

ORDINANCE 2023-06
AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE
§ 152.179 TABLE OF PERMITTED/SPECIAL USES, §152.180 NOTES TO THE TABLE OF
PERMITTED USES, § 152.211 SPECIFIC CRITERIA FOR CERTAIN SPECIAL USES,
§ 152.212 USE STANDARDS, AND § 152.312 APPLICABILITY

WHEREAS North Carolina General Statute 160D-605 and 160D-701 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS the Board of Commissioners finds that the proposed text amendments to the Unified Development Ordinance regarding referenced above to be consistent with the Town of Swansboro CAMA LAND USE Plan updated January 22, 2019.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Town Unified Development Ordinance be amended.

Minor alphabetical, clerical and numerical changes may occur after the fact in an ordinance of this size.

TITLE XV: LAND USAGE

CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE

§ 152.179 TABLE OF PERMITTED/SPECIAL USES.

- (A) Districts in which particular uses are ~~permitted as~~ a permitted use-by-right are indicated by “P.” ~~Uses not specifically listed in the Table of Permitted Uses are prohibited. Districts in which particular uses are permitted as a use-by-right with certain conditions are indicated by “P” with may include~~ a reference to a footnote to this table.
- (B) Districts in which particular uses are ~~permitted as~~ a special use upon approval of the Town Board of Commissioners are indicated by “S”. See the Table of Regulations for Special Uses , § 152.211, for details of each special use .
- (C) Districts in which particular uses are reviewed for compliance by the Town Planner are indicated by “US”. See § 152.212 Use Standards for details of each Use Standard.
- (D) Districts in which particular uses are a minor special use upon approval of the Town Board of Adjustments are indicated by “MS”. See the Table of Regulations for Special Uses , § 152.211, for details of each minor special use .
- ~~(E)~~ (E) Districts in which particular uses are prohibited are indicated by not being listed or by a blank.
- ~~(F)~~ (F) Any land use listed in the Table of Permitted Uses that incorporates or utilizes a drive-in facility must have its site design plan and proposed traffic circulation and parking plan approved by the Town of Swansboro. Those plans must be approved prior to construction of the drive-in facility.

[illegible]

[illegible]

PERMITTED/ SPECIAL USES	ICS*	CON	RA	R6	R6SF	R8SF	R10SF	R15SF	R20SF	R40SF	PUD ^b	MHP	MHS	MHS-15SF	MHS-O ^c	O/I	G/E	B1 ^d	B2 ^e	B3 ^f	B2HDO ^g	MI ^h
Dairy products (sales)	42243										P							S P		P	P	P
Dairy products (processing)																						P
Day care facility (adult)			S P								S						S	P	P	S P		
Day care facility (child)	62441		S P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S P	S P	S P		
Department stores	45211																	P		P		
Detention facilities																						
Distribution centers (see § 152.180, note 38)	221																	P				P
Docks, piers (commercially operated, with or without launching facilities)																		MS	MS		MS	
Docks, piers (not commercially operated, with or without launching facilities)		P	P	P	P	P	P	P	P	P	P	P	P		P	P		P	P		P	
Docks, piers (government operated with or without launching facilities)		P	P	P	P	P	P	P	P	P	P	P	P		P	P		P	P	P	P	
Drug store	44611																	P	P	P	P	
Drugs, manufacture of (see § 152.180, note 38)	42221																					P
Dry cleaning & laundry service (see note 11, § 152.180)	812323										P							P	P	P		
Dwelling, manufactured home (see note 12, § 152.180)	531110		P									P	P	P	P							
Dwelling, modular home			P	P	P	P	P	P	P	P	P		P		P	P						
Dwelling, multi-family and condominiums (see notes 22 and 37, § 152.180)	233220			S							S					S		S	S	S		
Dwelling located over a business (see notes 13 and 37, § 152.180)																		P	P	P	P	
Dwelling, single-family	23321		P	P	P	P	P	P	P	P	P		P	P	P	MS		MS	MS			
Dwelling, three/four family					S	S	S	S		S								S				
Dwelling, townhouses (see note 37, § 152.180)				S							S							S	S	S		
Dwelling, two-family/ duplex	23322			P	MS						P							MS	MS	MS	MS	
Electrical appliance manufacturing (see § 152.180, note 38)	334																					P
Electrical appliance sales and service (no outside storage)	44311																	US				P
Electrical industrial apparatus, assembly (see § 152.180, note 38)																						P
Electrical industrial apparatus, manufacturing (see § 152.180, note 38)																						P
Electrical machinery manufacture and/or assembly (see § 152.180, note 38)																						P
Electronic component assembly operations (see § 152.180, note 38)																						P
Electronic gaming operations (see note 28, § 152.180)																		S	S			

PERMITTED/ SPECIAL USES	ICS*	CON	RA	R6	R6SF	R8SF	R10SF	R15SF	R20SF	R40SF	PUD ^b	MHP	MHS	MHS- 15SF	MHS-O ^c	O/I	G/E	B1 ^d	B2 ^e	B3 ^f	B2HDO ^g	Mt ^h
Emergency shelter	624221		P	P	P	P	P	P	P	P	P	P	P		P	P		P	P	P	P	P
Employment/personnel agency	561310																	P	P	P		P
Exterminating services																		P				P
Fabric or piece goods store	451130																	P		P	P	
Fabrication shops (wood, metal, upholstery, fabric, plastics, etc.)	332312																	P				P
Family care home (see § 152.180, note 39)	623990			P	P	P	P	P	P	P		P	P	P	P	P		P				
Family foster home							S P	S P	S P	S P	S P											
Farm equipment and engine repair	811310		P															P				P
Farm machinery sales and service	811310		US															P				P
Feed and grain sales and storage	422910		US																			P
Fertilizer wholesale and retail sales	422910		US																			P
Fiber manufacturing (see § 152.180, note 38)	325221																					P
Financial institutions (bank, savings and loan, credit unions)	522120																	P	P	P		
Fire station	922160	P	P	P	S P	S P	P	P	S P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fish mongers/sales (no outside storage)																		P	P		S P	
Fishing piers (public/commercial)																		S P	S P		S P	S
Flea markets (indoor)	453310																	US				
Floor coverings, sales	442210																	P	P	P		P
Florist shops	453110										P							P	P	P	P	
Flour and feed mills (see § 152.180, note 38)	311211																					P
Food processing/production facilities (see § 152.180, note 38)	233310																					P
Food sales, pushcart/food truck (see note 30)																		P	P	P		P
Forestry	115310	P	P																			
Fuel sales	422710																	US	US			P
Funeral homes and mortuaries	812210					S P									S P			S P				S P
Furniture and fixtures assembly (see § 152.180, note 38)	337215																					P
Furniture and wood product manufacturing (see § 152.180, note 38)	337122																					P
Glass, sales	327212																	P	P	P		P
Golf course (see note 14, § 152.180)	713910		P	P		S	P	P		P	S						S	S	S	S		
Golf course, miniature	713990		S P	S			S	S		S	S							S P	S P	S P		
Golf driving range (see note 14, § 152.180)	713990		S P	S			S	S		S	S							S	S	S		
Government offices, buildings and facilities		P	P	P	P	P	P	P	P	P	P	P	P	P	P	S P	S P	S P	S P	S P	P	P
Grain mill products (see § 152.180, note 38)	311230																					P

PERMITTED/ SPECIAL USES	ICS*	CON	RA	R6	R6SF	R8SF	R10SF	R15SF	R20SF	R40SF	PUD ^b	MHP	MHS	MHS- 15SF	MHS-O ^c	O/I	G/E	B1 ^d	B2 ^e	B3 ^f	B2HDO*	MT ^h
Metal fabrication facilities (see § 152.180, note 38)																						P
Mixed use																MS		MS	MS	MS	MS	
Mobile construction site offices, temporary (see note 17, § 152.180)	531110		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Mobile construction site containers (see note 34, § 152.180)			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Mobile home subdivision														P								
Monument sales	327991																	P				P
Mooring fields		P																\$ P	\$ P		\$ P	
Motels/hotels/condotels	721110															\$ P		P	\$ P	\$ P	\$ P	P
Motor vehicle assembly (see § 152.180, note 38)																		\$				P
Motor vehicle sales (new and used)																		P				
Motorcycle sales	441221																	P				
Multi-unit assisted housing with services									US		P					US		P				
Municipal parking lots		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Municipal public facilities		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Municipal utility stations and substations		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Municipal utility workshops and storage, and municipal water towers		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P
Museums & natural science displays and exhibits																	P	P	P	P	P	
Musical recording sales	451220																	P	P	P	P	
Musical instrument sales/ instruction	421990																	P	P	P	P	
Newspaper offices & incidental printing																P		P	P			
Newsstand	451212										P							P	P	P	P	
Nurseries (plants)	444220		P															P	\$ P			
Nursing home			US	\$			\$	\$		\$	US					US		US	US			
Off-street parking and loading facilities (in accordance with §§ 152.290 - 152.296)	812930		P	P	P	P	P	P	P	P	P	P	P		P	P		P	P	P	P	
Office for business, professional, or personal services											P					P		P	P	P	P	P
Outdoor fruit and vegetable markets	445230		P															P		P	P	
Outdoor market, municipal																		P	P		P	
Paper goods manufacturing (see § 152.180, note 38)	322121																					P
Parking lots (commercial)			\$	\$	\$	\$	\$	\$	\$	\$		\$	\$		\$		P	P	\$	P	\$	
Parks and playgrounds, public	712190	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Parks and playgrounds, semi- public (see note 26, § 152.180)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Pawnshop or used merchandise store	522298																	P	\$ P		P	
Pedestrian walkways, waterfront		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P

