

## **ARTICLE III: DEVELOPMENT STANDARDS**

### **DIVISION 30 APPLICATION and STANDARDS FOR ALL USES**

#### **Section 30.01 Application of Development Standards**

The development standards listed herein are additional to other requirements in this Ordinance. These development standards are use-specific and apply to those uses designated with a 'D' in the Table of Uses, Section 25.02. Uses requiring approval of a Special Use Permit (designated with a 'S' in the Table of Uses) shall also be subject to these standards and any additional standards or conditions required by the Special Use Permit.

#### **Section 30.02 Standards for All Uses**

The following rules apply to all development standards and uses listed below:

A. **Property Separation**

All measurements shall be made by drawing straight lines from the nearest point of the lot line where the proposed use is to be located to the lot line of the closest use (or zoned property) from which the proposed use is to be separated.

B. **Use Separation**

All measurements shall be made by drawing straight lines from the nearest point on the wall of a proposed or existing principal building or edge of a proposed use to the nearest point on the wall of the principal building from which the subject building is to be separated, unless otherwise specified.

C. **Outdoor Lighting**

Outdoor lighting structures shall be located, angled, shielded, or limited in intensity so as to cast no direct light upon adjacent property and to avoid the creation of a visual safety hazard to passing motorists.

D. **Noise Levels**

Unless otherwise specified herein, noncompliance with the noise level limits established by this Article shall mean exceeding the specified noise limit for 5 or more of any 25 consecutive readings taken at 10-second when measured at any point beyond the property line of the property from which the noise originates.

**DIVISION 31            DEVELOPMENT STANDARDS FOR INDIVIDUAL USES**

**Section 31.01            Agricultural Chemicals, Pesticides or Fertilizers (Wholesale Trade Of), Agricultural Products, Other Including Tobacco Auction Warehousing (Wholesale Trade Of), and Animal and Animal Products, Other (Wholesale Trade Of)**

- A.     Where Required: AR, B-1, and B-2 districts
- B.     Property Separation.  
All structures, buildings or enclosed areas used for the operation shall be a minimum of 150 feet from all property lines.
- C.     Noise.  
Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
- D.     Dust.  
All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.
- E.     Fencing.  
Security fencing shall be provided around all outdoor storage areas.
- F.     Access.  
A truck route plan shall be submitted showing routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools or other land uses, which would be negatively impacted by truck traffic.
- G.     Odors.  
The use shall not generate fumes or odors beyond what normally occurs in the zoning district in which it is located.

**Section 31.02            Airport or Air Transportation Facility**

- A.     Where Required: AR and LI Districts.
- B.     Minimum Area  
Fifty acres for Basic Utility Stage 1 airport with 2,000-foot runway. More area is required for larger airports. Airport size and layout shall conform to FAA Advisory Circular 150/5300-4B or its most current regulations.
- C.     Use Separation

There shall be a minimum 300-foot distance between the airport property and the nearest residence.

D. Fencing

Security fencing shall be provided sufficient to control access to runways and taxiways. The fencing shall be a minimum 6 feet in height.

**Section 31.03 Amusement or Water Parks, Fairgrounds**

A. Where Required: AR District.

B. Minimum Area

Minimum lot size shall be 5 acres.

C. Property Separation

No buildings or structures, temporary or otherwise, shall be located within 50 feet of any property line.

D. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be along the entire boundary of the park activities.

E. Use Separation

No amusement equipment, machinery or mechanical device of any kind may be operated within 200 feet of any residentially used or zoned property.

**Section 31.04 Athletic Fields**

A. Where Required: AR and all residential districts.

B. Access

All athletic fields shall have access to collector or higher capacity road.

C. Screening

Parking lots shall be screened from adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of Article V.

**Section 31.05 Automobile Repair Services**

A. Where Required: B-1 and B-2 Districts.

B. Operation

No outdoor disassembly or salvaging shall be permitted.

C. Screening

Any outdoor storage area must be screened with a 6-foot high opaque fence in addition to any landscaping or screening that may be required by Article V.

## D. Dust

All unpaved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.

## E. Noise.

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

**Section 31.06 Automobile Towing Services**

## A. Where Required: B-1 and B-2 Districts.

## B. Operation

No outdoor disassembly or salvaging shall be permitted.

## C. Screening

Any outdoor storage area must be screened with a 6-foot high opaque fence in addition to any landscaping or screening that may be required by Article V.

## D. Dust

All unpaved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.

## E. Noise.

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

**Section 31.07 Batting Cages, Driving Range, or Miniature Golf**

## A. Where Required: B-1 and B-2 districts.

## B. Security Fencing

Fencing, netting or other control measures shall be provided around the perimeter to prevent balls from leaving the designated area.

## C. Minimum Property Setback

All buildings, structures, course, or pads shall be a minimum of 50 feet from any residentially zoned or used lot.

## D. All off-street parking shall be screened from all adjoining single-family residential uses or zoned lots by a buffer yard in accordance with the requirements in Article V.

## E. Hours of Operation

The hours of operation shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially zoned or used property conduct business between the hours of 10 pm and 8 am.

F. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

**Section 31.08 Bed and Breakfast**

A. Where Required: AR and all residential districts.

B. Operation

1. The use must be owned and operated by a resident owner.
2. The use shall be located in a structure that was originally constructed as a dwelling.
3. Meal served on the premises shall be only for guests of the facility

C. Signs

There shall be no exterior advertising except that which is permitted for a home occupation.

D. Screening

Parking lots shall be screened from adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of Article V.

**Section 31.09 Blacksmith and Miscellaneous Repair Shops**

A. Where Required: AR, B-1, and B-2 districts.

B. Operation

No outdoor disassembly, fabrication, or salvaging shall be permitted.

C. Screening

Any outdoor storage area must be screened with a 6-foot high opaque fence in addition to any landscaping or screening that may be required by Article V.

D. Dust

All unpaved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.

E. Noise.

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

**Section 31.10 Boarding and Rooming House**

- A. Where Required: AR district.
- B. Operation
  - 1. The use must be owner and operated by resident owner.
  - 2. The use shall be located in a structure that was originally constructed as a dwelling.
  - 3. Meal served on the premises shall be only for residents of the facility.
- C. Signs

There shall be no exterior advertising except that which is permitted for a home occupation.
- D. Screening

Parking lots shall be screened from adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of Article V.

**Section 31.11 Boat Repair**

- A. Where Required: B-1 and B-2 districts.
- B. Operation

No outdoor disassembly, fabrication, or salvaging shall be permitted.
- C. Screening

Any outdoor storage area must be screened with a 6-foot high opaque fence in addition to any landscaping or screening that may be required by Article V.
- D. Dust

All unpaved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.
- E. Noise.

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

**Section 31.12 Building Supply Sales**

- A. Where Required: B-1 and B-2 Districts.
- B. Screening

All outside storage shall be completely screened from view from all roads and adjacent residentially zoned property.
- C. Security Fencing

Security fencing, a minimum 6 feet in height, shall be provided around all outside storage areas.
- D. Dust

All storage areas shall be maintained in a manner so as to limit dust from drifting onto adjoining properties.

### **Section 31.13           Caretaker Dwelling**

- A.     Where Required: B-1, B-2, OI and LI districts.
- B.     Operation  
A building permit for the principal building must be obtained or the principal use must be initiated prior to occupancy.
- C.     Number  
No more than 1 caretaker dwelling unit shall be permitted per lot.
- D.     A caretaker dwelling may be a **manufactured home**.
- E.     A caretaker dwelling shall:
1. Have an approved sewage disposal connection or system;
  2. Meet all setbacks applicable to the principal building or use;
  3. Be erected in accordance with the NC Building Code.
  4. Be located on a lot, which has sufficient lot area to meet the minimum lot area requirements for both the principal use **and a single-family residence**. In nonresidential districts, where there is no minimum lot area requirements for single-family dwellings, a minimum of 10,000 square feet is required for a caretaker dwelling in addition to the minimum lot area required for the principal use.

