

## **Draft**

### **Section 152.212 Use Standards**

Detailed regulations for certain use standards are set forth in this section. Please refer to Section 152.528 Buffer Standards, Section 152.529-152.538 Landscaping Requirements, Section 152.500- 152.512 Lighting Standards, and Section 152.265-152.277 Signage.

#### ***(A) Use - Amusement, indoor.***

- (1) Minimum lot area: based on zoning classification lot standards.
- (2) Buffering: as specified in §§ 152.525 through 152.544 of this chapter.
- (3) 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 - Assisted living residence.***

- (1) Minimum lot area: minimum lot area of district in which located plus 1,000 square feet for each person to be accommodated.
- (2) Buffering: as specified in §§ 152.525 through 152.544 of this chapter.
- (3) 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 the current specifications of the Town of Swansboro.
- (6) Size and proposed location of any signs.
- (7) Proposed solid waste storage.

(C) Use- Bar, Nightclub or Tavern.

- (1) Size and location of all outdoor areas used for principal use.
- (2) 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.
- (3) Sign size and location must be shown.
- (4) Lighting plan
- (5) List of all services to be provided.
- (6) Security/management plan
- (7) Hours of operation
- (8) Specifications for buffer, if required

(D) Use- Bed and breakfast accommodations, & inns.

- (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.

(E) Use – Bulk mail and packaging.

- (1) Buildings, storage, and maintenance areas shall be screened from adjacent residential land and public rights-of-way.
- (2) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties.
  - (a) Submit and go through the Site Plan review process for a new facility.
  - (b) Plans and specifications for buffer and fencing.
  - (c) Lighting plan.
  - (d) Plan including proposed storage of combustible materials.
  - (e) Hours of operation.

(F) Use- Churches and related uses.

- (1) 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.
- (2) Plans are required and must show:
  - (a) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, if 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.
- (3) Other details:
  - (a) Proposed restrictions, if any.
  - (b) Sign size and location must be shown.

(G) Use - Club or lodge, public or private.

- (1) 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.
- (2) Clubs or lodges shall have direct access to a federal or state highway.
- (3) Minimum lot area: minimum lot area shall be the same as required for nonresidential uses in the RA district.
- (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) 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.

(H) Use- Colleges, universities, and related uses.

- (1) A type A or B buffer shall be required along all lot lines abutting a residentially zoned or used lot.
- (2) Depending on the intensity of the use and proposed access points, a traffic impact study may be required.
- (3) Sidewalk extensions and connections may be required in an effort to provide pedestrians with a safe means of travel.
- (4) Pedestrian traffic circulation, drive lanes, sidewalks, and other transportation improvements
- (5) Number and location of designated parking spaces for employees
- (6) Number and location of visitor parking spaces
- (7) Number and location of student parking spaces

- (8) Location and extent of open recreation or training areas
- (9) Student capacity of school as designed.
- (10) Total number of employees at time of greatest shift.
- (11) Lighting plan.
- (12) Storm water plan.

(I) Use- Crude petroleum & natural gas.

- (1) 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.
- (2) A security fence at least eight (8) feet in height shall surround all facilities used for the storage and handling of coal.
- (3) A type C or D buffer shall be required where lot abuts a residentially zoned or used lot or is visible from a public right-of-way.
- (4) 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.
- (5) Stormwater plan.
- (6) Lighting plan.
- (7) Plans and specifications for buffer and fencing.
- (8) Certification from fire marshal and building inspector that proposed plan meets fire prevention requirements.

(J) Use- Electrical appliance sales and services. (No Outdoor Storage)

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

(K) Use- Farm machinery sales and service.

- (1) The lot for the proposed Farm Machinery Sales and Servicing use shall meet the minimum yard requirements for the zoning district.
- (2) 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.
- (3) All machinery display areas shall conform to the landscaping requirements for parking areas as set forth in this ordinance.
- (4) 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.
- (5) A type A or B buffer shall be required along all lot lines adjoining residentially zoned or used lots.
- (6) 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.
- (7) 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.
- (8) No outdoor public address system that can be heard beyond the boundaries of the property shall be permitted.