PERMITTED/ SPECIAL USES	ICS*	CON	RA	R6	R6SF	R8SF	R10SF	R15SF	R20SF	R40SF	PUD ^b	MHP	MHS	MHS- 15SF	MHS-O ^c	O/I	G/E	B1 ^d	B2 ^e	B3 ^f	B2HDO ^g	MI ^h
Pest or termite control services	561740																	US				P
Pet cremation																						P
Petroleum products, storage and/or distribution (see note 10, § 152.180) (see § 152.180, note 38)	812220																	S				S
Photography, commercial	422720										P					P		P	P	P	P	
Portable storage containers or structures (see note 32, § 152.180)	333315															P	P	P	P			P
Portland cement mixing plants (see § 152.180, note 38)	327310																					S
Post office	491110										P					P		P	P	P		
Pottery and related products, sales	327112																	P	P	P	P	
Precision instrument manufacturing (see § 152.180, note 38)	332212																	US				P
Printing and reproduction establishments	511130																	P	P	P		P
Private recreation club			S P	P	S P	S P	P	P	S P	P	P	S P	S P	S P	S P			P				
Processing establishments (see § 152.180, note 38)																						
Production of glass products from purchased glass (see § 152.180, note 38)	327215																					P
Production of manufactured housing and wood buildings (see § 152.180, note 38)	421390																					P
Public and private utility facilities (see note 27, § 152.180)																		P	P		S P	
Public utility stations & substations		P	S P	S P	P	P	S P	S P	S P	S P	S P	S P	S P	S P	S P	S P	P	S P	P	P	S P	S P
Public utility workshops & storage					S P												P	S P				S P
Radio & television studio activity without associated tower											P					P		P				P
Radio & television transmitting	513112 513120	P	P	P	P	P	P	P	P	P		P	P		P		P	P				P
Recreation or amusement conducted for profit, not otherwise listed											P MS					P MS		MS	MS	MS		
Recreational vehicles (see note 18, § 152.180)				P	P	P	P	P	P	P		P	P		P							
Recreational vehicle sales	441210																	S P				
Refrigerated warehousing (see § 152.180, note 38)	493120																	S P				P
Rehabilitation facility			P	P												P						
Remote off-street parking																US		US	US	US	US	
Research facilities, including manufacturing incidental to same (see § 152.180, note 38)																		S P				S P
Residential child care facility									S P													
Residential family child care home			P	P	P	P	P	P	P	P		P	P	P	P							
Restaurants (including take- out only establishments)	722110										S P							S P	S P	S P	S P	
Retail fish markets																		S P	S P		S P	

PERMITTED/ SPECIAL USES	ICS*	CON	RA	R6	R6SF	R8SF	R10SF	R15SF	R20SF	R40SF	PUD ^b	MHP	MHS	MHS- 15SF	MHS-O ^c	O/I	G/E	B1 ^d	B2 ^e	B3 ^f	B2HDO ^g	MI ^h
Retail merchandise sales (greater than 5,000 sq. ft.)											MS							MS	MS	MS		
Retail merchandise sales (less than 5,000 sq. ft.)											P							P	P	P	P	
Retail or service, not otherwise listed																		S P				
Riding school or commercial stable	713990		P																			
Salvage and recovery yards (see note 19, § 152.180)																						
Sanitary landfill	562212		MS																			
Sawmill or planing mills	321113		MS																			
School, business or commercial	611410															P	P	P	S P			
School, elementary or secondary & related uses (see note 36, § 152.180)	611110		S P	S P			S P	S P	S P	S P	S P					S P	S P	S P	S P			
School, trade or vocational	611210															S P	S P	S P	S P			P
Service establishments (see note 24, § 152.180)																				P	P	
Shopping centers	233320																	P	S	P		
Sign painting and fabrication shop	541890																	S P				P
Sign, principal use		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Solar farms																						S
Stone manufacturing facility primarily engaged in cutting, shaping and finishing marble, granite and other stone (see § 152.180, note 38)																						P
Storage or baling of scrap paper, iron, bottles, rags, or junk	333999																					P
Storage, warehouse, including mini storage	493110																	US				P
Swimming pools (private/ noncommercial) (see note 20, § 152.180)	611620		P	P	P	P	P	P	P	P		P	P	P	P			P				
Swimming pools (public/ commercial) (see note 20, § 152.180)			MS	MS			MS	MS	MS	MS	MS	MS		MS			MS	P MS	MS			
Tattoo/piercing parlor																		P				
Taxicab office or stand																	S P	S P			S P	S P
Telephone exchange operations											S P					S P		S P	S P		P	P
Temporary family health care structures (see § 152.180, note 40)			P	P	P	P	P	P	P	P			P	P	P	S P		S P	S P			
Temporary residential storage units (see note 33, § 152.180)			P	P	P	P	P	P	P	P	P	P	P	P	P							
Textile manufacturing (see § 152.180, note 38)	313210																					P
Theaters, indoor											P					P		P	S	P		
Theaters, outdoor																		P				
Therapeutic massage business																		S P	S P		P	
Tire recapping	226212																	S				P

[illegible]

§ 152.180 NOTES TO THE TABLE OF PERMITTED/SPECIAL USES.

(B) *Note 2.* The Standard Industrial Classification Codes indicated in § 152.179 Table of Permitted Uses are for reference purposes only, and do not mean that all uses under a specified code heading as provided in the Standard Industrial Classification Manual are permitted or special uses in the applicable zone. The Use Standards (US) identified in the table of permitted uses can be found throughout the notes section below.

(I) *Note 9.* Automobile service stations.

(1) Automobile service stations shall be a permitted use in B1, PUD and MI districts, provided the following conditions are met.

(J) *Note 10.* Reserved. Storage of flammables. The permitted use of bulk storage of bottled gas (distribution) or storage of flammables in the Town of Swansboro Fire District shall be regulated by the Town of Swansboro Fire Prevention Code. Refer to § 152.211, Table of Specific Criteria for Special Uses.

(N) *Note 14.* Golf course/Golf driving range. All greens and structures of a driving range shall be setback at least 50 feet from any property line. Driving ranges must be located on a golf course and cannot be operated outside of golf course hours.

(O) *Note 15.* Home occupations.

(f) Signage is prohibited.

(g) Parking is limited to original residential use only.

(P) *Note 16.* Reserved. Jails. Jails shall not be site within 200 feet of any existing church, school, or day care facility. The jail shall be fenced and screened as provided in the case of salvage operations and junkyards except that this requirement may be modified or waived by the Administrator upon the showing by the operator that a modification or waiver is needed for security reasons.

(W) *Note 23.* Reserved. Campgrounds and travel trailer parks.

(Y) *Note 25.* Clubs/lodges. Including but not limited to meeting places of fraternal organizations such as Masons, Rotary, Night Knights of Columbus, Elks, and others. Pools and gyms are allowed in these clubs/lodges.

(Z) *Note 26.* Parks and playgrounds, semi-public. Site plans are required and must be submitted to the Administrator.

(2) Buffering. As specified in §§ 152.525 through 152.544, buffering shall be required by the Board of Commissioners.

(BB) *Note 28.* Reserved. Electronic gaming operations may be permitted as special uses in designated districts, provided that the operation complies with the following conditions:

— (1) All electronic gaming operations shall be located at least 1,500 feet from any church or other religious institution, day care center, public or private elementary or secondary school, public park or playground, library, theatre, arcade, tattoo parlor, adult or sexually oriented business, or other electronic gaming operations, and must be located at least 300 feet from any residential zoning district;

— (2) No more than ten electronic gaming machines shall be operated at any location, the machines must not be prohibited by state or federal law, and must have all applicable permits or licenses required under law;

— (3) The electronic gaming operation does not operate outside the hours of 8:00 a.m. to 10:00 p.m.;

— (4) There shall be 1.5 parking spaces for every two electronic gaming machines, plus one

~~space for every employee on the maximum shift.~~

(CC) *Note 29.* Bed and breakfast accommodations, and inns. Bed and breakfast accommodations, and inns include only legitimate lodging businesses available for public reservation and use, although there may be an owner or manager room or living quarters on the premises. Such businesses must:

- (1) Possess a current ~~privilege license~~ town approved business packet for a bed and breakfast accommodation or inn ;
- (2) Possess any health department licenses or permits that may be applicable;
- (3) Provide, if requested by the town, evidence that lodging is being offered and advertised for public use and is available for same;
- (4) Provide evidence, if requested by the town and subject to an audit of documents, that the premises are in actual use for paid short term lodging of guests.