### **Section 31.14           Carnivals, Fairs, and Festivals**

- A.     Where Required: AR and OI districts.
- B.     Minimum Lot Area  
The minimum lot size shall be 3 acres.
- C.     Hours of Operation  
The hours of operation allowed shall be compatible with the land uses adjacent to the carnival or fair.
- D.     Noise  
The amount of noise generated shall not disrupt the activities of the adjacent land uses.
- E.     Parking  
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.

**Section 31.15 Cemetery or Mausoleum Not on Same Property as Church**

- A. Where Required: AR and B-2 Districts.
- B. Minimum Lot Area  
The minimum lot area shall be 5 acres.
- C. General Requirements
  - 1. All applicable requirements of the North Carolina General Statutes and Halifax County regulations concerning the internment of human dead shall be met.
  - 2. No internment shall take place within 100 feet of any property line or public road right-of-way.
  - 3. Buildings for the maintenance, management, rent and/or sale of cemetery lots must be located at least 100 feet from any lot line that adjoins a residential zoning district or use. Otherwise, such buildings shall conform to the requirements of the principal use for the district in which it is located.
- D. Access  
Access to this use shall be from a collector or higher capacity road.

**Section 31.16 Church**

- A. Where Required: All residential districts.
- B. Location  
Church facilities located on sites of 3 acres or more shall have direct access to a collector or higher capacity road.
- C. Screening  
All off-street parking lots shall be screened from all adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of Article V.

**Section 31.17 Civic, Social, and Fraternal Associations**

- A. Where Required: All residential districts.
- B. Location  
Clubs shall have direct access to a collector or higher capacity road. However, if the use is intended to serve a membership that is limited to a residential development, access may be provided from an interior road within the residential development.

## C. Screening

All off-street parking lots shall be screened from all adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of Article V.

## D. Parking

Parking areas related to the establishment shall be located no closer than 30 feet to the property line of abutting residences and residentially zoned property.

## E. Circulation

Proposed points of access and egress and the pattern of internal circulation shall be shown.

**Section 31.18                    Communication Tower Over 60 Feet in Height, Radio and Television Tower.**

A. Where Required: AR and LI Districts except that communications towers on government facilities, property, or structures are allowed by right in all zoning districts. Towers not located on existing structures shall be subject to the setback, sign, security, lighting, abandonment, site plan, and ownership requirements set forth in this section.

## B. Co-location

1. Co-location on a previously approved tower is permitted without an additional special use permit provided that all conditions of the previously approved permit are complied with.
2. Co-location on a building or substantial structure, such as a water tower, shall not require the issuance of a special use permit, but all other applicable provisions shall be met and approved by the Zoning Administrator. The Zoning Administrator may require the issuance of a special use permit if there is doubt as to whether or not a given proposal is in compliance with the intent of this section.
3. Where a new tower is proposed, documentation shall be required to substantiate why the proposed antenna(s) and /or equipment cannot be accommodated on a previously approved tower due to one or more of the following reasons.
  - a. The planned equipment would exceed the structural capacity of the previously approved towers, considering their existing and planned use, and those towers cannot be reinforced to accommodate the planned or equivalent equipment at a reasonable cost; or
  - b. The planned equipment would cause RF interference with other existing or planned equipment for these towers, and the interference cannot be prevented at a reasonable cost; or
  - c. Previously approved towers do not have space on which the planned equipment can be placed so it can function effectively and

reasonably in parity with the existing and /or planned equipment of the present user(s); or

- d. Other reasons make it impractical to place planned equipment on previously approved towers (the applicant must explain and document in detail such other reasons).

4. Where a new tower is proposed and sufficient reason for a new tower exists, favorable consideration will be given to towers designed to accommodate future users. Documentation shall be required describing the capacity of the proposed tower in terms of today's technology (including the number and type of antennas that the tower will accommodate). Approval of such new tower will be conditioned on space being made available to such fixture users at a reasonable fee and any necessary costs of adapting the facilities to the proposed future use. A statement of intent on whether excess space will be leased is required.

#### C. Setback

1. The minimum tower setback from any property line shall be:
  - a. Equal to the height of the tower; or
  - b. Equal to the maximum fall distance for a professional engineer-certified installation; published engineering data for a particular model of tower will be acceptable to substantiate a setback less than the height of the tower if the building inspector can easily determine that the tower has been installed in accordance with such data, otherwise a professional engineer must certify that the tower is installed as required; or
  - c. For a steel monopole tower with a base diameter greater than or equal to one foot, equal to one-half of the height of the tower, provided that a professional engineer certifies that the tower has sufficient strength to withstand hurricane-force winds of a velocity that have occurred, or can be expected to occur in the are, and that should winds of grater velocity occur, the design of the tower is such as to bend rather than to fall.
2. The owners of easements and rights-of-way within the setback must provide a letter of acknowledgement of the proposed tower location.

#### D. Signs

No business sign, billboards, or other advertising shall be installed on the tower or security fencing.

#### E. Security

Security fencing at least six feet in height shall be installed around the base of the tower or the tower shall be equipped with a professional engineer-certified anti-

climb device. Published data or documentation for an anti-climb device must be provided to support such device and must be of such nature to enable the building inspector to easily determine that the anti-climb device has been installed in accordance with such data, otherwise a professional engineer must certify that the anti-climb device has been properly installed.

F. Lighting

Towers shall not be artificially lighted unless required by the Federal Aviation Administration (FAA) or other federal or state authority and in no case shall exceed the required minimum. Prior to construction of the tower, the applicant shall be required to submit documentation from the FAA that the lighting is the minimum lighting required by the FAA.

G. Abandonment

Any tower that ceases to be used for communications broadcasting and /or broadcast receiving as permitted by this Ordinance for a period of more than nine months, shall be removed by the tower owner at his/her expense. The removal shall occur within ninety days of the end of such nine-month period.

E. Site Plan Requirements

In addition to the requirements of Section \_\_\_\_, the following information shall be provided on the site plan: applicable setbacks, easement and rights-of-way, fencing, access, and an area map indication the proposed tower and coverage, other towers and coverage areas, and any approved tower sites within a five mile radius.

F. Other Requirements

Proof of ownership of the proposed site or authorization to use it and copies of any easements impacting the site shall be submitted.

**Section 31.19 Communication Tower Under 60 Feet in Height.**

A. Where Required: AR, B-2, OI and LI Districts except that communications towers on government facilities and structures are allowed by right in all zoning districts, provided that applicable lease agreements are obtained and that, when located on water tanks, the applicant submits evidence that substantially proves that the water inside the tank will not be contaminated by the proposed use.

B. Location

In AR District, towers shall not be placed in any front yard or side yard. All supporting cables shall be contained on the property.

**Section 31.20      Concerts, Stage Shows (in conjunction with outdoor religious events and public sponsored festivals)**

- A.     Where Required: B-1, B-2 and OI districts.
- B.     Minimum Lot Area  
        The minimum lot size shall be 3 acres.
- C.     Hours of Operation  
        The hours of operation allowed shall be compatible with the land uses adjacent to the concert or stage show.
- D.     Noise  
        The amount of noise generated shall not disrupt the activities of the adjacent land uses.
- E.     Parking  
        The **Board of Adjustment** shall not grant the permit unless it finds that the parking generated by the event can be accommodated without undue disruption to or interfere with the normal flow of traffic or with the right of adjacent and surrounding property owners.
- F.     Access  
        Principal access must be from a collector of higher capacity road.

