas substations, utility facilities, sewer plants or facilities, radio and television masts, towers and similar structures, municipal water storage facilities, public correctional and mental institutions, or military facilities, or hazardous or radioactive waste, storage, and disposal facilities.

6-5.6 Temporary Fences

Nothing in this Section shall preclude the installation of temporary fence around construction works, erected or maintained pursuant to the NC State Building Code or the Soil Erosion and Sedimentation Control regulations.

6-5.7 General Fence Requirements

- 1) Obstruction of View: No fence shall be placed or retained in such a manner as to obstruct vision at any intersection of public or private streets.

- 2) **Obstruction of Drainageway:** Fence construction shall not alter or impede the natural flow of water in any stream, creek, drainage swale or ditch.
- 3) **Historic Districts:** Fences in Historic Districts shall meet the guidelines for the particular Historic District in which it is located.
- 4) **Obstruction of Access:** No fence shall block access from doors or windows. Fences must have a clearance of at least two (2) feet from building walls, except where fences project from or to a building wall.
- 5) **Orientation of Barbed Wire:** On fences topped with barbed wire, the bottom strand must be at least six (6) feet above grade with vertical supports slanting inward away from the property line.
- 6) **Location Within Required Planting Yards:** The setback of fences within a required planting yard shall be subject to the approval of a landscaping plan.