§ 152.211 SPECIFIC CRITERIA FOR CERTAIN SPECIAL USES.

Detailed regulations for certain special uses are set forth in this section.

(A) *Use -accessory structures in the front yard or on a double frontage lot.*

- (1) Minor *Special use districts:* RA, R6, R6SF, R8SF, R10SF, R15SF, R20SF, R40SF, PUD, MHP, MHS, MHS-15SF, MHS-O.
- (2) *Minimum lot area:* based on zoning classification lot standards.
- (3) *Topography:* topography of the site at contour intervals not greater than two feet.
- (4) *Structures:* location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
- (5) *Circulation:* proposed points of access and egress and pattern of internal circulation.
- (6) *Other details:*
 - (a) All accessory structures shall be placed a minimum of 20 feet from the edge of the road right of way.
 - (b) All accessory structures, shall be screened from view by a minimum four-foot opaque fence with the finished side facing the street and a landscape screen on the street side of the fence. The screening shall be a type A buffer as required by § 152.528(E)(1) and Table 152.528-1.

~~(B) *Use -amusement, indoor-*~~

- ~~(1) *Special use district:* B1 and B2.~~
- ~~(2) *Minimum lot area:* based on zoning classification lot standards.~~
- ~~(3) *Buffering:* as specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.~~
- ~~(4) *Plans are required and must show:*~~
 - ~~(a) *Topography:* topography of the site at contour intervals not greater than two feet.~~
 - ~~(b) *Structures:* location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.~~
 - ~~(c) *Circulation:* proposed points of access and egress and pattern of internal circulation.~~
 - ~~(d) *Other details:*~~
 - ~~1. An area capable of storing at least one third as many cars as can be accommodated within the viewing area shall be provided, away from the flow of incoming or outgoing traffic, for waiting vehicles.~~

2. Proposed provision for storm drainage (including retention pond facilities, when applicable) approved by the Swansboro Building Inspector; sanitary sewage approved by the Swansboro Building Inspector or County Health Department, whichever is applicable.
3. Size and proposed location of any signs.
4. Proposed solid waste storage facilities.
5. Proposed water system and firefighting facilities such as hydrants or sprinkler connections.
6. Types of surfacing for drives, sidewalks, malls, and the like.
7. The location and height of all fences, walls, and hedges shall be shown.

(€ **B**) *Use - amusement, outdoor.*

- (1) *Special use district:* B1 and B2.
- (2) *Minimum lot area:* a minimum of five acres.
- (3) *Buffering:* as specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.
- (4) Plans are required and must show:
 - (a) *Topography:* topography of the site at contour intervals not greater than two feet.
 - (b) *Structures:* location and approximate size of all existing and proposed structures within the site and of all buildings within 1,000 feet adjacent thereto.
 - (c) *Circulation:* proposed points of access and egress and pattern of internal circulation.
 - (d) *Other details:*
 1. Parking standards will be established by the town.
 2. Proposed provision for storm drainage (including retention pond facilities, when applicable) approved by the Swansboro Building Inspector; sanitary sewage approved by the Swansboro Building Inspector or County Health Department, whichever is applicable.
 3. Size and proposed location of any signs.
 4. Proposed solid waste storage facilities.
 5. Proposed water system and firefighting facilities such as hydrants or sprinkler connections.
 6. Types of surfacing for drives, sidewalks, malls, and the like.
 7. The location and height of all fences, walls, and hedges shall be shown.
 8. Other standards for the specific outdoor amusement will be established in the special use permit process.

~~(D) *Use - assisted living residence.*~~

- ~~(1) *Special use district:* RA, O/I, and PUD, B1, B2.~~
- ~~(2) *Minimum lot area:* minimum lot area of district in which located plus 1,000 square feet for each person to be accommodated.~~
- ~~(3) *Buffering:* as specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.~~
- ~~(4) Plans are required and must show:~~
 - ~~(a) *Topography:* topography of the site at contour intervals not greater than two feet.~~
 - ~~(b) *Structures:* location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.~~
 - ~~(c) *Circulation:* proposed points of access and egress and pattern of internal circulation.~~
 - ~~(d) *Buffering:* shall be required.~~

- ~~(e) *Parking and Loading:* Layout of parking spaces.~~
- ~~(f) *Drainage:* proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.~~
- ~~(g) *Other requirements:*~~
 - ~~1. Must meet all requirements for licensing by the State of North Carolina.~~
 - ~~2. Types of surfacing, slope, grade, and cross section of drives, sidewalks, malls, and the like.~~
 - ~~3. Erosion and sedimentation control plan.~~
 - ~~4. Lighting plan, inclusive of wattage and illumination.~~
 - ~~5. All plans and construction details must meet current specifications of the Town of Swansboro.~~
 - ~~6. Size and proposed location of any signs.~~
 - ~~7. Proposed solid waste storage.~~

~~(E) *Use – automobile graveyard.*~~

- ~~(1) *Special use districts:* MI.~~
- ~~(2) *Requirements:* the junk /salvage yard shall be set back at least two times the distance from the street right-of-way line as required in the setback requirements of the district in which it is located.~~
- ~~(3) Plans are required and must show:~~
 - ~~(a) *Topography:* topography of the site at contour intervals not greater than two feet.~~
 - ~~(b) *Structure:* location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.~~
 - ~~(c) *Circulation:* proposed points of access and egress and pattern of internal circulation.~~
 - ~~(d) *Lighting:* proposed lighting location and design.~~
 - ~~(e) *Buffering:* shall be required as specified in §§ [152.525](#) through [152.544](#).~~
 - ~~(f) *Parking and loading:* Layout of parking spaces and type of proposed surfacing.~~
 - ~~(g) *Drainage:* proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.~~

~~(F) *Use – campgrounds and travel trailer parks.*~~

- ~~(1) *Special use districts:* CON, RA, and B1.~~

~~(G) *Use – carnivals and fairs.*~~

- ~~(1) *Special use districts:* RA, B1, and MI.~~
- ~~(2) *Requirements:*~~
 - ~~(a) *Minimum lot area:* the minimum lot size shall be three acres.~~
 - ~~(b) The hours of operation allowed shall be noon to midnight.~~
 - ~~(c) The amount of noise generated shall not disrupt the activities of the adjacent land uses.~~
 - ~~(d) The permit issuing authority shall not grant the permit unless it finds that the parking generated by the event can be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners.~~
 - ~~(f) Plans are required and must show:~~
- ~~(3) *Topography:* topography of the site at contour intervals not greater than two feet.~~

- (4) *Structure*: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
- (5) *Circulation*: proposed points of access and egress and pattern of internal circulation.
- (6) *Lighting*: proposed lighting location and design.
- (7) *Buffering*: Shall be required as specified in §§ 152.525 through 152.544.
- (8) *Parking and loading*: layout of parking spaces and type of proposed surfacing.
- (9) *Drainage*: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.

— (H) *Use — cemetery, public.*

- (1) *Special use districts*: RA and B1.
- (2) *Minimum lot area*: none.
- (3) *Parking and loading*: adequate off-street parking facilities for funeral processions. Two side parking on roads with cemetery with center lane open for vehicle travel.
- (4) *Screening and fencing*: a screen not less than six feet high of dense plant material where cemetery abuts a residential lot.
- (5) *Buffering*: As specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.
- (6) Plans are required and must show:
 - (a) *Topography*: well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
 - (b) *Structures*: location of signs, entrance, and buildings must be shown on the plan.
 - (c) *Circulation*: proposed points of access and egress and pattern of internal circulation, and funeral procession route, if possible.
 - (d) *Buffering*: shall be required.
- (7) *Other details*:
 - (1) Proposed restrictions, if any.

— (I) *Use — church and related uses.*

- (1) *Special use districts*: all districts require a special use permit with the exception of MHP, B3, B2HDO, M1 and CON (not allowed).
- (2) *Minimum setbacks*: the structure (if new) shall have minimum side and rear yards of not less than 30 feet; and a front yard at least 15 feet greater than that required for other principal structures within the district.
- (3) Plans are required and must show:
 - (a) *Topography*: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
 - (b) *Structures*: location of signs, entrance, and buildings must be shown on the plan.
 - (c) *Circulation*: proposed points for access and egress and a parking layout.
 - (d) *Buffering*: Shall be required.
- (4) *Other details*:
 - (a) Proposed restrictions, if any.
 - (b) Sign size and location must be shown.