(9) Provide a lighting plan.

(10) Description of all servicing equipment, including noise decibel level

(11) Number of farm machines to be displayed.

(12) Hours of Operation

(13) Proposed storage of combustible materials.

(14) List of all services to be provided.

(L) Use- Feed and grain sales and storage.

(1) A type C buffer shall be required along all lot lines adjoining residential zones or used lots.

(2) 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.

(3) Plans and specifications for buffer and fencing.

(4) Lighting Plan

(5) Stormwater management plan

(6) Description of all machinery, including noise decibel

(7) Plan including proposed storage location of combustible materials.

(M) Use- Fertilizer wholesale and retail sales.

(1) A type C buffer shall be required along all lot lines adjoining residential zones or used lots.

(2) 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.

(3) Plans and specifications for buffer and fencing.

(4) Lighting Plan

(5) Stormwater management plan

(6) Description of all machinery, including noise decibel

(7) Plan including proposed storage location of combustible materials.

(N) Use- Flea market. (indoor)

(1) A minimum lot area of one (1) acre is required.

(2) Flea Market use will not be allowed as an accessory use.

(3) Adequate and safe permanent public restrooms and/or toilet facilities are required. No portable restroom facilities will be allowed.

(4) A type A buffer shall be required along all lot lines adjoining residential zoned or used lots.

(O) Use- Fuel sales.

(1) The site shall front a thoroughfare or residential collector street.

(2) 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.

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

(4) A type A buffer shall be required along all lot lines adjoining residentially zoned or used lots.

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

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

(7) Lighting plan

(8) Location, type, and dimensions of signage

(9) List of all proposed accessory uses for the site.

(P) Use- Heating, equipment and plumbing fixtures, sales. (No outdoor storage)

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

(2) Limited to retail sales.

(Q) Use- Multi-unit assisted housing with services.

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

(2) Buffering: as specified in §§ 152.525 through 152.544 of this chapter.

(3) 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.

(R) Use- Nursing home.

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

(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) 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.

(4) 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.

(S) Use- Pest or termite control services. (No Outdoor Storage)

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

(T) Use- Precision instrument manufacturing.

- (1) Buildings, storage, and maintenance areas shall be screened from adjacent residential land and public rights-of-way.
- (2) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties.
- (3) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties.
- (4) Plans and specifications for lighting, buffer and fencing.
- (5) Lighting plan.
- (6) Plans and specifications for buffer and fencing.
- (7) Hazardous waste plan (including proposed storage of combustible materials).
- (8) Hours of operation.

(U) Use- Remote off-street parking.

- (1) Minimum lot area: none.
- (2) Screening and fencing: a screen not less than six feet high of dense plant material where lots abut a residential lot. Vegetation must be at least three feet in height at the time of planting.
- (3) Buffering: As specified in §§ [152.525](#) through [152.544](#) of this chapter.
- (4) 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.
- (5) Other details: proposed illumination, if designed for nighttime operation.
- (6) 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).

(V) Use- Storage, warehouse, including mini storage.

- (1) 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.

(2) 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.

(3) Storage shall not occur within the area set aside for minimum building setbacks.

(4) If separate structures are constructed, there shall be a minimum separation of ten (10) feet between the buildings within the facility.

(5) 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.

(6) Add buffer.

(7) Lighting plan.

(8) Plans and specifications for fencing, if applicable.

(W) Use- Warehouse. (general storage, enclosed)

(1) Buildings, storage, and maintenance areas shall be screened from adjacent residential land and public rights-of-way.

(2) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties.

(3) Submit and go through the Site Plan review process.

(4) Plans and specifications for buffer and fencing

(5) Lighting.

(6) Storage of combustible materials is not allowed.

(7) Hours of operation.

(8) Noise ordinance- Please refer to Section 92.01 of the Town code of ordinances.

(X) Use- Windmills.

(1) 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.

(2) No wind turbines are allowed.