**Section 31.21            Congregate Care Facility.**

- A.     Where Required: AR, R-16, R-14, R-10, B-1, B-2 and OI districts.
- B.     Operation
  - 1.     The facility shall provide centrally located, shared food preparation, service and major dining areas.
  - 2.     Common recreation, social and service facilities shall be provided at a minimum rate of 30 square feet per dwelling unit or per rooming unit.
  - 3.     All facilities shall be solely for the use of residents and their guests.
  - 4.     Facilities for administration services and limited medical services for the exclusive use of the residents shall be located on the site.
- C.     Property Separation  
        No such facility shall be located within one-half mile of an existing congregate care facility.

**Section 31.22            Convenience Store**

- A.     Where Required: OI district
- B.     Operation

The hours of operation allowed shall be limited to 7:00 am to 11:00 pm when located adjacent to residentially used or zoned lot.

C. Maximum Area

A maximum of 3,000 square feet of gross floor area shall be permitted per establishment.

D. Screening

Any outdoor storage area or dumpsters shall be screened from an abutting residentially used or zoned lot by a bufferyard which complies with the requirements of Article V.

E. Gasoline Service Islands/ Pumps

There shall be no more than two (2) gasoline service islands.

**Section 31.23 Country Club with Golf Course**

A. Where Required: AR, R-30, R-20, R-20MH, R-16, R-14, R-10 and OI districts.

B. Minimum Area

The minimum area shall be 2 acres in addition to the golf course(s).

C. Use Separation

Fifty-foot minimum distance between clubhouse, swimming pool, lighted tennis court, or athletic field and any adjacent residentially-zoned or used property.

D. Security Fencing

Outdoor swimming pools shall be protected by a fence in accordance with the Health Department's public swimming pool regulations.

**Section 31.24 Day Care Center, Child or Adult**

A. Where Required: All residential and LI districts.

B. Security Fencing

Outdoor activity area(s) for children shall be enclosed by a security fence at least 4 feet in height and located outside the yard area(s) facing the access road(s).

C. Location

Centers on a site greater than 3 acres shall have access to a collector or thoroughfare road.

D. Hours of Operation

In residential districts, a day care center shall not be operated between the hours of 8:00 p.m. to 6:00 a.m.

E. Parking

Parking areas related to the establishment shall be located no closer than 30 feet to the property line of abutting residences and residentially zoned property.

**Section 31.25            Demolition Debris Landfill**

- A.     Where Required: AR and LI Districts.
- B.     Use Separation  
Fifty feet minimum from any property line; three hundred feet minimum from any residence.
- C.     Access  
Access to the landfill shall be controlled with gates, chains, fences, ditches, and/or vegetation to prevent unregulated dumping.
- D.     Dust  
All unpaved areas shall be maintained in a manner, which prevents dust from leaving the property.
- E.     Operation  
No filling is permitted in the 100-year floodplain of any stream; no filling is permitted in utility easements.
- F.     Closure  
Landfills shall be closed with a minimum of 2 feet of clean soil, graded to a maximum slope of 3:1 and stabilized with vegetation in accordance with current state standards.
- G.     Signs  
An entrance sign shall be posted and maintained which lists the name and phone number of the current operator, the types of material accepted, the hours of operation, tipping charges and any other pertinent information.

**Section 31.26            Elementary or Secondary School**

- A.     Where Required: All residential districts.
- B.     Minimum Area  
Minimum lot size shall be 3 acres.
- C.     Access  
Principal access shall be from a collector or higher capacity road.
- D.     Screening  
All off-street parking lots shall be screened from all adjoining single-family residential uses or residentially zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of Article V.

**Section 31.27            Equipment Repair, Light**

- A.     Where Required: B-1 and B-2 Districts.
- B.     Operation  
        No outdoor disassembly or salvaging shall be permitted.
- C.     Screening  
        Any outdoor storage area must be screened with a 6-foot high opaque fence in addition to any landscaping or screening that may be required by Article V.
- D.     Dust  
        All unpaved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.
- E.     Noise.  
        Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

**Section 31.28            Farm Product Warehousing and Storage; Farm Supplies and Equipment; Farm Supplies, Other**

- A.     Where Required: AR Districts.
- B.     Use Separation  
        All structures, buildings or enclosed areas used for the operation shall be a minimum of 100 feet from all property lines.
- C.     Noise  
        Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
- D.     Dust  
        All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

**Section 31.29            Fire Station/Emergency Medical Service**

- A.     Where Required: All residential districts.
- B.     Use Separation  
        All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from all property lines.
- C.     Access  
        Principal access shall be from a collector or higher capacity road.
- D.     Screening

All off-street parking lots shall be screened from all adjoining single-family residential uses or residentially zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of Article V.

**Section 31.30 Go-Cart Raceway**

- A. Where Required: B-2 District.
- B. Property Separation  
No raceway shall be located within 500 feet of any residentially or office and institutionally zoned property.
- C. Noise  
The facility shall be sited and operated so as to not produce noise or sound, which would adversely impact adjoining and surrounding properties.
- D. Dust  
All unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjoining properties.
- E. Fencing  
Security fencing, a minimum of 6 feet in height, shall be provided along the entire boundary of the raceway.
- F. Hours of Operation  
No such facility that adjoins residentially used or zoned property shall conduct business between the hours of 11 p.m. and 8 a.m.

**Section 31.31 Golf Course**

- A. Where Required: AR, R-30, R-20, R-20MH, R-16 and R-14 districts.
- B. Use Separation  
Fifty-foot minimum distance between the clubhouse or other principal building(s) and any adjacent residentially zoned property.

**Section 31.32 Golf Driving Range**

- A. Where Required: B-1 and B-2 District.
- B. Minimum Area  
The minimum lot depth from the tees to the end of the driving area shall be 1,000 feet or the end shall be controlled with netting and/or berms to prevent golf balls from leaving the property.
- C. Security Fencing

Fencing, netting, trees, berms, or other control measures shall be provided around the perimeter of the driving area so as to prevent golf balls from leaving the driving area.

D. Screening

All off-street parking lots shall be screened from all adjoining single-family residential uses or residentially zoned lots by a buffer yard. The required buffer yard shall comply with the requirements of Article V.

E. Hours of Operation

The hours of operation allowed shall be compatible with the land uses adjacent to the proposed site. In no case, however, shall such use that adjoins residentially used or zoned property conduct business between the hours of 10 pm and 8 am.

F. Noise

The amount of noise generated shall not disrupt the activities of the adjacent land uses.

**Section 31.33 Group Care Facility**

A. Where Required: AR, R-14, R-10, B-1, B-2 and OI districts.

B. Property Separation

No such facility shall be located within one mile of an existing group care facility.

C. Operation

The facility shall be limited to not more than 30 persons, including resident managers.

**Section 31.34 Heliport**

A. Where Required: LI district.

B. Minimum Area

Heliport size and layout shall conform to applicable Federal Aviation Administration requirements.

C. Use Separation

There shall be a minimum 300-foot distance between the heliport property and the nearest residence or residentially zoned property.

**Section 31.35 Homeless Shelter**

A. Where Required: B-1, B-2 and OI districts.

B. Property Separation

No such facility shall be located within ¼ mile of an existing homeless shelter.

**Section 31.36 Home Occupation**

- A. Where Required: All residential, B-1, B-2 and OI districts.
- B. Maximum Area  
The area set aside for a home occupation shall occupy no more than 25 percent of the gross floor area of a dwelling unit or of an accessory structure or 500 square feet, whichever is less.
- C. Outside Storage  
No outside storage or display of items associated with the occupation is permitted.
- D. Operation
1. The home occupation must be conducted entirely within a dwelling unit or accessory structure. It must be a use which is clearly incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character of the residence.
  2. Permitted home occupations include, but are not limited to: typing services, telephone sales,
  3. barber/beauty services, doctor/dentist office, architects, insurance agency, lawyer, real estate broker, teacher, accountants, child or adult day care (5 or fewer persons), food catering, tailoring, and handcrafting, etc.
  4. No on-site retail sales, except for goods made on the premises, are allowed.
  5. No goods, stock-in-trade, or other commodities shall be displayed.
  6. Only 1 person may be employed who is not an occupant of the residence.
  7. Activities shall not generate traffic, noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located. No home occupation shall involve the use of electrical or mechanical equipment that would change the fire rating of the structure in which the home occupation is located.
  8. Instruction in music, dancing, art, or similar subjects shall be limited to no more than 5 students at one time.
  9. Any need for parking generated by the conduct of the home occupation shall be met off the street and other than in a required front yard or side yard.
  10. The exterior of the dwelling shall not be altered in such a manner nor shall the occupation within the residence be conducted in such a way as to cause the premises to differ from its residential character in exterior appearance.