— (J) *Use — club or lodge, public or private.*

- (1) *Special use districts*: RA, R10SF, R15SF, R40SF, OI, and B1.

- (2) *Requirements:*
 - (a) *Parking:* shall conform to §§ 152.290 through 152.296, Off Street Parking and Loading Requirements.
 - (b) *Lighting:* lighting shall be such that it is not directed onto any adjacent residential lot.
- (3) Clubs or lodges shall have direct access to a federal or state highway.
- (4) *Minimum lot area:* minimum lot area shall be the same as required for nonresidential uses in the RA district.
- (5) Plans are required and must show:
 - (a) *Topography:* topography of the site at contour intervals not greater than two feet.
 - (b) *Structure:* location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
 - (c) *Circulation:* proposed points of access and egress and pattern of internal circulation.
 - (d) *Lighting:* proposed lighting location and design.
 - (e) *Buffering:* shall be required as specified in §§ 152.525 through 152.544.
 - (f) *Parking and loading:* layout of parking spaces and type of proposed surfacing.
 - (g) *Drainage:* proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.

- (K) *Use—concealed wireless telecommunications facility.*
 - (1) *Special use district:* RA, PUD, O/I, G/E, B1, B2, B3, B2HDO AND M1.
 - (2) *Minimum lot area:* based on zoning classification lot standards.
 - (3) Plans are required and must meet the standards of Appendix IV.
 - (4) *Structures:* location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
 - (5) *Circulation:* proposed points of access and egress and pattern of internal circulation.
 - (6) *Other details:* concealed wireless telecommunications facilities shall be permitted in the RA, PUD, O/I, G/E, B1, B2, B3, B2HDO and M1 districts as an accessory use provided the following conditions are met:
 - (a) In order to be considered an accessory use, a concealed wireless telecommunications facility must be clearly incidental and subordinate to the main use of a structure.
 - (b) Antennas associated with a concealed wireless telecommunications facility shall be concealed from exterior view.
 - (c) The addition of antennas, support or other equipment shall not add more than ten feet in height to the attached structure unless a variance is obtained from the Zoning Board of Adjustment. Notwithstanding the foregoing, any increase in the height of an existing structure must comply with other provisions of this chapter unless appropriate approvals are obtained.
 - (d) Electronic equipment associated with concealed wireless telecommunication facilities may be placed inside a building or, if placed on a rooftop, all equipment enclosures shall be mounted behind a parapet wall or façade which is camouflaged to match or complement the color and architectural treatment of the building. If placed on the ground on a concrete pad, equipment enclosures shall be screened so as to make them unobtrusive.
 - (e) All cabling and wiring connecting antennas, equipment enclosures, and other components of concealed wireless telecommunications facilities shall be colored or concealed in a manner as to render them unobtrusive.

— (f) Antennas associated with a concealed wireless telecommunications facility may not be co-located on a tower or other support structure used by amateur radio operator.

— (g) Antennas associated with a concealed wireless telecommunication facility shall not be located upon a single family dwelling or a multi-family dwelling.

— (h) Should the existing support structure require to be replaced and/or rebuilt, it shall comply with all applicable codes including but not limited to these provisions.

— (i) Any modifications to an existing structure associated with the installation of a concealed wireless telecommunication facility shall comply with all limitations, requirements, and standards contained in other provisions of the ordinance including, but not limited to the receipt of approvals that may be required by § 152.478 should the concealed wireless telecommunication facility be located within a historic preservation district. All other applicable local, state, and federal approvals and permits shall also be obtained.

— (j) Prior to installation of a concealed wireless telecommunication facility, a structural analysis shall be performed by a licensed professional engineer in the State of North Carolina in accordance with the current revision to ANSI EIA/TIA 222 certifying that the structure is capable of supporting the proposed loading.

— (k) Prior to installation of a concealed wireless telecommunication facility, a copy of the operators FCC license shall be submitted to the planner. If the party installing the concealed wireless telecommunication facility is not an FCC licensee, the party must demonstrate that it has binding commitments from one or more FCC licenses to utilize the concealed wireless telecommunication facility and must submit a copy of each wireless service provider's FCC license.

~~(L) Use — country clubs, private or public.~~

— (1) ~~Special use district: RA.~~

— (2) ~~Requirements:~~

— (a) ~~Parking:~~ shall conform to § 152.290 through 152.296, Off-Street Parking and Loading Requirements.

— (b) ~~Lighting:~~ lighting shall be such that it is not directed onto any adjacent residential lot.

— (c) All buildings and swimming pools must be set back a minimum of 50 feet from all exterior property lines.

— (d) Outdoor swimming pools shall be protected by a secured fence.

— (e) Plans are required and must show:

1. ~~Topography:~~ topography of the site at contour intervals not greater than two feet.

2. ~~Structure:~~ location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.

3. ~~Circulation:~~ proposed points of access and egress and pattern of internal circulation.

4. ~~Lighting:~~ proposed lighting location and design.

5. ~~Buffering:~~ shall be required as specified in §§ 152.525 through 152.544.

6. ~~Parking and loading:~~ Layout of parking spaces and type of proposed surfacing.

7. ~~Drainage:~~ proposed provision for storm drainage (including retention pond facilities, when applicable), approved the Administrator.

~~(M) Use — day care facilities (child).~~

— (1) ~~Special use districts:~~ all residential districts, PUD, MHP, MHS, MHS-O, O/I, B1, and B2.

- (2) *Minimum lot area:* none.
- (3) *Screening and fencing:* see “other details.”
- (4) *Buffering:* as specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.
- (5) *Plans are required and must show:*
 - (a) *Structures:* location and approximate size of all existing proposed buildings and structures within the site and on the lots adjacent thereto.
 - (b) *Circulation:* proposed points of access and egress and pattern of internal circulation.
 - (c) *Buffering:* Shall be required.
 - (d) *Other details:*
 - 1. Location and extent of open play area.
 - 2. Day care center shall provide 100 square feet of outdoor play space per pupil.
 - 3. Outdoor play area shall be enclosed by a solid or open fence or wall at least four feet in height. Where the outdoor play area is directly adjacent to a residentially used or zoned lot (s), a solid fence or wall at least six feet high or the maximum applicable fence /wall height limitations, or an open fence at least four feet high and a screen planting designed to grow three feet thick and six feet high, shall be erected. The Board of Commissioners may at its discretion require additional screening and/or fencing to be located adjacent to abutting nonresidential land uses.
- 4. In residential districts, a day care center shall not be operated between the hours of 7:00p.m. and 6:00a.m. No outside signs in excess of six square feet in area shall be permitted. Such signs shall be non illuminated and mounted flat against the wall of the principal building or in any yard at least ten feet from any property line. Outside signs in the B-1 and B-2 districts shall conform to §§ 152.265 through 152.277.

(N C) *Use - dwelling, multi-family and condominiums.*

- (1) *Special use district:* O/A, B1, and B2; R6, PUD, O/I, B1, B2, and B3.
- (2) *Requirements:* refer to Section 14 x.

(O D) *Use - dwelling, townhouses.*

- (1) *Special use district:* B1, R6, PUD, B1, B2, and B3.
- (2) *Requirements:* refer to Section 14 x.

(P) *Use electronic gaming operations.*

- (1) *Special use districts:* B-1, B-2 and M-1.
- (2) The following findings must be made:
 - (a) The proposed business meets the location requirements, based on accurate maps or surveys submitted with the application showing the proposed electronic gaming operation location, the location of any of the land uses listed in § 152.179 that exist within a 1,600 foot radius, and any residential zoning districts located within a 500 foot radius.
 - (b) The proposed business operation appears to be legal, based, at a minimum, on a written opinion that specifically describes the proposed business operation and provides specific rationale and statutory justification for its legality, issued by an attorney licensed to practice law in North Carolina.

(Q) *Use fire station.*

- (1) *Special use districts:* R6SF, R8SF, R20SF.
- (2) *Requirements:*
 - (a) *Parking:* Shall conform to §§ 152.290 through 152.296, Off Street Parking and Loading Requirements.
 - (b) *Lighting:* lighting shall be such that it is not directed onto any adjacent residential lot.
 - (c) All buildings shall be set back a minimum of 30 feet from all exterior property lines and an off-street parking area, at least twice as large as the floor area in the fire station, shall be provided on the lot.
 - (d) Plans are required and must show:
 - 1. *Topography:* topography of the site at contour intervals not greater than two feet.
 - 2. *Structure:* location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
 - 3. *Circulation:* proposed points of access and egress and pattern of internal circulation.
 - 4. *Lighting:* proposed lighting location and design.
 - 5. *Buffering:* shall be required as specified in §§ 152.525 through 152.544.
 - 6. *Parking and loading:* layout of parking spaces and type of proposed surfacing.
 - 7. *Drainage:* proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.

(R) *Use flexible lot development.*

- (1) *Special use district:* B1 and B2
- (2) *Minimum lot area:* based on zoning classification lot standards.
- (3) *Buffering:* as specified in §§ 152.525 through 152.544, buffering shall be required by the Board of Commissioners.
- (4) Plans are required and must show:
 - (a) *Topography:* topography of the site at contour intervals not greater than two feet.
 - (b) *Structure:* location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
 - (c) *Circulation:* proposed points of access and egress and pattern of internal circulation.
- (5) *Other details:* utilization of environmentally sensitive development principles such as:
 - (a) Propose stormwater management options in excess of the minimum State stormwater requirements. (i.e. additional or oversized bmps (best management practice(s)) designed to detain stormwater runoff from larger storm events than required by the state).
 - (b) Utilization of methods that promote infiltration rather than detention. For example, utilizing pervious pavement.
 - (c) Utilization of low impact design principles to promote infiltration, dis-connectivity and decrease runoff volumes from the proposed site.
- (6) Utilization of community sensitive development principles include, but are not limited to:
 - (a) Size and proposed location of any signs.

(S) *Use funeral homes and mortuaries.*

- (1) *Special use district:* R8SF, O/I, BI, MI.
- (2) *Minimum lot area :* See §§ 152.195 through 152.196.

— (3) *Screening and fencing*: a screen of dense plant or an opaque material designed to grow at least three feet thick by six feet high and a fence at least three feet high shall be installed where the proposed funeral home abuts a residential lot or an area zoned for residential purposes.

— (4) *Buffering*: As specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.

— (5) Plans are required and must show:

— (a) *Topography*: topography of the site at contour intervals not greater than two feet.

— (b) *Structure*: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.

— (c) *Circulation*: proposed points of access and egress and pattern of internal circulation.

— (d) *Lighting*: proposed lighting location and design.

— (e) *Buffering*: shall be required as specified in Article 18 and §§ 152.525 through 152.544.

— (f) *Parking and loading*: layout of parking spaces and type of proposed surfacing.

— (g) *Drainage*: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.

— (6) *Other requirements*: the Town Board of Commissioners may provide additional requirements if it deems necessary in order to make the proposed project more compatible with adjacent areas and existing or proposed traffic patterns.

(T) *Use - home occupations*.

— (1) *Special use districts*: RA, R6, R6SF, R8SF, R10SF, R15SF, R20SF, R40SF, MHP, MHS-O, B1, B2, and B2HDO.

(3) See § 152.180, Note 15 for requirements.

(U) **E** Use - kennels, breeding/boarding (not related to veterinarian's office).

(1) *Outdoor facilities*.

(a) **Minor** Special use district: RA, O/I, B1, and MI.

(b) *Minimum lot area*: minimum of one acre.

(c) *Setback*: A setback of 50 feet shall be maintained on the front, sides and rear of the property.

(d) *Screening and fencing*: a screen of dense plant material at least five feet in height at the time of planting or a solid fence or wall shall be installed.

(e) Plans are required and must show:

1. *Structures*: location of buildings and sign, and size of the sign.

2. *Circulation*: proposed points of access and egress and pattern of internal circulation.

3. *Parking*: layout of parking spaces.

4. *Lighting*: lighting plan, inclusive of wattage and illumination.

5. *Hours of operation*: days and times.

6. *Number of employees*: total number of employees

7. *Waste management*: method of waste disposal to be used.

(2) *Indoor facilities*.

(a) **Minor** Special use district: RA, O/I, B1, and MI.

(b) Plans are required and must show:

1. *Structures*: location of buildings and sign, and size of the sign.

2. *Setback*: the area in which animals are to be kept must be 20 feet from the side property lines.

3. *Circulation*: proposed points of access and egress and pattern of internal circulation.
 4. *Parking*: layout of parking spaces.
 5. *Lighting*: lighting plan, inclusive of wattage and illumination.
 6. *Hours of operation*: days and times.
 7. *Number of employees*: total number of employees.
 8. *Waste management*: method of waste disposal to be used.
- (b) *Other requirements*: it is mandatory that all activities related to indoor facilities be confined within a building.

(V) **E** Use - *livestock, sales and auction*.

- (1) **Minor Special use districts**: RA.
- (2) *Minimum acreage*: 20 acres.
- (3) Plans are required and must show:
 - (a) *Topography*: topography of the site at contour intervals not greater than two feet.
 - (b) *Structure*: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
 - (c) *Circulation*: proposed points of access and egress and pattern of internal circulation.
 - (d) *Lighting*: proposed lighting location and design.
 - (e) *Buffering*: shall be required as specified in §§ [152.525](#) through [152.544](#).
 - (f) *Parking and loading*: layout of parking spaces and type of proposed surfacing.
 - (g) *Drainage*: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.
- (4) *Other requirements*:
 - (a) Public sanitation measures.
 - (b) Odor control measures.
 - (c) Health department approval.

(W) **G** Use - *mobile signs*. **Refer to § 152.277 Signs Permitted/Special Use**

- (1) *Special use district*: B1 and MI.
- (2) *Requirements*:
 - (a) No part of a sign shall extend beyond the plane of the property line upon which the sign is located or into any easement.
 - (b) Display area shall not exceed six square feet.
 - (c) Mobile sign height measured vertically from ground level to top of sign including trailer or towable device to which sign is attached shall not exceed five feet.
 - (d) Combination of allowed tenant signage square footage shall not be exceeded.
 - (e) Signs shall be displayed only during times when the business being advertised is open for business.
 - (f) The application for approval of a special use shall include:
 1. Sign location;
 2. Sign size;
 3. Sign illumination;
 4. Diagram of the sign;
 5. Proposed method of anchoring/securing.

~~(X) Use - *motel or hotel*.~~

- ~~(1) *Special use districts*: O/I and B2.~~

- (2) *Loading*: One space for each 100,000 square feet of motel floor area or fraction thereof.
- (3) *Screening and fencing*: a screen of dense plant material designed to grow at least three feet thick by six feet high and a fence at least three feet high where the proposed site of the motel (hotel) abuts a residential lot or an area zoned for residential purposes.
- (4) *Buffering*: As specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.
- (5) Plans are required and must show:
 - (a) *Topography*: topography of the site at contour intervals not greater than two feet.
 - (b) *Structures*: location and approximate size of all existing and proposed buildings and structures within 100 feet of the proposed site.
 - (c) *Circulation*: proposed point of access and egress and pattern of internal circulation.
 - (d) *Buffering*: shall be required.
 - (e) *Parking and loading*: layout of parking spaces.
- (6) *Other details*:
 - (a) Proposed provisions for storm drainage (including retention pond facilities, when applicable) approved by the Swansboro Administrator ; sanitary sewerage approved by the Swansboro Administrator or County Health Department, whichever is applicable.
 - (b) Size and proposed location of any signs.
 - (c) Proposed solid waste storage facilities.
 - (d) Proposed water system and fire fighting facilities such as hydrants or sprinkler connections.
 - (e) Types of surfacing, slope, grade , and cross section of drives, sidewalks, malls, and the like.
 - (f) The location and heights of all fences , walls, and hedges shall be shown.

(Y) *Use – nursing home –*

- (1) *Special use districts*: R6, R10SF, R15SF, R40SF, B1, B2, and PUD.
- (2) *Minimum lot area* : the lot size shall be at least two acres and the structure shall have minimum side and rear yard requirements of 50 feet and a front yard requirement of at least 25 feet greater than that required of principal structures within the district.
- (3) *Buffering*: As specified in §§ 152.525 through 152.544, buffering shall be required by the Board of Commissioners.
- (4) Plans are required and must show:
 - (a) *Topography*: topography of the site at contour intervals not greater than two feet.
 - (b) *Structure*: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
 - (c) *Circulation*: proposed points of access and egress and pattern of internal circulation.
 - (d) *Buffering*: shall be required as specified in §§ 152.525 through 152.544.
 - (e) *Parking and loading*: layout of parking spaces.
 - (f) *Drainage*: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.
- (5) *Other requirements*:
 - (a) Must meet all requirements for licensing by the State of North Carolina.
 - (b) Types of surfacing, slope, grade , and cross section of drives, sidewalks, malls, and the like.
 - (c) Erosion and sedimentation control plan.

~~(d) Lighting plan, inclusive of wattage and illumination.~~

(Z ~~H~~) Use - *planned unit development*.

(1) *Special use district*: PUD.

(2) *Requirements*: refer to §§ 152.245 through 152.253 for criteria.