## E. Signs

Signs for home occupations shall conform to the requirements of Section 11-1.5 (D).

**Section 31.37 Horse Shows**

- A. Where Required: AR, B-2 and LI districts.
- B. The hours of operation allowed shall be compatible with the land uses adjacent to the proposed horse show site.
- C. The amount of noise generated shall not disrupt the activities of the adjacent land uses.
- D. The Zoning Administrator shall not grant the permit unless he/she finds that the parking generated by the horse show 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.

**Section 31.38 Kennels or Pet Grooming**

- A. Where Required: B-1 and B-2 districts.
- B. Outside Storage  
Pens and runs located outdoors shall be located a minimum of 100 feet from any residentially-zoned or used lot.
- C. Noise  
The amount of noise generated shall not disrupt the activities of the adjacent land uses.

**Section 31.39 Landing Strip, Flying Field**

- A. Where Required: AR and L-I districts.
- B. Use Separation  
There shall be a minimum distance of 200 feet between the use and the nearest residence or residentially zoned lot.
- C. Minimum Area  
The size and layout shall conform to applicable Federal Aviation Administration requirements.

**Section 31.40 Library**

- A. Where Required: All residential districts.

**B. Location**

Libraries shall have direct access to a collector of higher classified road.

**C. Screening**

All off-street parking lots shall be screened from all adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of Section 70-1.1 (B).

**Section 31.41 Manufactured Home Park****A. Where Required: AR District.****B. General Requirements**

1. Minimum Number of Manufactured Home Spaces: At least 4 spaces.
2. Manufactured homes shall not be sold within a manufactured home park, except that an individual manufactured home owner shall be allowed to sell the manufactured home in which he resides.
3. The transfer of a deed to a manufactured home space or spaces either by sale or by any other manner shall be prohibited within a manufactured home park as long as the manufactured home park is in operation.
4. Prefabricated structures specifically designed by the manufacturer for manufactured dwelling extensions and any other addition meeting the NC Building Code may be added to any manufactured dwelling provided that setback within the space can be met and a building permit is obtained from the County.
5. Within a manufactured home park, one prefabricated structure meeting NC Building Code may be used as an administration office.
6. Convenience establishments of a commercial nature shall be limited to food stores, coin-operated laundries, beauty parlors and barbershops. These may be permitted in manufactured home parks subject to the following restrictions:
  - a. Such establishments shall be subordinate to the residential use and character of the park.
  - b. Such establishment shall present no visible evidence of their commercial character from any portion of any residential district outside the park.
  - c. Such establishment shall be designed to serve the trade and service needs of the park residents only.
7. County Environmental Health, County Building Inspection, and/or Zoning Administrator shall request the County Environmental Health Section for

assistance in making such inspections as are necessary to determine satisfactory compliance with this Section. It shall be the duty of the owners or occupants of manufactured home parks to give these agencies free access to such premises at reasonable times for inspection.

8. The park owner or operator shall notify park occupants of all applicable provisions of this Section and inform them of their duties and responsibilities under this Section.
9. Site plans for manufactured home parks shall comply with the requirements of Article \_\_\_\_\_.

#### C. Manufactured Home Space Requirements

1. All manufactured homes shall be located on individual manufactured home spaces. Spaces served by municipal water and sewer systems or community water and sewer systems shall have at least 10,000 square feet of lot area. Spaces served by either a municipal or community sewer systems, but not served by a municipal or community water system shall have at least 15,000 square feet of lot area or a larger area if determined necessary by the County Health Department. Spaces served by a municipal or a community water systems but not served by a municipal or a community sewer system shall have at least 20,000 square feet of lot area or a larger area if determined necessary by the County Health Department per manufactured home unit, allowing no more than one manufactured home per septic tank. Spaces shall not be less than 100 feet in width at the setback line. An individual manufactured home with neither municipal or community water service nor municipal or community sewer shall not be permitted within a manufactured home park.
2. Each manufactured home space shall be clearly defined by means of concrete or iron pipe markers place at all corner and each space shall clearly display a street address as assigned by the County.
3. Each manufactured home space shall be located so as not to be susceptible to flooding and shall be graded as so to prevent any water from ponding or accumulating on the premises.
4. Each manufactured home shall be located at least 20 feet from any other manufactured home, at least 20 feet for any building within the manufactured home park, at least 20 feet from a side external property line, at least 30 feet form a rear external property line, and at least 15 feet for the edge of the right-of-way of any private interior road. The setback for a public road right-of-way shall be the same as that required for the zoning district in which the manufactured home park is located.

#### D. Road and Access Requirements

1. Convenient access to each manufactured home space shall be provided by roads with a minimum right-of-way of 50 feet for a residential collector road and 45

feet for a local residential road as defined by the North Carolina Department of Transportation Subdivision Roads Minimum Construction Standards Manual. The required traveled way width is 20 feet for a 50-foot right-of-way and 18 feet for a 45-foot right-of-way. Private roads within manufactured home parks shall comply with the minimum NCDOT Standards for subdivision roads except as expressly permitted in this subsection in lieu of conform to the construction standards delineated in the Town's Subdivision Regulations... The area of the private road right-of-way provided for travel shall either be stoned or paved. In the event that a stone surface is applied, it shall be crusher run compacted to a minimum depth of six inches. In locations where soil conditions require additional stone to attain a stable road bed, the developer shall add the required amount of stone before procuring approval of the final plat. Paved private streets shall be designed by a professional engineer or a registered land surveyor. The design of stormwater drainage systems shall be prepared by a professional engineer or a registered land surveyor and recommendations made to the permit issuing board.

2. Proper sight lines shall be maintained at all road intersections in accordance with the current NCDOT requirements for sight clearances.
3. New road names shall not duplicate or be similar to existing road names in the County and shall be subject to approval by the County.
4. Two automobile parking spaces shall be provided adjacent to each manufactured homespace, but shall not be located within any public right-of-way or within any road in the park.
5. No manufactured home space shall have direct vehicular access to a public road.
6. All manufactured home spaces shall directly abut a private road contained within the park.
7. The manufactured home park owner shall be responsible for the continued maintenance of the roads within the mobile home park.

#### E. Utility Requirements

1. Water Supply: An accessible, adequate, and potable supply of water shall be provided in each manufactured home park. Where a municipal water supply is available, connection shall be made thereto and its supply used exclusively. When a municipal water supply is not available, a community water supply shall be developed, and its supply used exclusively in accordance with the standards of the NC Division of Health Services. Placement of water improvements to manufactured home spaces shall comply with the NC Building Code for Plumbing.
2. Sewage Disposal: Adequate and safe sewage disposal facilities shall be provided in all manufactured home parks. Collection systems and sewage treatment plants complying with the requirements of the NC Division of Environmental Management shall be provided. Plans for sewage collection systems and treatment facilities shall be submitted to the NC Division of the Environmental

Management. Placement of sewer improvements to manufactured home spaces shall comply with the NC Building Code for Plumbing. Individual septic tank systems can be considered, if soil, topography, and ground water conditions are favorable and approval from the County Health Department is obtained.

Provision shall be made for plugging the sewer pipe when a manufactured home does not occupy a space. Surface drainage shall be diverted away from the rise. The rim of the riser pipe shall extend at least 4 inches above ground elevation.