~~—(AA) Use — *private recreation club*.~~

~~—(1) *Special use districts*: RA, R6SF, R8SF, R20SF, MHP, MHS, and MHS-O.~~

~~—(2) *Minimum lot area* : swimming club, one acre for each 40 club members (or families). Private nonprofit clubs having only a swimming pool with bathhouse facilities and open only during the swimming season are exempt from the minimum lot area requirement if all activities and facilities (other than parking) are located no closer than 50 feet to any property line.~~

~~—(3) *Screening and fencing*: The swimming pool area shall be enclosed by fencing not less than five feet in height.~~

~~—(4) Plans are required and must show:~~

~~—(a) *Structures*: location and approximate size of all existing and proposed structures and playfields.~~

~~—(b) *Parking*: layout of parking spaces and traffic circulation.~~

~~—(5) *Other requirements*:~~

~~—(a) There shall be provided in any swimming pool, water area at a depth of five feet or less in the ratio of seven and two-tenths square feet per member (or family). Water areas deeper than five feet shall not be included as a part of the minimum pool area to satisfy this requirement.~~

~~—(b) No improvements, structures, sidewalks, or play areas or equipment shall be closer than 50 feet to any adjoining property lines. Parking areas may be permitted within 20 feet of any adjoining property line if the above-mentioned 20 foot strip is used for planting designed to grow at least three feet thick and six feet high.~~

~~—(c) Adjacent to swimming pools there shall be provided paved patio area(s) in the ratio of two square feet of paving for each square foot of water area that is five feet or less in depth.~~

~~(e) *Lights* shall be located and shielded so as not to adversely affect adjacent property.~~

~~—(BB) Use — *public utility stations and substations*.~~

~~—(1) *Special use district*: RA, R6, R10SF, R15SF, R20SF, R40SF, PUD, MHP, MHS, MHS-O, O/I, B1, B2HDO, and MI.~~

~~—(2) *Minimum lot area* : one half acre for public utility station.~~

~~—(3) *Screening and fencing*: A screen of not less than six feet in height of dense plant material shall be provided where the lot abuts a residential lot. Electrical substations shall be enclosed by a fence not less than eight feet in height with three strands of barbed wire turned out at the top.~~

~~—(4) *Buffering*: as specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.~~

~~—(5) Plans are required and must show:~~

~~—(a) *Structures*: location and approximate size of all existing and proposed structures within the site, and all buildings and structures within 100 feet.~~

~~—(b) *Circulation*: proposed points of access and egress.~~

~~—(c) *Buffering*: Shall be required.~~

~~—(d) *Parking and loading*: location and arrangement of all proposed off-street parking.~~

- ~~— (e) *Signage*: location and type of proposed signage.~~
- ~~— (6) *Other details*: proposed provisions for fencing and other protective screening at the lot lines adjacent to abutting residential property.~~

~~(CC) *Use - remote off-street parking (commercial lots)*:~~

- ~~— (1) *Special use district*: O/I, BI, B2, B3 and B2HDO.~~
- ~~— (2) *Minimum lot area*: none.~~
- ~~— (3) *Screening and fencing*: a screen not less than six feet high of dense plant material where lot abuts a residential lot. Vegetation must be at least three feet in height at the time of planting.~~
- ~~— (4) *Buffering*: As specified in §§ [152.525](#) through [152.544](#) of this chapter, buffering shall be required by the Board of Commissioners.~~
- ~~— (5) Plans are required and must show:~~
 - ~~— (a) *Circulation*: proposed points of access and egress and pattern of internal circulation.~~
 - ~~— (b) *Buffering*: shall be required.~~
 - ~~— (c) *Parking*: layout of parking spaces.~~
 - ~~— (d) *Drainage*: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.~~
- ~~— (6) *Other details*: proposed illumination, if designed for nighttime operation.~~
- ~~— (7) *Other requirements*: proposed location of one sign which may be no larger than ten square feet; sign shall be freestanding and not higher than six feet above the ground. Two incidental unlighted entrance and exit signs not exceeding two square feet each may be provided at each entrance and/or exit. Any remote parking must be within 400 feet of the principal use it serves as measured along any public street right-of-way(s).~~

~~(DD)~~ **I** *Use - sanitary landfill.*

- (1) **Minor** *Special use district*: RA.
- (2) *Requirements*:
 - (a) *Parking*: shall conform to §§ [152.290](#) through [152.296](#), Off-Street Parking and Loading Requirements.
 - (b) *Lighting*: lighting shall be such that it is not directed onto any adjacent residential lot.
 - (c) All buildings, structures, tanks, and pits shall be setback at least 100 feet from all exterior property lines. A natural buffer at least 50 feet in width shall separate all such uses from all exterior property lines. A non-climbable fence, at least six feet in height, shall completely enclose such uses.
 - (d) Plans are required and must show:
 - 1. *Topography*: topography of the site at contour intervals not greater than two feet.
 - 2. *Structure*: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
 - 3. *Circulation*: proposed points of access and egress and pattern of internal circulation.
 - 4. *Lighting*: proposed lighting location and design.
 - 5. *Buffering*: shall be required as specified in §§ [152.525](#) through [152.544](#).
 - 6. *Parking and loading*: layout of parking spaces and type of proposed surfacing.
 - 7. *Drainage*: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.

~~(EE) Use – school , elementary or secondary and related uses.~~

~~(1) Special use districts: RA, R6, R10SF, R15SF, R20SF, R40SF, PUD, O/I, B1, and B2.~~

~~(2) Minimum lot area: the minimum lot area for the school shall be computed based upon the highest grade within the school. The minimum lot area shall be as follows:~~

~~(a) Kindergarten through seventh grade – 200 square feet of land area per student in all grades.~~

~~(b) Kindergarten through ninth grade – 300 square feet of land area per student in all grades.~~

~~(c) Kindergarten through twelfth grade – 400 square feet of land area per student in all grades.~~

~~(3) Parking and loading: see §§ 152.290 through 152.296 for applicable parking ratios.~~

~~(4) Drainage: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.~~

~~(5) Plans are required and must show:~~

~~(a) Structures: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.~~

~~(b) Circulation: proposed points of access and egress and pattern of internal circulation.~~

~~(c) Parking and loading: layout of parking spaces.~~

~~(FF) Use – school , trade or vocational.~~

~~(1) Special use districts: O1, GE, B1, B2.~~

~~(2) Requirements:~~

~~(a) Parking: Shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.~~

~~(b) Lighting: lighting shall be such that it is not directed onto any adjacent residential lot.~~

~~(c) All buildings and swimming pools must be setback a minimum of 50 feet from all exterior property lines.~~

~~(d) Plans are required and must show:~~

~~1. Topography: topography of the site at contour intervals not greater than two feet.~~

~~2. Structure: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.~~

~~3. Circulation: proposed points of access and egress and pattern of internal circulation.~~

~~4. Lighting: proposed lighting location and design.~~

~~5. Buffering: shall be required as specified in §§ 152.525 through 152.544.~~

~~6. Parking and loading: layout of parking spaces and type of proposed surfacing.~~

~~7. Drainage: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.~~

~~(GG J) Use -sign, roof. Refer to § 152.277 Signs Permitted/Special Use~~

~~(1) Special use districts: B1, MI, and CON.~~

~~(2) Plans are required and must show:~~

~~(a) Size: must not exceed 32 square feet of viewable area.~~

~~(b) Lighting: proposed lighting location, design, and hours of operation.~~

~~(c) Design: design including diagram of sign, sign size, sign location, drawing of display area, and method of anchoring or attachment to building/roof.~~

(HH **K**) Use - swimming pools, public/commercial.

(1) **Minor Special use districts:** RA, R6, R10SF, R15SF, **R20SF**, R40SF, PUD, MHP, MHS-15SF, G/E, **B1, and B2.**

(2) **Requirements:**

(a) **Parking:** Shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(b) **Lighting:** lighting shall be such that it is not directed onto any adjacent residential lot.

(c) All buildings and swimming pools must be setback a minimum of 50 feet from all exterior property lines.

(d) Plans are required and must show:

1. **Topography:** topography of the site at contour intervals not greater than two feet.
2. **Structure:** location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
3. **Circulation:** proposed points of access and egress and pattern of internal circulation.
4. **Lighting:** proposed lighting location and design.
5. **Buffering:** shall be required as specified in §§ 152.525 through 152.544.
6. **Parking and loading:** layout of parking spaces and type of proposed surfacing.
7. **Drainage:** proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.

~~(II) Use - telephone exchange operation.~~

~~(1) Special use districts: PUD, O/I, B1, B2.~~

~~(2) Minimum lot area : one acre.~~

~~(3) Parking and loading: one space for each two regular employees.~~

~~(4) Screening and fencing: a screen of not less than six feet in height of dense plant material shall be provided where the lot abuts a residential lot or a lot zoned exclusively for residential purposes.~~

~~(5) Buffering: as specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.~~

~~(6) Plans are required and must show:~~

~~(a) Structures: location and approximate size of all existing and proposed structures within the site, and all buildings within 200 feet thereof.~~

~~(b) Circulation: proposed points of access and egress.~~

~~(c) Buffering: shall be required.~~

~~(d) Parking and loading: location and arrangement of all proposed off-street parking.~~

~~(7) Other details:~~

~~(1) Proposed provisions for fencing and other protective screening at the lot lines adjacent to abutting residential property.~~

~~(3) Anticipated service area of the facility to be constructed.~~

(~~HH~~ **L**) Use - wireless telecommunication facilities.

(1) **Special use districts:** RA, **O/I, G/E, B1 and MI.**

(2) **Requirements:**

(a) The facility must be setback from adjacent property lines and any residential dwelling(s) at least a distance equal to the fall zone as certified by a structural engineer. Accessory structures shall be setback at least 50 feet from any property line. These

measurements shall be taken from the base of the tower or the foundation of the structure, as applicable.

(b) Access roads must be improved and meet the applicable standards of the Fire Code for emergency access. Access to any gated or locked enclosures must be provided to the Fire Chief.

(c) Lighting on the facility must meet the minimum standards of the Federal Aviation Administration (FAA). Lighting shall be muffled so that no audible sound can be heard beyond the distance of the required setback. Other lighting on the property, including lighting on accessory structures or on the surrounding enclosure, should be shielded so as not to trespass onto adjacent properties. The application must contain certification that the lighting on site has been designed to meet these requirements.

(d) Communication equipment or antennas shall meet the emission output levels as specified by applicable federal standard or by the American National Standard Institute (ANSI). The application must contain a certification that these requirements have been met.

(e) A Type C buffer yard per § 152.528 shall be installed around any perimeter enclosure.

(f) If a proposed facility is to be constructed within five miles or less from the perimeter boundary of a military base, or within any mapped flight path overlay, the town shall provide written notice of the proposal by certified mail, return receipt requested, to the commander of the military base not less than ten days nor more than 25 days before the date fixed for the public hearing on the application.

(g) Applications must include the required materials per Appendix IV.
(Ord. 2005-O3, passed 3-15-2005; Am. Ord. 2009-O6, passed 4-21-2009; Am. Ord. 2010-O6, passed 2-16-2010; Am. Ord. passed 7-26-2016; Am. Ord. passed 11-22-2016; Am. Ord. passed 2-28-2017; Am. Ord. passed 4-25-2017; Am. Ord. 2020-O6, passed 8-10-2020; Am. Ord. 2021-O3, passed 5-24-2021)

§ 152.212 USE STANDARDS

(A) Use - Amusement, indoor- permitted as a use standard in B1 and B2.

(1) Requirements:

(a) Minimum lot area: based on zoning classification lot standards.

(2) Plans are required and must show:

(a) Size and location of all outdoor areas used for principal use.

(b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

(c) Structures: location of signs, entrance, and buildings must be shown on the plan.

(d) Circulation: proposed points for access and egress and a parking layout.

(e) Buffering: as specified in §§ 152.528 of this chapter unless the property abuts residentially used or zoned property in which case a Type C buffer is required.

(f) Sign size and location as specified §§ 152.265-152.277 of this chapter.

(g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.

(h) List of all services to be provided.

(i) Security/management plan

(j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06)

(k) Landscaping Requirements, §§ 152.525- 152.544

(l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(B) Use - Assisted living residence – permitted as a use standard in RA, PUD, O/I, B1 and B2

(1) Requirements:

(a) Minimum lot area: minimum lot area of district in which located plus 1,000 square feet for each person to be accommodated.

(2) Plans are required and must show:

(a) Size and location of all outdoor areas used for principal use.

(b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

(c) Structures: location of signs, entrance, and buildings must be shown on the plan.

(d) Circulation: proposed points for access and egress and a parking layout.

(e) Buffering: as specified in §§ 152.528 of this chapter unless the property abuts residentially used or zoned property in which case a Type C buffer is required.

(f) Sign size and location as specified §§ 152.265-152.277 of this chapter.

(g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.

(h) List of all services to be provided.

(i) Security/management plan

(j) Hours of operation (refer to Town noise ordinance §§ 92.01- 92.06)

(k) Landscaping Requirements, §§ 152.525- 152.544

(l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(C) Use- Bar, Nightclub or Tavern – permitted as a use standard in B1, B3 and B2HDO

(1) Plans are required and must show:

(a) Size and location of all outdoor areas used for principal use.

(b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

(c) Structures: location of signs, entrance, and buildings must be shown on the plan.

(d) Circulation: proposed points for access and egress and a parking layout.

(e) Buffering: as specified in §§ 152.528 of this chapter unless the property abuts residentially used or zoned property in which case a Type C buffer is required.

(f) Sign size and location as specified §§ 152.265-152.277 of this chapter.

(g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.

(h) List of all services to be provided.

(i) Security/management plan

(j) Hours of operation (refer to Town noise ordinance §§ 92.01- 92.06)

(k) Landscaping Requirements, §§ 152.525- 152.544

(l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(D) Use- Bed and breakfast accommodations, & inns- permitted as a use standard in R6 and R8SF

(1) Include only legitimate lodging businesses available for public reservation and use, although there may be an owner or manager room or living quarters on the premises. Such businesses must:

- (a) Possess a current town approved business packet for a bed and breakfast accommodation or inn.**
- (b) Possess any health department licenses or permits that may be applicable.**
- (c) Provide, if requested by the town, evidence that lodging is being offered and advertised for public use and is available for same.**
- (d) Provide evidence, if requested by the town and subject to an audit of documents, that the premises are in actual use for paid short term lodging of guests.**

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.**
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).**
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.**
- (d) Circulation: proposed points for access and egress and a parking layout.**
- (e) Buffering: as specified in §§ 152.528 of this chapter unless the property abuts residentially used or zoned property in which case a Type C buffer is required.**
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.**
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.**
- (h) Landscaping Requirements, §§152.525- 152.544**
- (i) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.**
- (j) List of all services to be provided.**
- (k) Security/management plan**
- (l) Hours of operation (refer to Town noise ordinance §§92.01- 92.06)**

(E) Use – Bulk mail and packaging -permitted as a use standard in B1,B2 and B3.

(1) Requirements:

- (a) Buildings, storage, and maintenance areas shall be screened from adjacent residential land and public rights-of-way.**
- (b) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties**

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.**
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).**
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.**
- (d) Circulation: proposed points for access and egress and a parking layout.**

- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(F) Use- Churches and related uses-permitted as a use standard in RA,R6,R6SF,R8SF,R10SF,

R15SF, R20SF,R40SF, PUD,MHS,MHS-15SF,MHS-O,O/I,G/E,B1 and B2.

(1) Plans are required and must show:

- (a) Minimum setbacks: the structure (if new) shall have minimum side and rear yards of not less than 30 feet; and a front yard at least 15 feet greater than that required for other principal structures within the district.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, if applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(G) Use - Club or lodge, public or private-permitted as a use standard in RA,R10SF, R15SF, R40SF,O/I, B1,B2,B3 and B2HDO

(1) Requirements:

- (a) Clubs or lodges shall have direct access to a federal or state highway.
- (b) Minimum lot area: minimum lot area shall be the same as required for nonresidential uses in the RA district.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.

- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(H) Use- Colleges, universities, and related uses gas-permitted as a use standard in RA, B1, and B2

(1) Requirements:

- (a) Depending on the intensity of the use and proposed access points, a traffic impact study may be required.
- (b) Sidewalk extensions and connections may be required in an effort to provide pedestrians with a safe means of travel.
- (c) (c)Pedestrian traffic circulation, drive lanes, sidewalks, and other transportation improvements
- (d) Number and location of designated parking spaces for employees
- (e) Number and location of visitor parking spaces
- (f) Number and location of student parking spaces
- (g) Location and extent of open recreation or training areas
- (h) Student capacity of school as designed.
- (i) Total number of employees at time of greatest shift.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include inclusive of wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.

- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements

(I) Use- Crude petroleum & natural gas-permitted as a use standard in MI

(1) Requirement:

- (a) The proposed facility shall conform to the requirements of the Fire Prevention Codes of the North Carolina State Building Code, National Board of Fire Underwriters, and all applicable codes of the National Fire Protection Association and all requirements of the NC Fire Code.
- (b) A security fence at least eight (8) feet in height shall surround all facilities used for the storage and handling of coal.
- (c) In addition to the general requirements, the site plan must also include the location of all structures and water bodies within one thousand (1,000) square feet.
- (d) Stormwater plan.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C or Type D buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include inclusive of wattage and illumination. The use of full cut-off luminaires is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(J) Use- Electrical appliance sales and services. (No Outdoor Storage)- permitted as a use standard in B1

(1) Requirement:

- (a) Storage facilities for appliances and equipment must be fully enclosed.
- (b) Retail space limited to sales and office use.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaires is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(K) Use- Farm machinery sales and service- permitted as a use standard in RA

(1) Requirements:

- (a) The lot for the proposed Farm Machinery Sales and Servicing use shall meet the minimum yard requirements for the zoning district.
- (b) Customer and employee parking and machinery on display shall not be located in any required street yard or public right-of-way and may not impede vehicular or pedestrian traffic or sign distance triangles, if applicable.
- (c) All machinery display areas shall conform to the landscaping requirements for parking areas as set forth in this ordinance.
- (d) On-site machinery loading and unloading areas shall be of a sufficient size to ensure that no such loading or unloading will occur in any public right-of-way or impede ingress, egress, or internal circulation.
- (e) No structure or outside storage, display, or activity area shall be within a distance of thirty (30) feet of any abutting residentially zoned or used lot.
- (f) Any repair, servicing, maintenance, or other work on machinery shall be conducted within an enclosed structure or behind an opaque fence six (6) feet in height.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full

cut-off luminaries is required.