F. Solid Waste Disposal and Sanitation Requirements:

1. The storage, collection, and disposal of solid waste in the manufactured home park shall be in accordance with the requirements of County Health Department.
2. Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform to the requirements of the County Health Director.
3. Parks shall be maintained from accumulation of debris, which may provide rodent harborage or breeding places for flies, mosquitoes, and other pest.
4. Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe, and other building materials shall be stored at least 1 foot above the ground.
5. Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.
6. The growth of brush, weeds and grass shall be controlled to prevent harborage of ticks, chiggers, and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

G. Street Lighting Requirements: All roads in the manufactured home park shall be adequately illuminated from sunset to sunrise. The minimum size streetlight shall be a 175-watt mercury-vapor (approximately 7,000 lumen class), or its equivalent, spaced at intervals of not more than 300 feet.

H. Electrical Service Requirements: Minimum electrical service of 200 ampere, 120/240 volt single phase shall be provided to each manufactured home space. The service panel and location as well as all wiring shall be in accordance with the National Electrical Code.

**I. Screening Requirements**

1. Screening and landscaping shall be provided in accordance to the conditions and requirements of Section 70-1.3(C).

**J. Recreational Space Requirements**

1. Each manufactured home park shall provide 400 square feet of recreational area for each manufactured home space that is less than 10,000 square feet in area. However, no recreational area required by this subsection shall be less than 2,500 square feet.
2. Recreational areas shall not be located in an area utilized for septic tank fields.

**Section 31.42 Minerals (Wholesale Trade of)**

A. Where Required: AR district.

**B. Use Separation**

Outdoor storage areas shall be no closer than 50 feet to any adjoining residentially or office and institutionally used or zoned property.

**C. Noise**

Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.

**D. Dust**

All non-paved storage areas shall be maintained in a manner so as to limit dust from leaving the storage area.

**E. Access**

1. Access roads leading to any part of the operation shall be constructed with gravel or crushed stone surface and maintained in a dust-free manner.
2. No part of such roads shall be located closer than 15 feet to an external property line other than a limited access highway or railroad right-of-way line.
3. A truck route plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses which will be negatively affected by truck traffic.

**Section 31.43 Mining, Quarrying, Sand Pits, and Mineral Extraction**

A. Where Required: AR district.

- B. **Use Separation**  
The edges of any pit where a mining operation is taking place and any equipment used in the processing of rock and gravel, any asphalt plant, or other industrial uses operated in conjunction with the mine or quarry shall be located at least 300 feet from any property line.
- C. **Where the mining operation site is bounded by a railroad right-of-way currently being used for rail service to the mining operation, no setback shall be required between the railroad right-of-way and such operation.**
- D. **Hours of Operation**  
All operations involving blasting discernible beyond the external property line on a quarry shall only be conducted between the hours of 7:00 a.m. and 6:00 p.m.
- E. **Mining Permit**  
A valid state-issued mining permit must be obtained.
- F. **Screening**  
Screening shall be provided in accordance with the requirements of Section \_\_\_\_\_. However, if a berm is determined to be an adequate alternative screening method as provided for in Section \_\_\_\_\_, the minimum height of the berm shall be six feet.

#### **Section 31.44 Nursing and Convalescent Home**

- A. **Where Required:** All residential districts.
- B. **Minimum Lot Area**  
8,000 square feet for the first 9 patient beds, rooms, or suites plus 1,000 square feet for each additional patient bed, room, or suite or the minimum lot area requirement for the zoning district, whichever is greater.
- C. **Dimensional Requirements**  
The following minimum dimensional requirements shall apply to nursing and convalescent homes:
  - (1) Road Right-of-Way Building Setback: 50'
  - (2) Side Property Line Building Setback: 15'
  - (3) Rear Property Line Building Setback: 25'
  - (4) Minimum Lot Width: 100'
  - (5) Minimum Building Separation: 20'
- D. **Screening**  
All off-street parking lots shall be screened from all adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of Section \_\_\_\_\_.

#### **Section 31.45 Orphanage**

- A. Where Required: AR and B-2 districts.
- B. Minimum Lot Area  
8,000 square feet for the first 9 client beds or rooms plus 1,000 square feet for each additional client bed or room or the minimum lot area requirement for the zoning district, whichever is greater.
- C. Screening  
Parking lots shall be screened from adjoining single-family residential uses by a bufferyard. The required buffer yard shall comply with the requirements of Section \_\_\_\_\_.

**Section 31.46 Outdoor Flea Markets/Outdoor Fruit and Vegetable Markets**

- A. Where Required: AR and B-2 districts.
- B. A minimum lot area of 1/2 acre shall be required.
- C. The amount of noise generated shall not disrupt the activities of the adjacent land uses.
- D. The Zoning Administrator shall not grant the permit unless he 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.
- E. Principal access must be from a collector or higher capacity road.
- F. The hours of operation allowed shall be compatible with the land uses adjacent to the outdoor flea market.

**Section 31.47 Outdoor Religious Events**

- A. Where Required: AR, B-1, B-2 and OI districts.
- B. The hours of operation allowed shall be compatible with the land uses adjacent to the event.
- C. The amount of noise generated shall not disrupt the activities of the adjacent land uses.
- D. The Board of Adjustment 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.

- E. Location  
Principal access must be from a collector or higher capacity road.

**Section 31.48 Planned Business Development**

- A. Where Required: B-1, B-2, OI, or LI
- B. Minimum Size: One (1) acres with a minimum of 250 feet for lot width.
- C. Use: An area of land under unified control developed for business, office and institutional, or light industrial uses, consisting of one or more principal structures, buildings, and accessory structures on a plot not subdivided into customary lots and streets; permitted uses are limited to those within the zoning district it is located.
- D. Dimensional Requirements: In order to encourage creativity of design and diversity of uses, the minimum lot area requirements may be reduced, but in no case may an individual lot are be reduced less than 70% of the requirements of the underlying district provided each lot area is sufficient to support the structure located on it and consistent with all other requirements of this Ordinance. The structures around the perimeter of the planned business development shall be in harmony with development on adjacent properties.
- E. Access: Sites shall have direct access to public street/road or highway with driveway entrances at least twenty (20) feet in width and located to minimize traffic hazards, inconvenience, and congestion.
- F. Landscaping and Screening: Screens and buffers around the perimeter of the development shall be provided in accordance with the provisions in Article \_\_\_\_ of this Ordinance.
- G. Parking: Parking and loading areas shall be paved surface; parking spaces and travel lanes shall be marked clearly; the minimum number of parking spaces shall be determined by the total derived from the combined uses or, if separate, those required of each use as provided in Article \_\_\_\_ of this Ordinance.
- H. Signs: One ground, identification sign per entrance to the development consisting of no more than 15 square feet of area with non-flashing and motionless illumination, indirect lighting. There shall be no limitation of signs attached to and flat against the principal building. All signs shall be located within the bounds of the site.

**Section 31.49 Planned Residential Development**

- A. Where Permitted: All residential districts
- B. Minimum Size: Five (5) acres
- C. Use: A residential development constructed on a tract of at least five (5) acres under single ownership, planned and developed as an integral unit, and consisting of single-family residential lots combined with two-family or multi-family residences. The portion of the tract developed for single-family purposes shall not be less than fifty percent of the entire tract. The two-family or multi-family portion of the overall development shall be located and oriented within the tract in such a manner to minimize any adverse effects on adjoining single-family residential subdivisions.
- D. Dimensional Requirements: The developer may elect to use the cluster development provisions found in Section 50-4 in order to reduce the required minimum lot size; otherwise, the dimensional requirements of the district in which the tract is located shall prevail for single-family development, R-20 requirements for duplexes, and R-10 requirements for multi-family development.
- E. Access: The development shall have access to public street/road or highway by way of a state maintained street/road. Said access street/road shall enter the public road or highway in such a manner to minimize traffic hazards, inconvenience, and congestion.
- F. Landscaping and Screening: The landscaping and screening requirements that would normally be associated where multi-family development adjoins a single-family development shall not apply within the tract developed as a planned residential development, but shall apply, in accordance to the standards of Article \_\_\_\_\_, where said multi-family may be located next to adjoining single-family residential developments outside the tract.

**Section 31.50 Pottery and Related Products Manufacture**

- A. Where Required: AR district.
- B. Property Separation  
All structures, buildings, or enclosed areas used for the operation shall be a minimum of 50 feet from any residentially used or zoned lot.
- C. The use shall not generate noise, vibration, glare, fumes, odor, or electrical interference beyond what normally occurs in the zoning district in which it is located.

**Section 31.51 Private Campground/RV Park**

- A. Where Required: AR and B-2 districts.

## B. General Requirements

1. Site plans for private campgrounds/RV parks shall comply with the requirements of Section \_\_\_\_\_.
2. No campsite shall be used as a permanent place of abode, dwelling, or business for indefinite periods of time. Continuous occupancy extending beyond three months in any 12-month period shall be presumed to be permanent occupancy.
3. Any action toward removal of wheels of a travel trailer except for temporary purposes of repair or to attach the trailer to the ground for stabilizing purposes shall be prohibited.
4. All campsites proposed for sale shall be recorded with subsections 2 and 3 above as deed restrictions.
5. Accessory uses shall be so designed and developed so as to blend with the park's design and natural setting. Such uses shall be clearly accessory to the principal use as a campground/recreational vehicle park. Accessory uses shall include management headquarters, recreational facilities, toilets, dumping stations, showers, coin-operated laundry facilities, and other uses and structures customarily incidental to the operation of the park. In addition, stores, restaurants, beauty parlors, barber shops, and other convenience establishments shall be permitted as accessory uses in zoning districts permitting such uses subject to the following conditions:
  - a. Such establishments and the parking areas primarily related to their operation shall not occupy more than 5 percent of the gross area of the park;
  - b. Such establishments shall be restricted in their use to occupants of the park and/or related park association members; and
  - c. Such establishments shall present no visible evidence from any public road of their commercial character.
6. Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence, or erosion shall be used for any purpose, which would expose persons or property to hazards.
  - a. Exposed ground surfaces in all parts of the recreational vehicle park shall be paved, or covered with stone screenings, or other solid materials, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust. A soil

sedimentation control plan shall be submitted in accordance with County requirements.

- b. Surface drainage plans for the entire tract shall be reviewed by the Planning Director to determine whether the proposed plan is compatible with the surrounding existing drainage pattern and relevant drainage plans, prior to issuance of site plan approval and building permits. No permit shall be issued where it is determined that the plan is incompatible with surrounding areas.

#### 9. Dimensional Requirements

- a. Minimum density shall be limited to 15 campsites per net acre, excluding public areas, rights-of-way, watercourses, and other areas as may be set forth.
- b. In no case shall any campsite contain less than 1,500 square feet. To the greatest extent possible, campsites shall be developed to preserve their natural character. Campsites shall be level and well drained.
- c. Recreational vehicles shall be separated from each other and from other structures within the campground/RV park by at least 10 feet. Any accessory structures such as attached awnings, carports, or individual storage facilities shall, for the purpose of this separation requirement, be considered part of the recreational vehicle.
- d. Recreational vehicle sites and off-street parking spaces shall not be within the setback areas required for main buildings or principal structures.
- e. Setback areas for recreational vehicle sites shall contain natural vegetation or be landscaped and shall be used for no other purposes.
- f. The minimum setback of any building, structure, or recreational vehicle site from a public road right-of-way shall be the same as that required for the interior road shall be 20 feet from the edge of pavement.
- g. Cars are required in a residential district, The minimum exterior side property line setback, when abutting residentially used or zoned areas, shall be 50 feet. In all other cases, the exterior side property line setback shall be at least 20 feet.
- h. The minimum exterior rear property line setback, when abutting residentially used or zoned areas, shall be 50 feet. In all other cases, the exterior rear property line setback shall be at least 30 feet.

#### C. Access and Road Requirements

1. Entrance driveways shall be located not closer than 150 feet from the intersection of public roads.
2. Interior access roads not proposed for public dedication shall conform to the construction standards for subdivision roads of NCDOT. However, requirements for minimum rights-of-way and paving widths shall not apply. Plans and profiles shall be submitted for review and approval. In no case shall the road or parking width be less than 10 feet.

3. Entrances and exits to campgrounds/RV parks shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic into and out of the park. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended. Radii of curbs and pavements at intersections shall be such as to facilitate easy turning movements for vehicles with trailers attached. No impediment to visibility shall be created or maintained which obscures the view of an approaching driver in the right lane of the road within (a) 100 feet where the speed limit is 45 mph or (b) within 150 feet where the speed limit is over 45 mph or any portion of the approach lane of the access way within 25 feet of its intersection with the right hand of the lane.

D. Parking Requirements

1. There shall be at least 3 off-street parking spaces designated in a campground/RV park for each 2 campsites. At least 1 space must be provided on each campsite with any residual spaces provided within 100 feet of the site.
2. Each campsite shall contain a stabilized vehicular parking pad of paving or other suitable material.

E. Utility Requirements

1. No on-site water or sewer facilities shall be permitted on any campsite. Proposals for dumping stations and common toilets and restrooms, laundries, and baths shall have the approval and be subject to the requirements of the County Health Department. All community water facility proposals shall be approved and be subject to the requirements of the County Health Department.
2. All water supply facilities shall have the approval of the County Health Department and/or NC Division of Health Services. All sewer facilities improvements shall have the approval of the County Health Department and the NC Division of Environmental Management.
3. All water and sewer improvements within the campground/RV park shall comply with the NC Building Code for Plumbing.

F. Screening Requirements

Where campgrounds/RV parks abut a residential area, a permanent buffer yard of at least 50 feet shall be established with adequate restrictive covenants to prohibit development within the buffer yard. A natural year- round screen shall be planted, which at maturity, shall reach a minimum height of at least 8 feet. Such screening shall complement the adjacent environment.

- G. **Recreational Space Requirements**  
A minimum of 8 percent of the gross site area of the campground/RV park shall be set aside and developed as common use areas for open or enclosed recreation facilities.

**Section 31.52 Private Club or Recreation Facility, Other**

- A. Where Required: AR and OI districts.
- B. The hours of operation allowed shall be compatible with the land uses adjacent to the facility.
- D. The amount of noise generated shall not disrupt the activities of the adjacent land uses.
- E. The Board of Adjustment shall not grant the permit unless it finds that the parking generated by the facility 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. **Location**  
Principal access must be from a collector or higher capacity road for any facility greater than 3 acres in size that generates an average daily traffic volume of over 200 or more trips per day.
- F. **Screening**  
Parking lots shall be screened from adjoining single-family residential uses by a bufferyard. The required buffer yard shall comply with requirements of Section \_\_\_\_\_.
- G. **Security Fencing**  
Outdoor swimming pools shall be protected by a fence in accordance with the County Health Department s public pool regulations.

**Section 31.53 Public Park or Recreational Facility, Other.**

- A. Where Required: R-30, R-20, R-20MH, R-16, R-14 and R-10 districts.
- B. The hours of operation allowed shall be compatible with the land uses adjacent to the facility.
- C. The amount of noise generated shall not disrupt the activities of the adjacent land uses.
- D. The Zoning Administrator shall not grant the permit unless he/she finds that the parking generated by the facility 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.

- E. **Location**  
Principal access must be from a collector or higher capacity road for any facility greater than 3 acres in size that generates an average daily traffic volume of over 200 or more trips per day.
- F. **Screening**  
Parking lots shall be screened from adjoining single-family residential uses by a bufferyard. The required buffer yard shall comply with the requirements of Section \_\_\_\_\_.
- G. **Security Fencing**  
Outdoor swimming pools shall be protected by a fence in accordance with the County Health Department s public pool regulations.

**Section 31.54           Retreat Center**

- A. **Where Required:** AR district.
- B. The hours of operation allowed shall be compatible with the land uses adjacent to the event.
- C. The Board of Adjustment shall not grant the permit unless it finds that the parking generated by the event can be accommodated without undue disruption or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners.
- D. **Location**  
Principal access must be from a collector or higher capacity road.
- E. **Screening**  
Parking lots shall be screened from adjoining single-family residential uses by a bufferyard. The required buffer yard shall comply with the requirements of Section 70-1.1(B).

**Section 31.55           Riding Academy**

- A. **Where Required:** AR district.
- B. **Use Separation**  
There shall be minimum 100-foot distance between manure storage areas, barns or stables and any adjacent residentially zoned property.
- C. **Dust**

All unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjoining properties.

- D. Restroom Facilities  
Restroom facilities shall be approved by the County Health Department.

**Section 31.56 Rural Family Occupation.**

- A. Where Required: AR district.
- B. Minimum Area
  - 1. The Rural Family Occupation (RFO) must be located on a tract of 2 acres or more.
  - 2. A portion of the tract measuring 30,000 square feet with 100 feet of width must be designated and reserved as exclusively residential in AR districts.
- C. Maximum Area  
The total floor area of all buildings occupied by the RFO shall not exceed 5,000 square feet. The maximum land area that may be used in conjunction with the Rural Family Occupation is 15,000 square feet.
- D. Use Separation  
All operations of the RFO shall observe a 50-foot setback from all property lines.
- E. Location  
All operations of the RFO shall be located behind the rear line of the building occupied as the principal residence.
- F. Screening  
All operations of the RFO, including buildings, outside storage areas, and parking shall be treated as a separate use and shall be screened in accordance with the requirements of Section \_\_\_\_\_.
- G. Environmental Review  
The County Environmental Health Division will be requested to evaluate each RFO request to determine the occupation's impact on the surrounding area with respect to excessive noise, dust, air emissions, odors, and surface or groundwater discharge. The RFO shall mitigate the impact on these and other environmental concerns. A written evaluation of these potential impacts is required by the Environmental Health Division prior to the consideration of any request for an RFO.
- H. Operation
  - 1. The RFO shall be owned by the landowner who must reside on the property.

2. No more than 5 persons shall be employed other than those residing on the property.
3. Outside storage and parking of commercial vehicles is permitted. The applicant shall indicate on the site plan the type and location of outside storage and the location and proposed number of vehicles to be parked on the lot.
4. The RFO shall not be operated between the hours of 9 p.m. to 6 a.m.
5. Permitted uses shall be limited to those products assembled or manufactured on-site for resale elsewhere, professional and business services, or stock-in-trade clearly incidental to such services. Commercial retail or wholesale operations which bring to the site goods specifically for the purpose of resale shall be prohibited.

I. Signs

1. Identification sign: 1 freestanding sign per road frontage or 1 wall sign affixed to front of business use structure.
2. No illuminated sign permitted.

**Section 31.57            Satellite Dish Antenna**

- A. Where Required: All zoning districts.
- B. Location
  1. All supporting cables and anchors shall be contained on the property.
  2. In residential and OI districts, satellite dish antennas shall not be located or placed within any road right-of-way building setback or side building setback.

**Section 31.58            Service Station, Gasoline Sales**

- A. Where Required: OI district.
- B. Operation
  1. Air compressors, hydraulic hoists, pits, repair equipment, greasing and lubrication equipment, auto washing equipment, an similar equipment shall be entirely enclosed within a building.
  2. No outside storage of materials shall be permitted. The number of vehicles stored outdoors shall not exceed the number of service bays at the establishment.
- C. Gasoline Service Islands/Pumps  
There shall be no more than 2 gasoline service islands.
- D. Maximum Area  
A maximum area of 3,000 square feet of gross floor area shall be permitted.

**Section 31.59 Sewage Treatment Plant**

- A. Where Required: AR and LI districts.
- B. Use Separation  
All structures, buildings, or enclosed areas used for the operation shall be a minimum of 300 feet from a residentially used or zoned lot.
- C. Noise  
Equipment producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
- D. Security Fencing  
Security fencing, a minimum of 6 feet in height, shall be provided around hazardous operations, as determined by the County, involved with the use.

**Section 31.60 Shooting Range, Indoor**

- A. Where Required: B-1, B-2 and LI districts.
- B. Noise  
The facility shall, to the maximum extent feasible, be designed to absorb sound.

**Section 31.61 Shooting Range, Outdoor**

- A. Where Required: AR district.
- B. Use Separation  
Separation shall be a minimum 300 feet between the range and the closest exterior property line.
- C. Access  
Access shall be controlled to prevent unregulated entrance to the firing area.
- D. Security Fencing  
Security fencing shall be provided to prevent an individual from crossing the property downrange.
- E. Backstops  
The design of the backstop downrange shall be as approved by the National Rifle Association.

**Section 31.62 Solid Waste Disposal (Non-hazardous)**

- A. Where Required:  
Sanitary Landfill Facilities: AR district.  
Collection Sites, Convenience Centers, and Transfer Sites: AR and LI districts.
- B. Use Separation  
All structures, buildings, and landfilling operations shall be a minimum of 300 feet from a residentially used lot.
- C. Noise  
Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
- D. Access
1. Access to the facility shall be by way of a collector or higher classified road.
  2. Entrances shall be controlled to prevent unregulated access to the facility.
  3. Access roads leading to any part of the facility shall be constructed with a gravel or crushed stone surface and maintained in a dust-free manner.
  4. No part of access roads shall be located closer than 15 feet to an external property line other than a limited access highway or railroad right-of-way line.
  5. A truck route plan shall be submitted showing truck routes to and from the facility. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses which will be negatively affected by truck traffic.
- E. Minimum Area
1. A minimum of 50 acres shall be required to establish a sanitary landfill facility.
  2. All other types of solid waste disposal facilities such as collection sites, convenience centers, and transfer sites shall have sufficient land area to adequately accommodate the facility's operations and to sufficiently separate the facility from adjoining land uses.
- F. Setting and Design  
The setting and design of the facility shall comply with the applicable requirements of the NC Solid Waste Management Rules.
- G. Operation  
The operation of the facility shall be in compliance with the State of North Carolina's operation, maintenance, and monitoring regulations for solid waste disposal facilities.

### **Section 31.63 Swim and Tennis Club**

- A. Where Required: All residential, B-1, B-2 and OI districts.
- B. Minimum Area  
The minimum area shall be 2 acres.

- C. Use Separation  
There shall be a minimum 50-foot distance between clubhouses, swimming pools, and lighted tennis courts and any adjacent residentially used or zoned property.
- D. Operation
  - 1. The hours of operation allowed shall be compatible with the land uses adjacent to the facility.
  - 2. The amount of noise operated shall not disrupt the activities of the adjacent land use.
- E. Screening  
Parking lots shall be screened from adjoining single-family residential uses by a bufferyard. The required buffer yard shall comply with the requirements of Section \_\_\_\_\_.
- F. Security Fencing  
Outdoor swimming pools shall be protected by a fence in accordance with the County Health Department's public swimming pool regulations.

**Section 31.64 Swimming Pool**

- A. Where Required: All residential, B-1, B-2 and OI districts.  
The regulations of this section shall be applicable to swimming pools located on private property which are under the control of a homeowner and the use of which is limited to the family members and invited guests.
- B. Use Separation
  - 1. Pools shall be located so as to comply with the minimum setback requirement for accessory structures for the district in which it is located.
  - 2. Pools which are not an integral part of the principal building shall be located a minimum of 10 feet from the principal building.
- C. Security Barriers  
Swimming pools located outdoors shall be protected by a barrier in accordance with the definition for swimming pool barrier provided in this ordinance.

**Section 31.65 Temporary Emergency, Construction, and Repair Residence**

- A. Where Required: All districts.
- B. Time Limitation
  - 1. Temporary residences and offices used on construction sites of nonresidential premises shall be removed within 30 days after the issuance of a final certificate of occupancy.

2. Permits for temporary residences and offices to be occupied pending the construction, repair, or renovation of the permanent residential building on a site shall expire within 12 months after the date of issuance, except that the Board of Adjustment may renew such permit if it determines that such renewal is reasonably necessary to allow the proposed occupants of the permanent residential building to complete the construction, repair, renovation, or restoration work necessary to make such building habitable.
- C. Use of Manufactured Home and RV or Travel Trailer  
The use of Class B or C manufactured homes as temporary emergency, construction and repair residences is permissible in all zoning districts. Travel Trailer's and RV's may be used in the case of a temporary emergency only. RV's and Travel Trailers must have functioning bathroom and kitchen facilities and must be occupied by the residents of the on-site house, which is under repair.

### **Section 31.66 Temporary Hardship Manufactured Home**

- A. Where Required: All residential, B-1, B-2 and OI districts.
- B. Time Limitation  
Permits for temporary hardship manufactured homes shall be issued initially for a 1-year period. At the end of the 1-year period, the Board of Adjustment shall review the permit on an annual basis and may renew the permit on a 12-month basis.
- C. Setbacks  
A temporary hardship manufactured home shall conform to the principal building setback requirements of the zoning district in which it is located.
- C. Findings of Fact  
Prior to issuing a permit for a temporary hardship manufactured home, the Board of Adjustment shall make the following findings of fact:
1. That the person or persons occupying the temporary manufactured home are physically dependent upon the person or persons occupying all or a portion of the principal dwelling, unit, or that the person or persons occupying all or a portion of the principal dwelling unit are physically dependent upon the person or persons occupying the temporary manufactured home ;and
  2. That the persons or persons occupying the temporary manufactured home and/or principal dwelling house, cannot, because of financial conditions or other extenuating circumstances, move to avoid hardship, necessitating parking the temporary manufactured home adjacent to the principal dwelling house.

3. That the parking of the temporary manufactured home adjacent to the dwelling house will not create unhealthy or unreasonable living conditions.
- B. Foundation and Anchorage  
A temporary hardship manufactured home shall meet the Minimum Foundation and Anchorage requirements of the County Building Code.
- E. Removal  
When the hardship justifying the temporary manufactured home is removed or is any of the conditions delineated in (D) above cease to be complied with, the temporary manufactured home shall be removed within thirty days.

### **Section 31.67 Temporary Shelter**

- A. Where Required: AR, R-30, B-2 and OI districts.
- B. Time Limitation  
The Zoning Administrator shall initially establish an automatic expiration date for the permit for such a facility with provisions for a maximum 6-month renewal, if necessary.
- C. Location  
The facility shall be contained within the building of and operated by a government agency or nonprofit organization.
- D. Minimum Floor Area  
A minimum floor space of 50 square feet shall be provided for each individual sheltered.
- E. Operation  
The facility shall provide continuous on-site supervision during the hours of operation.

### **Section 31.68 Theater (Outdoor)**

- A. Where Required: B-2 district.
- B. The hours of operation allowed shall be compatible with the land uses adjacent to the outdoor theater.
- C. The amount of noise generated shall not disrupt the activities of the adjacent land uses.
- D. The Zoning Administrator shall not grant the permit unless he 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.

- E. Principal access must be from a collector or higher capacity road.
- F. No part of any theater screen, projection booth, or other building shall be located closer than 500 feet to any residentially-used or zoned property or any closer than 50 feet to any other property line or public road right-of-way. No parking space shall be located closer than 100 feet to any residentially used or zoned property.
- G. The theater screen shall not face a road or highway.

### **Section 31.69            Truck Stop**

- A. Where Required: LI district.
- B. Use Separation  
All structures, buildings, and outdoor use areas shall be a minimum of 100 feet from a residentially used or zoned lot.
- C. Noise  
Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
- D. Dust  
All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.
- E. Operation
  - 1. No outdoor disassembly or salvaging shall be permitted.
  - 2. The use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located
- F. Access  
Vehicle access to the use shall be provided only by way of a US or NC numbered highway or an industrial access road.

### **Section 31.70            Turkey Shoots**

- A. Where Required: AR district.
- B. Setbacks
  - 1. No turkey shoot shall be allowed within a required setback.

2. All turkey shoots shall be established with the line of fire perpendicular to and away from a road right-of-way. The line of fire is a line which passes through the firing point and bisects the target. The backstop or target area shall be located not less than 500 feet from the road right-of-way.
3. Sites adjacent to more than one road right-of-way must designate the higher classified road as the front, and set the line of fire perpendicular thereto. Any resultant line of fire parallel to a road must be a minimum distance of 200 feet from and parallel to the road right-of-way.
4. All backstops shall be constructed a minimum of 500 feet from a residence located to the rear and/or side of the backstop. The design of the backstop shall be as approved by the National Rifle Association.

C. Parking

An off-street parking area adequate in size to park 2 cars for every backstop shall be provided.

D. Operation

1. Backstops shall be constructed of a material that will allow the shot to penetrate and not pass through. It shall be of a minimum thickness of 2 feet and maintained at a height of 4 feet above the target.
2. The firearms used in turkey shoots shall be limited to shotguns firing shot no larger than number eight. No firearms may be used which have been altered from manufacturer's specifications.
3. The operators of the turkey shoot shall be responsible for maintaining adequate fire protection by notifying the local fire department as to the dates and times of the turkey shoot.
4. Turkey shoots shall be limited to Thursdays, Friday, Saturdays, and be in operation no later than 10:00 p.m.
5. Provisions for sanitation and refuse disposal must be made in accordance with health standards.

E. Permit Review

The Zoning Administrator shall coordinate the review of a request for a turkey shoot with the County Health Department, Sheriff's Department, and Emergency Management Service.

F. Permit Limitation

The Zoning Administrator shall issue a permit not to exceed 90 days in a given year for a qualifying turkey shoot.

**Section 31.71 Utility Related Appurtenances, Substations**

A. Where Required: All zoning districts.

B. Dimensional Requirements

All buildings shall be considered accessory buildings or structures.

- C. Noise  
Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
- D. Security Fencing  
Security fencing, a minimum of 6 feet in height, shall be provided around hazardous operations, as determined by County and Town officials, involved with the use.
- E. Screening  
Any outdoor storage area shall be screened from an abutting residentially used or zoned lot by a buffer yard which complies with the requirements of Article \_\_\_\_\_.
- F. Dust  
All unpaved outdoor use areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

**Section 31.72            Veterinary Clinic**

- A. Where Required: B-2 and OI districts.
- B. Outside Storage  
Pens and runs located outdoors shall be located a minimum of 100 feet from any residentially-zoned or used lot.
- C. Noise  
The amount of noise generated shall not disrupt the activities of the adjacent land uses.

**Section 31.73            Water Treatment Plant**

- A. Where Required: AR district.
- B. Use Separation  
All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from a residentially used or zoned lot.
- C. Noise  
Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
- D. Security Fencing

Security fencing, a minimum of 6 feet in height, shall be provided around hazardous operations, as determined by the County, involved with the use.

**Section 31.74            Wood Products, Logging**

- A.    Where Required: AR district.
- B.    Property Separation  
All structures, buildings or outdoor areas used for the operation shall be a minimum of 150 feet from a residentially used or zoned lot.
- C.    Noise  
Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest residence.
- D.    Dust  
All unpaved storage areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.
- E.    Access  
A truck route plan shall be submitted showing routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools or other land uses which would be negatively impacted by truck.