(h) List of all services to be provided.

(i) Security/management plan.

(j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).

(k) Landscaping Requirements, §§152.525- 152.544.

(l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(L) Use- Feed and grain sales and storage.- permitted as a use standard in RA

(1) Requirements:

(a) No structure, outside storage area, or outside activity area shall be within a distance of thirty (30) feet from any adjoining residentially zoned or used lot.

(b) Plans and specifications for buffer and fencing.

(2) Plans are required and must show:

(a) Size and location of all outdoor areas used for principal use.

(b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

(c) Structures: location of signs, entrance, and buildings must be shown on the plan.

(d) Circulation: proposed points for access and egress and a parking layout.

(e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.

(f) Sign size and location as specified §§ 152.265-152.277 of this chapter.

(g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.

(h) List of all services to be provided.

(i) Security/management plan.

(j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).

(k) Landscaping Requirements, §§152.525- 152.544.

(l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(M) Use- Fertilizer wholesale and retail sales.- permitted as a use standard in RA

(1) Requirements:

(a) No structure, outside storage area, or outside activity area shall be within a distance of thirty (30) feet from any adjoining residentially zoned or used lot.

(b) Plans and specifications for buffer and fencing.

(2) Plans are required and must show:

(a) Size and location of all outdoor areas used for principal use.

(b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

(c) Structures: location of signs, entrance, and buildings must be shown on the plan.

(d) Circulation: proposed points for access and egress and a parking layout.

- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(N) Use- Flea market. (indoor)- permitted as a use standard in B1

(1) Requirements :

- (a) A minimum lot area of one (1) acre is required.
- (b) Flea Market use will not be allowed as an accessory use.
- (c) Adequate and safe permanent public restrooms and/or toilet facilities are required. No portable restroom facilities will be allowed.
- (d) No structure, outside storage area, or outside activity area shall be within a distance of thirty (30) feet from any adjoining residentially zoned or used lot.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include inclusive of wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(O) Use- Fuel sales- permitted as a use standard in B1 and B2

(1) Requirements:

- (a) The site shall front a thoroughfare or residential collector street.
- (b) No aboveground equipment for the vehicular service of gasoline, oil, or other

petroleum product shall be closer than twenty-five (25) feet to any public right-of-way and ten (10) feet to any exterior property line.

(c) Pump island canopies shall not be located closer than ten (10) feet to a public right-of-way or exterior property line.

(d) All accessory uses shall be subject to all ordinance requirements as stated in this ordinance.

(e) In addition to the general requirements, the site plan must also include the location and size of gasoline, oil, or other petroleum product tanks.

(2) Plans are required and must show:

(a) Size and location of all outdoor areas used for principal use.

(b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

(c) Structures: location of signs, entrance, and buildings must be shown on the plan.

(d) Circulation: proposed points for access and egress and a parking layout.

(e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.

(f) Sign size and location as specified §§ 152.265-152.277 of this chapter.

(g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.

(h) List of all services to be provided.

(i) Security/management plan.

(j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).

(k) Landscaping Requirements, §§ 152.525- 152.544.

(l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(P) *Use- Heating, equipment and plumbing fixtures, sales. (No outdoor storage)- permitted as a use standard in B1, B2, and B3*

(1) Requirements:

(a) Outside processing or repair activities shall not be permitted.

(b) Limited to retail sales.

(2) Plans are required and must show:

(a) Location of any combustible materials

(b) Size and location of all outdoor areas used for principal use.

(c) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

(d) Structures: location of signs, entrance, and buildings must be shown on the plan.

(e) Circulation: proposed points for access and egress and a parking layout.

(f) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.

(g) Sign size and location as specified §§ 152.265-152.277 of this chapter.

(h) Lighting plan which must include ~~inclusive of~~ wattage and illumination. The use of full cut-off luminaries is required.

- (i) List of all services to be provided.
- (j) Security/management plan.
- (k) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (l) Landscaping Requirements, §§152.525- 152.544.
- (m) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(Q) Use- Multi-unit assisted housing with services- permitted as a use standard in R20SF and O/I

(1) Requirements:

- (a) Minimum lot area: minimum lot area of district in which located plus 1,000 square feet for each person to be accommodated.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaires is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(R) Use- Nursing home- permitted as a use standard in RA, PUD, O/I, B1, and B2

(1) Requirement:

- (a) Minimum lot area: the lot size shall be at least two acres and the structure shall have minimum side and rear yard requirements of 50 feet and a front yard requirement of at least 25 feet greater than that required of principal structures within the district.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.

- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(S) Use- Pest or termite control services. (No Outdoor Storage)- permitted as a use standard in B1

(1) Requirement:

- (a) Storage facility for pest control equipment must be fully enclosed.
- (b) Retail space is only limited to office use.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.
- (m) Proposed storage location of combustible materials.

(T) Use- Precision instrument manufacturing- permitted as a use standard in B1

(1) Requirements:

- (a) Buildings, storage, and maintenance areas shall be screened from adjacent residential land and public rights-of-way.
- (b) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties.
- (c) Hazardous waste plan (including proposed storage of combustible materials).

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(U) *Use- Remote off-street parking- permitted as a use standard in O/I,B1,B2,B3 and B2HDO*

(1) Requirement:

- (a) Minimum lot area: none

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(V) *Use- Storage, warehouse, including mini storage - permitted as a use standard in B1*

- (1) Requirements for open storage of recreational and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted

within the Storage, Self-Service use, provided that the following standards are met:

- (a) The storage shall occur only within a designated area. The designated area shall be clearly delineated.
- (b) The storage area shall not exceed twenty-five percent (25%) of the buildable area of the site.
- (c) No dry stacking of boats shall be permitted on the site.
- (d) Boats shall be stored in a manner so as to prevent the collection of rainwater.
- (e) The storage area shall be entirely screened from view from adjacent residential areas and public roads by a building and/or opaque fencing or fencing with landscaping along the fence's exterior side.
- (f) Storage shall not occur within the area set aside for minimum building setbacks.
- (g) If separate structures are constructed, there shall be a minimum separation of ten (10) feet between the buildings within the facility.
- (h) Interior parking shall be provided in the form of aisles adjacent to the storage bays. These aisles shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aisles shall be thirty (30) feet.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaires is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(W) Use- Warehouse. (general storage, enclosed) - permitted as a use standard in B1

(1) Requirements:

- (a) Buildings, storage, and maintenance areas shall be screened from adjacent residential land and public rights-of-way.
- (b) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.

- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§152.290 through 152.296, Off-Street Parking and Loading Requirements.

(X) Use- Windmills. - permitted as a use standard in RA

(1) Requirements:

- (a) Windmills are used to pump ground water to the surface for irrigation in the RA zoning district. The wind turns the blades to utilize wind energy.
- (b) No wind turbines are allowed.

§ 152.312 APPLICABILITY.

A traffic impact study shall be required for all projects where the Town Manager or his or her designee has determined from the information submitted that the site generated traffic will have a significant impact on the transportation network. Determinations shall be based on the following criteria:

(A) ~~Special-use permit.~~ Business and manufacturing uses. Estimated traffic generated by the permit use exceeds 200 trips/day.

~~(B) Single business. Estimated traffic generated by a single business exceeds 200 trips/day.~~

~~(C) (B) Single-family residential.~~ Estimated traffic generated by the development exceeds 400 trips/day.

~~(D) (C) Planned unit development .~~ Estimated traffic generated by the development exceeds 400 trips/day.

~~(E) (D) Apartments , condominiums , townhouses .~~ Estimated traffic generated by the development exceeds 400 trips/day.

~~(F) Campgrounds and campground subdivisions . Estimated traffic generated by the development exceeds 400 trips/day.~~

~~(G) (E) Manufactured home parks.~~ Estimated traffic generated by the development exceeds 400 trips/day.

(Ord. 2005-O3, passed 3-15-2005) (Am. Ord. 2016-O14, passed 4-12-2016)

This Ordinance shall be effective upon adoption.

Adopted by the Board of Commissioners in regular session, May 22, 2023.

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk