ARTICLE 4: USES

4

Grow Zebulon

4: USES 4-1

4.1. Chapter Organization 4-1

4.1.1. Uses Distinguished 4-1
4.1.2. Chapter Organization 4-1

4.2. Principal Uses 4-1

4.2.1. Use Classification System 4-1
4.2.2. Principal Use Table Structure 4-2
4.2.3. Principal Use Table 4-4

4.3. Use-Specific Standards 4-10

4.3.1. Standards Applied to All Uses 4-10
4.3.2. Standards Applied to any Special Use 4-11
4.3.3. Residential Use Types 4-11
4.3.4. Institutional Uses 4-27
4.3.5. Commercial Uses 4-45
4.3.6. Industrial Uses 4-59
4.3.7. Agricultural Uses 4-65

4.4. Accessory Uses 4-67

4.4.1. Purpose 4-67
4.4.2. Organization of These Standards 4-67
4.4.3. Procedure for Establishment 4-67
4.4.4. General Standards for Accessory Uses and Structures 4-67
4.4.5. Table as Guide 4-68
4.4.6. Listed Accessory Uses 4-68
4.4.7. Standards for Specific Accessory Uses 4-70

4.5. Temporary Uses 4-78

4.5.1. Purpose 4-78
4.5.2. Applicability 4-78
4.5.3. General Standards for Temporary Uses and Structures 4-78
4.5.4. Standards for Specific Temporary Uses 4-79

4.6. Unlisted Uses 4-86

4.6.1. Procedure 4-86

4.7. Prohibited Uses 4-86

4.7.1. Prohibited Everywhere 4-86
4.7.2. Prohibited by Overlay District Standards 4-87

4: USES

4.1. CHAPTER ORGANIZATION

4.1.1. USES DISTINGUISHED

Chapter 4: Uses, contains all the standards related to the use of land in the Town's planning jurisdiction, and is organized by the three types of land use: principal, accessory, or temporary use.

A. Principal uses are the primary, permanent use types proposed on a lot (like a single-family home).

B. Accessory uses are subordinate to the principal use located on the same lot (like a detached garage serving a single-family home).

C. Temporary uses are uses allowed for a short duration of time (like a portable storage container used for the purposes of storing or moving a household's belongings).

4.1.2. CHAPTER ORGANIZATION

A. PRINCIPAL USES

1. Section 4.2, Principal Uses, explains the use organization system and sets out the summary use table, or the master listing of principal use types and the districts where they are allowed. Individual principal use types are defined in Section 9.4, Definitions.
2. Section 4.3, Use-Specific Standards, sets out the requirements for designated individual use types, regardless of the zoning district where it is located.

B. ACCESSORY USES

Section 4.4, Accessory Uses, sets out the general standards applicable to all accessory uses as well as any additional standards applicable to specific accessory uses.

C. TEMPORARY USES

Section 4.5, Temporary Uses, sets out the standards for temporary uses, including the districts where allowed, the maximum duration, and any additional standards applicable to specific temporary uses.

D. UNLISTED USES

Section 4.6, Unlisted Uses, describes the process used by the Town in determining how to address use types that are not already specifically listed in this Ordinance.

E. PROHIBITED USES

Section 4.7 Prohibited Uses, identifies the use types that are prohibited throughout the Town's planning jurisdiction.

4.2. PRINCIPAL USES

4.2.1. USE CLASSIFICATION SYSTEM

Individual uses of land, or use types, are organized into one of five use classifications as described below.

A. USE CLASSIFICATIONS

1. Use classifications are the top tier in the system and are the broadest groupings of land uses. There are five use classifications used in this Ordinance:
   - **a.** Residential uses;
   - **b.** Institutional uses;
   - **c.** Commercial uses;

d. Industrial uses; and
e. Agricultural uses.

2. The primary purpose of the use classifications is to serve as an organizing principal for grouping the different use types.

B. USE TYPES

1. Use types are the specific individual uses included within a particular use classification.
2. Individual use types are defined in Section 9.4, Definitions.

C. DEVELOPMENTS WITH MULTIPLE PRINCIPAL USES

1. Developments with multiple principal uses, such as shopping centers, shall incorporate only those use types allowed in the applicable zoning district.
2. In cases where a proposed development includes two or more use types, and one of those use types requires approval of a special use permit, the special use permit shall be approved prior to occupancy of any use types.

4.2.2. PRINCIPAL USE TABLE STRUCTURE

A. TABLE STRUCTURE

1. Table 4.2.3, Principal Use Table, lists principal use types and indicates whether the principal use type is permitted by-right, by a special use permit, allowed in a planned development district, or prohibited in a particular zoning district. It also includes a reference to any applicable specific standards that may apply to a particular use type.
2. Individual use types are listed alphabetically by use classification.
3. The right-most column includes a reference to any applicable use-specific standards associated with a use type. Unless otherwise stated in the standards, a use-specific standard applies to a particular use regardless of the zoning district where it is located.

B. USES PERMITTED BY-RIGHT

A "P" in a cell of the principal use table indicates that the specific use type is permitted by-right in the corresponding zoning district, subject to compliance with any additional use-specific standards referenced in the principal use table, and any other applicable standards in this Ordinance.

C. USES PERMITTED BY SPECIAL USE PERMIT

An "S" in a cell of the principal use table indicates that the specific use type is permitted in the corresponding zoning district only upon approval of a special use permit in accordance with Section 2.2.18, Special Use Permit, any additional use-specific standards referenced in the principal use table, and any other applicable requirements of this Ordinance.

D. USES ALLOWED IN A PLANNED DEVELOPMENT DISTRICT

1. An "A" in a cell of the principal use table indicates that the specific use type is permitted in a planned development district, provided the specific use type is included in the list of potential use types in the master plan or terms and conditions statement.
2. Allowed uses are subject to any additional use-specific standards referenced in the principal use table.
3. If a use type is listed as prohibited in a planned development district in Table 4.2.3, Principal Use Table, it may not be included in a master plan or terms and conditions statement.

E. USE-SPECIFIC STANDARDS

1. When a specific use type is permitted in a zoning district, there may be use-specific standards that are applicable. Such additional standards are referenced in the principal use table column titled "Use-Specific Standards." These standards shall apply to a specific use type regardless of the zoning district, unless otherwise specified.
2. Use types are also subject to any district standards listed in the applicable zoning district in Article 3: Districts.

4.2.3. PRINCIPAL USE TABLE

TABLE4.2.3: PRINCIPAL USE TABLE

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "·"=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE					USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	RMU	PD	
RESIDENTIAL USE CLASSIFICATION																	
Assisted Living Facility	·	·	·	S	S	·	P	·	·	·	·	P	·	P	P	A	4.3.3.A
Boarding/ Rooming House	·	S	S	S	P	P	·	·	·	·	·	S		P	P	A	4.3.3.B
Bungalow Court	·	P	P	P	P	P	·	·	·	·	·	S	·	P	P	A	4.3.3.C
Continuing Care Retirement Center	·	·	·	P	P	S	P	·	·	·	·	P	·	P	P	A	4.3.3.D
Duplex Dwelling	·	S	S	P	P	P	S	·	·	·	·	P		P	P	A	
Family Care Home	P	P	P	P	P	P	P	·	·	·	·	P		P	P	A	4.3.3.E
Group Home	·	·	·	S	S	S	·	·	·	·	·	S	·	S	·	A	4.3.3.F
Halfway House	·	·	·	S	S	·	·	·	·	·	·	S	·	·	·	A	4.3.3.G
Live/Work Dwelling	·	·	·	·	P	P	P	P	S	·	·	P	P	P	P	A	4.3.3.H
Manufactured Dwelling ·	[3]					·	·	·	·	·	·	[3]	·	·	·	A	4.3.3.I
Manufactured Dwelling Park	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	4.3.3.J
Mobile Home	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	4.3.3.K
Mobile Home Park	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	·	4.3.3.L
Multi-family Dwelling	·	·	S	S	P	·	P	·	·	·	·	P	P	P	P	A	4.3.3.M
Pocket Neighborhood	·	P	P	P	P	P	·	·	·	·	·	P	·	P	P	A	4.3.3.N
Nursing Home	·	·	S	S	S	S	P	·	·	·	·	P	·	P	P	A	
Single-family Attached Dwelling	·	·	S	S	P	·	P	·	·	·	·	P		P	P	A	4.3.3.O
Single-family Detached Dwelling	P	P	P	P	P	P	P	·	·	·	·	P		P	P	A	4.3.3.P
Triplex/Quadplex	·	·	S	P	P	P	P	·	·	·	·	P		P	P	A	4.3.3.Q
Upper-story Residential	·	·	·	P	P	P	P	P	P	P	·	P	P	P	P	A	4.3.3.R
INSTITUTIONAL USE CLASSIFICATION																	
Adult Day Care Center	·	·	·	·	S	·	P	P	·	·	·	P	·	S	P	A	4.3.4.A
Airport & Related Facilities	·	·	·	·	·	·	·	·	S	S	S	·	·	·	·	A	
Antenna Collocation, Major	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	A	4.3.4.B
Antenna Collocation, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	

TABLE4.2.3: PRINCIPAL USE TABLE

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "·"=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE					USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	RMU	PD	
Arboretum or Formal Garden	P	P	P	P	P	P	P	·	·	·	·	P	P	P	P	A	
Auditorium	·	·	·	·	·	·	P	P	S	P	·	P	P	P	P	A	4.3.4.C
Blood/Tissue Collection	·	·	·	·	·	·	·	·	·	·	·	S	·	S	S	·	
Broadcasting Studio	·	·	·	·	·	·	P	P	P	·	·	·	P	P	S	A	4.3.4.D
Cemetery, Columbarium, or Mausoleum	·	S	·	·	·	·	S	S	S	·	S	S	·	·	·	A	4.3.4.E
Child Day Care Center	·	S	S	S	P	P	P	P	·	·	·	P	P	P	P	A	4.3.4.F
Child Day Care, Drop In						P	P	P				P	P	P	P	A	
College or University	·	·	·	·	·	·	S	S	·	·	·	P	·	P	P	A	
Community/Youth/ Senior Center	·	·	·	·	P	P	P	P	·	·	·	P	P	P	P	A	4.3.4.G
Community Garden	P	P	P	P	P	P	·	·	·	·	·	·	·	P	P	A	
Coliseum or Arena	·	·	·	·	·	·	·	P	P	P	·	·	·	P	P	A	4.3.4.H
Conference or Convention Center	·	·	·	·	·	·	·	P	·	·	·	·	P	P	P	A	4.3.4.H
Cultural Facility, Library, or Museum	·	·	·	·	S	P	P	P	·	·	·	P	P	P	P	A	
Drug/Alcohol Treatment Facility	·	·	·	·	·	·	S	S	·	·	·	P	·	S		·	4.3.4.I
Fire/EMS/Police Station	·	·	·	P	P	P	P	P	P	P	P	P	P	P	P	A	
Fraternal Club or Lodge	·	S	S	P	P	S	P	P	·	·	·	P	·	S	P	A	4.3.4.J
Government Office	·	·	·	·	P	P	P	P	P	P		P	P	P	P	·	
Government Maintenance, Storage, Distribution	·	·	·	·	·	·	·	P	P	P	P	·	·	·	·	·	
Helicopter Landing Pad	·	·	·	·	·	·	·	·	P	P	P	S	·	·	S	A	4.3.4.K
Hospital	·	·	·	·	·	·	·	S	·	·	·	S	·	S	P	A	4.3.4.L
Indoor Private Recreation	·	P	P	P	P	P	P	·	·	·	·	P	·	P	P	A	
Outdoor Private Recreation	·	S	S	P	P	P	P	·	·	·	·	P	·	S	P	A	
Park (public or private)	P	P	P	P	P	P	P	P	P	P	·	P	P	P	P	A	
Passenger Terminal	·	·	·	·	·	P	P	P	P	P	P	P	P	P	P	A	
Post Office	·	·	·	·	·	P	P	P	·	·	·	P	P	P	P	A	

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USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE					USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	RMU	PD	
Psychiatric Treatment Facility	·	·	·	·	·	·	·	·	·	S	·	S	·	·	·	·	
Religious Institution	·	S	S	P	P	S	P	P	·	·	·	P	·	S	P	A	4.3.4.M
School, Elementary	·	S	S	P	P	S	P	P	·	·	·	P	·	S	P	A	
School, High/Middle	·	S	·	·	·	S	P	P	·	·	·	P	·	S	P	A	4.3.4.N
School, Vocational	·	·	·	·	·	·	·	P	P	P	P	P	·	P	P	A	4.3.4.O
Small Wireless Facility	S	S	S	S	P	P	P	P	P	P	P	P	P	P	S	A	4.3.4.P; 4.3.4.S
Telecommunications Tower, Major	·	·	·	·	·	·	·	S	S	·	P	·	·	·	·	·	4.3.4.Q; 4.3.4.S
Telecommunications Tower, Minor or Concealed	·	·	S	S	S	S	S	S	P	P	P	S	·	·	·	A	4.3.4.Q; 4.3.4.S
Temporary Wireless Facility	·	S	S	S	S	S	P	P	P	P	P	P	S	S	·	A	4.3.4.R; 4.3.4.S
Urgent Care Facility	·	·	·	·	·	P	P	P	·	·	·	P	·	P	P	A	
Utility, Major	·	·	·	·	·	·	P	P	P	P	P	P	·	P	P	A	4.3.4.T
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	4.3.4.T
COMMERCIAL USE CLASSIFICATION																	
ABC Store	·	·	·	·	·	·	·	P	·	·	·	·	S	S	P	A	
Adult Business	·	·	·	·	·	·	·	S	·	·	·	·	·	·	·	·	4.3.5.A
Aircraft Parts, Sales, and Maintenance	·	·	·	·	·	·	·	·	P	P	P	·	·	·	·	A	
Animal Day Care / Grooming	·	·	·	·	·	P	P	P	P	·	P	·	·	P	S	A	4.3.5.B
Animal Shelter	·	·	·	·	·	·	·	·	S	·	S	·	·	·	·	·	4.3.5.C
Art Gallery						P	P	P				P	P	P	P	A	4.3.5.D
Artisan Studio						P	P	P		P		P	P	P	P	A	4.3.5.E
Auction House	·	·	·	·	·	·	P	P	P	·	P	·	·	P	P	A	
Automotive Repair and Servicing (without painting/ bodywork)	·	·	·	·	·	·	P	P	P	·	P	·	·	S	·	·	4.3.5.F
Automotive Sales and Rentals	·	·	·	·	·	·	P	P	P	·	P	·	·	P	·	A	4.3.5.G
Automotive Painting/Body Shop	·	·	·	·	·	·	·	P	P	·	P	·	·	·	·	·	4.3.5.H
Automotive Parts and Accessories Sales	·	·	·	·	·	·	P	P	·	·	·	·	·	P	·	A	
Automotive Wrecker Yard	·	·	·	·	·	·	·	·	P	·	P	·	·	·	·	·	4.3.5.I

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USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE					USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	RMU	PD	
Bar, Cocktail Lounge, or Private Club	·	·	·	·	·	S	S	S	S	·	·	·	P	P	P	A	4.3.5.J
Bed and Breakfast	S	S	S	S	P	P	P	P	·	·	·	P	P	P	P	A	4.3.5.K
Boat and Marine Rental, Sales, and Service	·	·	·	·	·	·	P	P	P	·	P	·	·	·	·	A	
Bottle Shop (with on premise consumption)	·	·	·	·	·	S	S	P	S	·	·	·	P	P	P	A	4.3.5.L
Business Incubator	·	·	·	·	·	P	P	P	P	P	·	P	P	P	P	A	4.3.5.M
Campground	·	·	·	·	P	·	P	·	P	·	·	·	·	·	S	A	4.3.5.N
Car Wash or Automobile Detailing	·	·	·	·	·	·	P	P	P	·	·	·	·	P	·	A	4.3.5.O
Catering Establishment	·	·	·	·	·	·	P	P	P	·	P	·	P	P	·	A	
Check Cashing/Payday Lending Establishment	·	·	·	·	·	·	S	S	·	·	·	·	·	S	·	·	
Clothing Rental	·	·	·	·	·	·	P	P	·	·	·	·	P	P	P	A	
Coffee Shop	·	·	·	·	S	P	P	P	·	P	·	P	P	P	P	A	4.3.5.P
Commercial Recreation, Indoor	·	·	·	·	·	·	P	P	P	·	·	·	P	P	P	A	
Computer-Related Services	·	·	·	·	·	P	P	P	P	·	·	·	P	P	P	A	
Convenience Store (no gasoline sales)	·	·	·	·	·	P	P	P	·	S	·	·	P	P	P	A	
Convenience Store (with gasoline sales)	·	·	·	·	·	·	P	P	·	·	·	·	·	S	S	A	4.3.5.Q
Co-Working Space	·	·	·	·	·	P	P	P	P	P	·	P	P	P	P	A	4.3.5.R
Crematorium	·	·	·	·	·	·	·	S	S	·	S	·	·	·	·	·	
Equipment and Tool Rental	·	·	·	·	·	·	·	P	P	·	P	·	·	·	·	A	
Event Venue	S	·	·	·	·	P	P	P	·	P	·	·	P	P	P	A	4.3.5.S
Fairgrounds	·	·	·	·	·	·	·	S	S	·	S	·	·	·	S	·	
Financial Services Establishment	·	·	·	·	·	P	P	P	·	·	·	P	P	P	P	A	4.3.5.T
Flea Market	·	·	·	·	·	·	·	P	S	·	·	·	·	·	P	·	4.3.5.U
Funeral-Related Services	·	·	·	·	·	·	S	S	S	·	·	·	·	·	·	·	4.3.5.V
Games of Skill	·	·	·	·	·	·	S	S	·	·	·	·	·	·	S	·	4.3.5.W
Golf Course or Driving Range	·	S	S	·	·	·	·	P	·	·	·	·	·	·	S	A	4.3.5.X; 4.3.5.Y

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A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "·"=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE					USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	RMU	PD	
Grocery Store	·	·	·	·	·	P	P	P	·	·	·	·	P	P	P	A	
Gymnasium/ Fitness Center	·	·	·	·	S	P	P	P	S	·	·	P	P	P	P	A	4.3.5.Z
Hair, Nails, and Skin-Related Services	·	·	·	·	·	P	P	P	·	·	·	P	P	P	P	A	
Heavy Equipment, Sales, Rental, and Repair	·	·	·	·	·	·	·	·	P	·	P	·	·	·	·	A	4.3.5.AA
Hotel or Motel	·	·	·	·	·	·	P	P	P	·	·	·	P	P	P	A	
Kennel, Indoor/Outdoor	·	·	·	·	·	·	·	P	P	·	·	·	·	·	·	A	4.3.5.BB
Laundry or Cleaning Service	·	·	·	·	S	P	P	P	·	·	·	·	P	P	S	A	4.3.5.CC
Microbrewery, Microwinery, or Microdistillery	·	·	·	·	·	S	P	P	P	·	P	·	P	P	P	A	4.3.5.DD
Nightclub or Dance Hall	·	·	·	·	·	·	P	P	·	·	·	·	P	P	P	A	4.3.5.EE
Office, Medical	·	·	·	·	·	P	P	P	P	·	·	P	P	P	P	A	
Office, Professional	·	·	·	·	P	P	P	P	P	·	·	P	P	P	P	A	
Office, Sales or Service	·	·	·	·	·	P	P	P	·	P	·	P	P	P	P	A	
Outdoor Commercial Recreation	·	·	·	·	·	·	·	P	S	·	S	·	·	·	P	A	4.3.5.FF
Outdoor Storage	·	·	·	·	·	·	·	·	P	·	P	·	·	·	P	·	4.3.5.GG
Package and Printing Service	·	·	·	·	·	P	P	P	·	S	·	P	P	P	P	A	
Park and Ride Facility	·	·	·	·	P	P	P	P	P	P	P	P	P	P	P	A	
Parking Lot	·	·	·	·	P	P	P	P	P	P	P	P	P	P	P	A	4.3.5.HH
Parking Structure	·	·	·	·	S	S	P	P	P	P	P	P	P	P	P	A	4.3.5.II
Pawn Shop							P	P					P	P	S	A	4.3.5.JJ
Pharmacy	·	·	·	·	·	S	P	P	·	·	·	S	P	P	P	A	4.3.5.KK
Pool Hall	·	·	·	·	·	·	S	S	·	·	·	·	S	S	P	A	
Racetrack	·	·	·	·	·	·	·	·	S	·	S	·	·	·	P	·	
Recreational Vehicle Park	·	·	·	·	S	·	·	·	S	·	S	·	·	·	S	A	4.3.5.LL
Repair Shop	·	·	·	·	·	·	P	P	P	·	·	·	P	P	·	A	4.3.5.MM
Restaurant Indoor/Outdoor Seating	·	·	·	·	·	P	P	P	·	P	·	P	P	P	P	A	4.3.5.NN
Restaurant with Drive-through/Drive-up Service	·	·	·	·	·	·	P	P	·	P	·	P	·	·	P	A	4.3.5.NN

TABLE4.2.3: PRINCIPAL USE TABLE

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "·"=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE					USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	RMU	PD	
Restaurant, Walk-up Only	·	·	·	·	P	P	P	P	P	P	·	P	P	P	P	A	4.3.5.NN
Retail, Bulky Item	·	·	·	·	·	·	S	P	P	·	·	·	·	·	P	A	4.3.5.OO
Retail, Large Format	·	·	·	·	·	·	S	P	P	·	·	·	·	S	P	A	4.3.5.PP
Retail Use, Other	·	·	·	·	·	P	P	P	P	·	·	·	P	P	P	A	
Self Service Storage, External Access Only	·	·	·	·	·	·	·	S	P	·	P	·	·	·	·	A	4.3.5.QQ
Self Service Storage, Internal Access Only	·	·	·	·	·	·	S	S	P	·	P	·	·	P	·	A	4.3.5.QQ
Shooting Range, Indoor	·	·	·	·	·	·	·	S	S	·	·	·	·	·	·	·	4.3.5.RR
Specialty Eating Establishment	·	·	·	·	·	P	P	P	·	·	·	S	P	P	P	A	4.3.5.SS
Tattoo and Piercing Establishment	·	·	·	·	·	·	P	P	·	·	·	·	·	S	S	A	
Theatre	·	·	·	·	·	P	P	P	·	·	·	·	P	P	P	A	
Truck Stop	·	·	·	·	·	·	·	P	P	·	P	·	·	·	·	·	4.3.5.TT
Vape, Tobacco, and CBD Shop							P	P					P	P	·	A	4.3.5.UU
Veterinary Clinic	·	·	·	·	·	P	P	P	·	·	·	·	P	P	P	A	4.3.5.VV
INDUSTRIAL USE CLASSIFICATION																	
Asphalt or Concrete Plant	·	·	·	·	·	·	·	·	S	·	S	·	·	·	·	·	4.3.6.A
Contractor Services/Yard	·	·	·	·	·	·	·	P	P	·	P	·	·	·	·	·	4.3.6.B
Electrical, Plastic, or Plumbing Fabrication	·	·	·	·	·	·	·	·	P	·	P	·	·	·	·	·	
Extractive Industry	·	·	·	·	·	·	·	·	S	·	S	·	·	·	·	·	4.3.6.C
Flex Space	·	·	·	·	·	·	·	P	P	P	P	·	·	P	·	A	4.3.6.D
Fuel Oil/Bottled Gas Distributor	·	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	4.3.6.E
Gas Energy Conversion	·	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	
General Industrial Services	·	·	·	·	·	·	·	S	P	P	P	·	·	S	·	A	
Landfill	·	·	·	·	·	·	·	·	·	·	S	·	·	·	·	·	4.3.6.F
Makerspace		·	·	·	·	·	P	P	P	P	P	·	P	P	P	A	4.3.6.G
Manufacturing, Heavy	·	·	·	·	·	·	·	·	S	S	P	·	·	·	·	·	4.3.6.H
Manufacturing, Light	·	·	·	·	·	·	·	·	P	P	P	·	·	·	·	A	4.3.6.H

TABLE4.2.3: PRINCIPAL USE TABLE

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "·"=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE					USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	RMU	PD	
Metal Fabrication	·	·	·	·	·	·	·	·	P	P	P	·	·	·	·	A	
Public Convenience Center/Transfer Station	·	·	·	·	·	·	·	·	P	·	P	·	·	·	·	·	4.3.6.I
Recycling Center	·	·	·	·	·	·	·	S	P	·	P	·	·	S	·	A	4.3.6.J
Research and Development	·	·	·	·	·	·	·	S	P	P	P	S	·	P	S	A	
Salvage or Junkyard	·	·	·	·	·	·	·	·	S	·	S	·	·	·	·	·	4.3.6.K
Solar Farm	·	S	·	·	·	·	·	·	S	·	P	·	·	·	·	A	4.3.6.L
Truck or Freight Terminal	·	·	·	·	·	·	·	·	S	P	P	·	·	·	·	A	4.3.6.M
Warehouse, Distribution	·	·	·	·	·	·	·	·	P	P	P	·	·	·	·	A	4.3.6.N
Warehouse, Storage	·	·	·	·	·	·	·	·	P	P	P	·	·	P	·	A	4.3.6.N
Waste Composting	·	·	·	·	·	·	·	·	S	·	S	·	·	·	·	·	
Wholesale Sales	·	·	·	·	·	·	·	P	P	P	P	·	·	·	·	A	4.3.6.O
Wind Energy Conversion	·	S	·	·	·	·	·	S	S	S	S	·	·	·	·	A	4.3.6.P
AGRICULTURAL USE CLASSIFICATION																	
Agriculture and Horticulture	P	P	·	·	·	·	·	·	P	·	P	·	·	·	·	A	4.3.7.A
Agricultural Support Services	·	·	·	·	·	·	P	P	P	·	P	·	·	·	·	A	4.3.7.B
Animal Husbandry	P	S	·	·	·	·	·	·	·	·	S	·	·	·	·	A	4.3.7.C
Farmer's Market	·	·	·	·	P	P	P	P	·	·	·	·	P	P	P	A	4.3.7.D
Plant Nursery	·	S	·	·	·	·	P	P	·	·	·	·	·	·	S	A	

NOTES:
[1] Some use types may be further limited in allowable zoning districts or may require a different procedure for establishment in accordance with Section 4.7, Prohibited Uses, or Section 3.8 Overlay Zoning Districts.
[2] Uses are defined in Article 9, Measurement and Definitions.
[3] Manufactured housing is only permitted on lots in the manufactured home overlay district.

4.3. USE-SPECIFIC STANDARDS

Use-specific standards are the requirements applied to individual use types, unless otherwise stated to the contrary in this Ordinance. This section identifies the use-specific standards applied to principal use types identified in Table 4.2.3, Principal Use Table, as subject to "use-specific standards."

4.3.1. STANDARDS APPLIED TO ALL USES

Buildings of 50,000 square feet in area or that are comprised of materials that prohibit or degrade emergency communications signals from public safety providers shall include bi-directional repeaters for emergency services radio transmission.

4.3.2. STANDARDS APPLIED TO ANY SPECIAL USE

Any use type in this Ordinance subject to the requirement to obtain a special use permit by Table 4.2.3, Principal Use Table, shall be subject to any applicable use specific standards in Section 4.3, Use-Specific Standards, as well as the following requirements. Special use permit applications shall only be approved if the BOA finds that the use, as proposed, or as proposed with conditions will:

A. Be in harmony with the area and not substantially injurious to the value of properties in the general vicinity;

B. Be in conformance with all special requirements applicable to the use;

C. Will not adversely affect the health or safety of the public; and

D. Will adequately address the following review factors:

1. Site circulation and access;
2. Off-Street parking and loading;
3. Service entrances/areas;
4. Exterior lighting;
5. Signage;
6. Utilities;
7. Open space;
8. Environmental protection;
9. Landscaping;
10. Screening;
11. Compatibility with surrounding uses; and
12. Consistency with the Town's adopted policy guidance.

4.3.3. RESIDENTIAL USE TYPES

A. ASSISTED LIVING FACILITY

An assisted living facility shall comply with the following standards:

1. If provided, shared food preparation, service, and major dining areas shall be centrally located.
2. Common social and service facilities shall be provided at a minimum rate of 30 square feet per dwelling or rooming unit in addition to the minimum amount of required open space.
3. All facilities and services shall be solely for the use of residents and their guests.
4. Facilities for administrative services and limited medical services for the exclusive use of the residents may be located on the site.
5. For the purposes of density calculation, two bedrooms shall be equivalent to one dwelling unit.

B. BOARDING/ROOMING HOUSE

Boarding or rooming houses shall comply with the following standards:

1. The property owner or lessee must reside on the same premise as the boarding house with the structure clearly serving as that person's permanent residence;
2. Separate structures, accessory buildings and garages are not permitted to be used as boarding rooms;
3. No separate exterior doorways for individual boarding rooms shall be permitted;
4. Parking shall be provided and comply with the standards established for single-family detached dwellings except any additional parking beyond what can be

accommodated in a driveway no wider than to sufficiently park two cars must be out of the required setback and yards established in that zoning district;

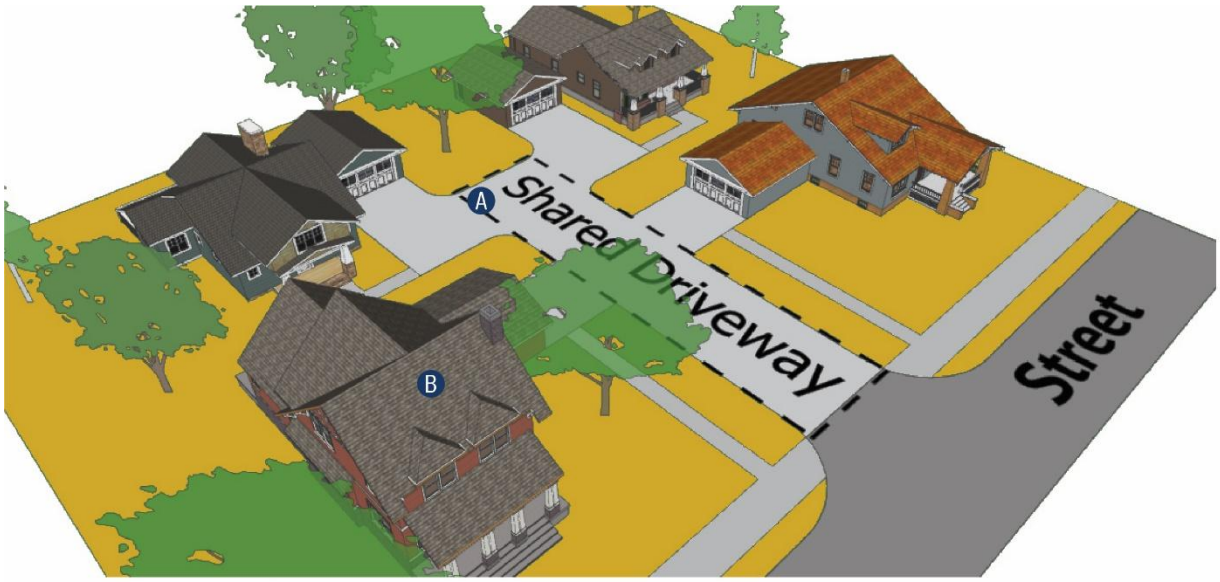
5. Parking for boarders shall not be served by a separate driveway from the driveway serving the principal residential structure;
6. Prompt disposal of all garbage in a sanitary condition is required; and
7. The use shall meet all relevant requirements in the Town's Code of Ordinances.

C. BUNGALOW COURT

A bungalow court is a voluntary single-family detached dwelling alternative that allows lot access via a shared driveway configured as a central motor court. A bungalow court shall:

1. Comply with the requirements in Section 5.2, Design Guidelines;
2. Be located on a site of at least one acre, but not more than three acres in area;
3. Be limited to single-family detached dwellings as the principal use;
4. Be configured so that each dwelling unit obtains vehicular access via a common shared driveway that is:
   a. Located on common area maintained by a homeowner's association;
   b. Comprised of concrete, brick, or pavers; and
   c. Located central to the development.
5. Be limited to no more than five dwelling units sharing the same common shared driveway (see Figure 4.3.3.C, Bungalow Court Development); and
6. Not exceed the maximum allowable density in the district where located.

FIGURE 4.3.3.C: BUNGALOW COURT DEVELOPMENT



LEGEND

A Shared Common Driveway Central to Development (Must be concrete, brick, or pavers)

B Maximum Five Single-Family Detached Dwellings



D. CONTINUING CARE RETIREMENT CENTER (CCRC)

1. PURPOSE AND INTENT

The purpose for these standards is to encourage the development of appropriate and adequate housing communities for the elderly. More specifically, these standards are intended to:

a. Permit creative approaches to development of a retirement center reflecting changes in the technological methods of treatment and development;

b. Provide a variety of housing types, living arrangements, design, and configuration that meet the differing needs of elderly residents;

c. Ensure that the types of specialized products, services, and uses necessary for the elderly are available in close proximity to housing;

d. Provide for an efficient use of land that can result in smaller networks of utilities and streets;

e. Ensure the safety and security of community residents;

f. Minimize any possible adverse impacts on surrounding neighborhoods through the preservation of natural features, the provision of underground utilities, and the provision of open-space areas.

2. ESTABLISHMENT

a. Continuing Care Retirement Communities may be established in accordance with the conditional rezoning provisions established in Section 2.2.24, Zoning Map Amendment.

b. A site plan must be submitted at the time of application that demonstrates how the proposed CCRC, while departing from the strict application of the conventional district requirements, is in keeping with the intent of this Ordinance.

c. Development within a CCRC shall conform to the site plan approved with establishment of the use as well as any requirements approved by the Board of Commissioners.

d. Modification of the site plan may be made by the Board of Commissioners subsequent to its initial approval upon application by the owner of the land.

3. DEVELOPMENT DENSITY

Maximum development density is based on the number of independent living units only and may not exceed five units per acre except as allowed in accordance with Section 4.3.3.D.4, Density Bonus.

4. DENSITY BONUS

A CCRC may exceed five dwelling units an acre in accordance with Table 4.3.3.D.4, CCRC Density Bonus, provided the Board of Commissioners makes a finding that the development will result in a significantly better environment than that would otherwise occur in accordance with the established permitted density.

TABLE 4.3.3.D.4: CCRC DENSITY BONUS

Amount Of Useable Open Space Provided (% Of Total Development Area) [1]	Maximum Allowable Density (Units/Acre)
20 to 29.99	5.25
30 to 39.99	5.5
40 to 49.99	5.75
50 or more	6

NOTES:
[1] Open space set-aside may be provided within the CCRC, as dedicated park land outside the CCRC, or as a combination.

5. DIMENSIONAL REQUIREMENTS

Table 4.3.3.D.5, CCRC Dimensional Requirements, sets out the dimensional standards for these uses, which shall apply in lieu of the zoning district dimensional standards.

TABLE 4.3.3.D.5: CCRC DIMENSIONAL REQUIREMENTS

Feature		Requirement
Minimum Development Size (acres)		5
Single-family Detached Dwellings	Minimum Lot Area (square feet)	3,500
	Minimum Front Setback (feet)	8; One side may be zero [1]
	Minimum Side Setback (feet)	15
	Minimum Rear Setback (feet)	15
	Minimum Lot Width (feet)	N/A
	Maximum Height (feet)	35

TABLE 4.3.3.D.5: CCRC DIMENSIONAL REQUIREMENTS	
FEATURE	**REQUIREMENT**
Minimum Spacing Between Buildings on the Same Lot (feet)	30 + 5 for each building story beyond 2
Maximum Building Height	35 [2]
Total Lot Coverage in the Development (% of development area)	70
Open Space Set-Aside (% of total development area)	20 [3]
NOTES: [1] Single-family detached homes shall be at least ten feet apart. [2] Building height may be increased beyond 35 feet provided the setback from all lot lines equals or exceeds the building's height. [3] Up to one-half of the open space set-aside may be covered by water.	

6. DEVELOPMENT STANDARDS

a. PERIMETER PLANTING STRIP
A Type B perimeter buffer configured in accordance with Section 5.6.10, Perimeter Buffers, shall be installed around the perimeter of the development.

b. PERIMETER FENCING
To ensure the safety and security of residents within a CCRC, the development shall be surrounded by a perimeter wall or fence with a minimum height of four feet.

c. ACCESS AND CIRCULATION
Access and circulation shall adequately provide for firefighting equipment, service deliveries and refuse collection.

d. UNDERGROUND UTILITIES
Underground installation of telephone, power and cable TV lines is encouraged but not required.

e. PEDESTRIAN PATHS
Pedestrian paths shall form a logical, safe, and convenient system for pedestrian and handicap access to all on-site buildings and facilities as well as major off-site destinations.

E. FAMILY CARE HOME

1. A lot containing a family care home shall not be located within one-half mile (2,640 feet) of another lot containing a family care home or a group home.
2. Any family care home shall maintain a valid license to operate from the North Carolina Department of Health and Human Services.

F. GROUP HOME

A group home shall comply with the following standards:

1. A lot containing a group home shall not be located within one-half mile (2,640 feet) of another lot containing a family care home or another group home;
2. The use shall be operated in a manner that is compatible with the surrounding neighborhood and shall not be detrimental to adjacent lands as a result of traffic, noise, refuse, parking, loitering, or other activities;

3. The number of occupants shall in a group home shall be limited to the maximum number that may be accommodated while at the same time complying with all applicable Town regulations and State requirements;
4. The use shall maintain a residential appearance compatible with its surroundings when proposed in a residential or mixed use district; and
5. The use shall meet all State requirements, as well as all applicable housing and building code requirements.

G. HALFWAY HOUSE

A halfway house shall comply with the following standards:

1. A lot containing a halfway house shall not be located within one-half mile (2,640) feet of another lot containing a bar, cocktail lounge, nightclub, boarding or rooming house, or adult business;
2. The maximum number of residents in a halfway house shall be limited to five in addition to any staff or landowners and their families;
3. Visitation by members of the public to a resident living in a halfway house may only take place between the hours of 7:00 AM and 7:00 PM;
4. The use shall meet all State requirements, as well as all applicable housing and building code requirements; and
5. The use shall include a sign, visible from outside the front entrance, the lists an emergency contact name and telephone number that is available 24 hours a day.

H. LIVE/WORK DWELLING

A live/work dwelling shall comply with the following standards:

1. The residential portion of the building shall occupy at least 50 percent of the gross floor area.
2. The nonresidential portion of the building is limited to an office, personal service, retail sales, or restaurant use type.
3. Drive-through facilities are prohibited.
4. Signage for the nonresidential portion of the building shall be limited to wall signage or projecting signage.

I. MANUFACTURED DWELLING

A manufactured dwelling (or manufactured home) shall comply with the following standards:

1. It shall be located on an individual lot in the MHO district;
2. It shall be occupied only as a single family dwelling;
3. It shall be served by public water and sewer;
4. It shall be configured in accordance with the standards established by the North Carolina Department of Insurance and the most current version of the State of North Carolina Regulations for Manufactured Homes;
5. It shall maintain a minimum width of 16 feet;
6. It shall be oriented with the longest axis parallel to the lot frontage, to the maximum extent practicable;
7. The towing apparatus, wheels, axles, and transporting lights shall be removed;
8. It shall include a continuous, permanent masonry foundation or masonry curtain wall of solid brick or brick veneer, unpierced except for required ventilation and access, installed under the perimeter;
9. It shall include stairs, porches, entrance platforms, ramps, and other means of entrance and exit that are installed or constructed in accordance with the standards set by the State Building Code(s). They shall be attached firmly to the primary structure and anchored securely to the ground;

10. It shall maintain exterior siding comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction, which consists of one or more of the following:
- **a.** Vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint);
- **b.** Cedar or other wood siding;
- **c.** Stucco siding;
- **d.** Brick or stone siding.

11. It shall maintain a roof pitch with a minimum vertical rise of three feet for each 12 feet of horizontal run;

12. It shall include a roof finished with a Class C or better roofing material that is commonly used in standard residential construction; and

13. It shall provide an eave projection of no less than 6 inches, which may include a gutter.

J. MANUFACTURED DWELLING PARK

Manufactured dwellings located within a manufactured dwelling park lawfully established prior to January 1, 2020 are nonconforming uses and shall comply with the standards in Section 4.3.3.I, Manufactured Dwelling.

K. MOBILE HOMES

Lawfully established mobile homes existing on January 1, 2020 are nonconforming uses and shall comply with the following standards:

1. NEW MOBILE HOMES PROHIBITED

The establishment of a mobile home on a lot or in a mobile home park after January 1, 2020 is prohibited.

2. REPLACEMENT OF EXISTING MOBILE HOMES

Replacement of a lawfully established mobile home shall be in accordance with Section 7.6.3.B, Manufactured or Mobile Homes.

3. ADDITIONAL STANDARDS

All mobile homes which are hereafter placed either on individual lots or in spaces in mobile home parks shall comply with the following requirements.
- **a.** Any mobile home constructed before July 1, 1970, must be approved by Underwriters' Laboratories and any mobile home constructed after that time must meet all applicable state and federal standards.
- **b.** All mobile homes shall be tied down in accordance with the State Regulations for Mobile Homes and Modular Housing.
- **c.** A continuous foundation enclosure, unpierced except for required ventilation and access, shall be installed. The enclosure may consist of brick or concrete block, or other masonry, or wood, rigid vinyl or metal fabricated for this purpose.
- **d.** Any wood framing for foundation skirting shall be constructed with treated lumber. The foundation or skirt shall be in compliance with all applicable codes and regulations.

L. MOBILE HOME PARK

Mobile home parks lawfully established before January 1, 2020 are nonconforming uses and shall comply with the following standards:

1. REPLACEMENT OF EXISTING MOBILE HOMES

Replacement of an existing, lawfully established mobile home shall be in accordance with Section 7.6.3.B, Manufactured or Mobile Homes.

2. EXPANSIONS

Expansion of an existing mobile home park beyond its lawfully established boundaries in existence on January 1, 2020 is prohibited.

3. INDIVIDUAL SPACES

a. All mobile homes will be located on individual mobile home spaces.

b. Spaces served by municipal or community water and sewer systems shall be at least 8,000 square feet of ground area.

c. Minimum space size for mobile homes using septic tanks shall be as determined by the Wake County Environmental Services, but in no case less than 10,000 square feet whether or not a municipal or community water supply is available.

d. Every mobile home space will be at least 75 feet wide and clearly delineated.

e. There will be at least 15 feet clearance between mobile homes from every in-park alignment and 25 feet adjacent to entrance streets.

4. MOBILE HOME PLACEMENT

No mobile home will be located less than 15 feet from any building within the mobile home park, no closer than 15 feet from any exterior boundary line of the mobile home park and no closer than 15 feet to the edge of any interior street right-of-way.

5. ACCESS TO INDIVIDUAL SPACES

No mobile home space will have unobstructed access to public streets and highways except through an interior drive.

6. PERIMETER SCREENING

Any mobile home park with more than four spaces will have a visual buffer (such as neatly trimmed shrubbery) six feet in height surrounding the mobile home park.

7. TRAVEL TRAILERS

a. Combination usage of travel-type trailers and conventional mobile homes shall not be allowed.

b. The developer may provide vacant spaces for travel-type trailer spaces on a semi-permanent basis (not more than 60 days during one calendar year), as long as they meet all state, county and municipal regulations, and can be served with sanitary facilities and are kept in a separate area from the permanent residents.

8. TIEDOWNS REQUIRED

a. Each mobile home shall be required by the park director to install tiedown apparatus for each unit. These tiedowns shall be in accordance with the mobile home manufacturer's instructions if the tiedown system is designed by a registered architect or engineer.

b. If no set of instructions is available or if the system has not been designed by a licensed architect or engineer, then it shall be designed in accordance with the North Carolina Department of Insurance manufactured home regulations.

9. ADDITIONS

a. Any structural additions to mobile homes other than those which are built as part of the unit and designed to extend from it shall be erected only after a building permit shall have been obtained and approved, and the additions shall conform to the building code of the governing unit, where applicable, or shall meet the standards of special regulatory amendments adopted with respect to the additions.

b. The building permit shall specify whether each structural addition may remain permanently, must be removed when the mobile home is removed on a permanent or semi-permanent basis, or must be removed within specified length of time after the mobile home is removed from the park or site.

c. Structural alterations existing on November 7, 2011 shall be removed within 30 days after the mobile home which they serve is moved unless attached to another mobile home on the same site within that period.

10. MANAGEMENT

In each mobile home park, the permittee or duly authorized attendant or caretaker shall be in charge at all times to keep the mobile home park, its facilities, and equipment in a clean, orderly, safe, sanitary condition.

11. NONCONFORMING MOBILE HOME PARKS

a. Existing mobile home parks which provide mobile home spaces having a width or area less than that herein above described, may continue to operate with spaces of existing width and area, but in no event shall any like nonconforming mobile home park be allowed to expand unless the extensions meet the requirements of this chapter.

b. Any like nonconforming park area shall be required to properly conform whenever the park area is over one-half void of permanent mobile homes on available sites.

12. ALLOWABLE USES

Permitted uses in mobile home parks shall be as follows:

a. Mobile homes;

b. Structural additions subject to these standards;

c. An administrative office to serve mobile home park;

d. Coin-operated laundries to serve the mobile home park only if the laundry is attached to municipal sewer facilities; and

e. Private recreational facilities.

13. FLOODING

a. The mobile home park shall be located in an area and on soil that is not susceptible to flooding.

b. The mobile home park shall be adequately graded so as to prevent any water accumulation on the premises.

c. All ditch banks shall be sloped and seeded in order to ensure proper run-off and an adequate drainage pattern to avoid erosion and the formation of gullies.

14. EXTERIOR LIGHTING

a. Lighting shall be designed to produce a minimum of 0.1 footcandle at street level throughout the system.

b. Potentially hazardous locations, such as major street intersections and steps or stepped ramps shall be individually illuminated with a minimum of 0.3 footcandle.

15. STORAGE PROVIDED

A storage building sufficient for the entire mobile home park shall be provided for the storage of boats, motorcycles, and similar items.

M. MULTI-FAMILY DWELLING

Multi-family development shall comply with the following provisions:

1. BUILDING PLACEMENT

a. A minimum ten feet of separation shall be maintained between all buildings in the development.

b. Buildings must be set back from private drives and parking lots a minimum of ten feet as measured from back of curb or edge of pavement, if no curb is provided.

c. Buildings shall be setback from public streets in the development in accordance with the street setbacks for the district where located.

2. BUILDING LENGTH

a. The maximum length of a multi-family building shall be 250 linear feet.

b. No maximum building length shall be applied if the building is designed for occupancy by the elderly and it has central facilities for dining and recreation.

c. In no instance shall the provision of a firewall between different building sections constitute two separate buildings for the purpose of meeting the building length requirement.

3. DESIGN

Multi-family development shall comply with the applicable design standards in Section 5.3.3, Multi-Family Residential Design Standards.

4. RECREATION FACILITIES

Active recreation facilities must be placed a minimum of 50 feet from adjacent land used for single-family detached residential purposes.

5. UTILITIES

All electric, communications, water and sewer utility lines shall be installed underground.

6. CONDOMINIUMS

Multi-family development configured as condominiums shall comply with the following standards:

a. Condominiums shall conform to the use and development requirements of this Ordinance for the zoning district(s) where located.

b. Condominiums shall conform to the requirements of the North Carolina Condominium Act, in Chapter 47C of the North Carolina General Statutes.

c. Condominium ownership may be created by the owner or co-owners of a structure(s) by an express declaration of their intention to submit such property to the provisions of the North Carolina Condominium Act, which declaration shall be subject to approval by the Board of Commissioners and recorded in the office of the Register of Deeds in the county where the development is located.

7. SCREENING

Utility areas such as clothes drying yards and outdoor storage areas shall be fully screened from public streets and adjacent lots zoned for single-family detached residential dwellings.

N. POCKET NEIGHBORHOOD

1. PURPOSE AND INTENT

A pocket neighborhood is a group of smaller single-family detached dwellings built in close proximity to one another around a small green or commonly-owned open space with off-street parking areas to the rear or in common areas. These standards are intended to provide greater housing options as well as providing a means for accommodating infill in established portions of the Town.

2. SITE CONFIGURATION

a. DEVELOPMENT SIZE

It shall be located on a parcel of land at least one-third (1/3) of an acre and no greater than 4 acres in area.

b. ALLOWABLE USES

i. Pocket neighborhoods shall be limited to single-family detached dwellings and accessory uses.

ii. Accessory uses may include common open space, a common building for the purposes of storage or recreation, outdoor recreational features, and garages (see Figure 4.3.3.N: Pocket Neighborhood Design).

FIGURE 4.3.3.N: POCKET NEIGHBORHOOD DESIGN



c. NUMBER OF DWELLINGS

It shall include at least four dwellings but no more than 12 dwellings. In no instance shall the gross density of the development exceed a 10 percent increase in the density of the underlying base zoning district.

d. COMMON OPEN SPACE

i. It shall include common open space that comprises at least 40 percent of the total site and includes improved pedestrian walkways that provide pedestrian access to each dwelling, shared parking areas, common buildings, and the public sidewalk network. The common open space shall include a central green, lawn, or garden area fronting the dwellings, a shared, centrally-located off-street parking area, and a perimeter buffer area that incorporates landscaping materials, existing vegetation, or other features to buffer the pocket neighborhood from adjacent development.

ii. The central green or lawn area shall include at least 300 square feet of area for each dwelling in the development.

iii. A common building located within the common open space area may be included as an accessory use, but in no instance shall the common building exceed 1,500 square feet or serve as a permanent dwelling unit.

e. LOT FRONTAGE

i. At least 60 percent of the individual building lots shall front the common open space area, not a street or alley.

ii. Up to 40 percent of the lots may front a street. Homes on street-facing lots shall include a front porch and shall not include an attached garage that faces the street.

f. SURFACE PARKING

i. Pocket neighborhoods are exempt from the parking standards in Table 5.8.4.H, Minimum Off-Street Parking Requirements Table.

ii. The pocket neighborhood may include a shared parking area that accommodates resident and guest parking.

iii. Surface parking areas shall include at least one parking space for each dwelling unit plus one designated guest parking space for every four dwelling units.

iv. Provision of resident parking spaces within a shared parking area is not required in cases where resident parking is provided through individual driveways or by parking spaces along alleys.

v. In no instance shall parking areas be more than 300 linear feet from the dwelling it serves.

g. DETACHED SHARED GARAGES

If provided, detached garages serving more than one dwelling shall be accessed via a private drive or alley. A garage shall not exceed five car bays or include individual garage doors wider than 12 feet each.

h. STORAGE SPACE

Each individual dwelling shall have at least 40 square feet of covered storage space outside the heated floor area. Storage space may be located on an individual lot or on common land adjacent to a common building.

i. PERIMETER BUFFER

A pocket neighborhood shall incorporate a Type B perimeter buffer along all lot lines shared with existing single-family detached dwellings.

j. PRIVATE DRIVES

Vehicular entryways into pocket neighborhoods and accessways serving off-street parking areas and individual dwelling lots shall be configured as private drives.

3. INDIVIDUAL LOT CONFIGURATION

Table 4.3.3.N.3: Pocket Neighborhood Lots, sets out the dimensional requirements for individual lots.

TABLE 4.3.3.N.3: POCKET NEIGHBORHOOD LOTS

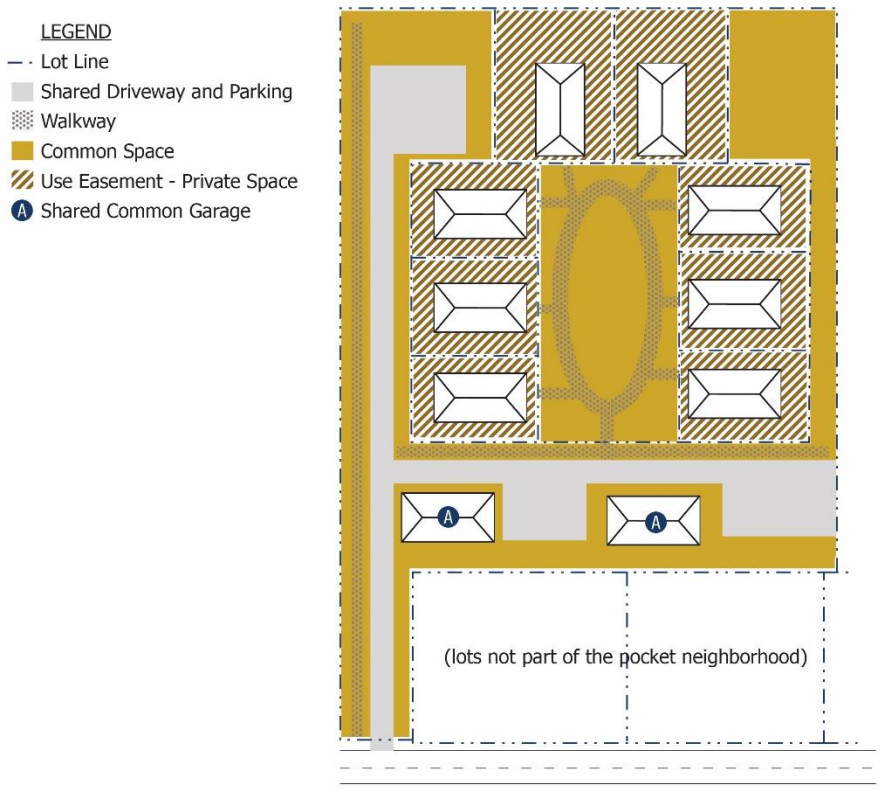
FEATURE	REQUIREMENT
Minimum lot size (sq ft)	None
Maximum lot coverage (%)	75
Minimum lot width (ft)	20
Minimum front setback (ft)	10 from open space; zoning district requirement from street [1]

TABLE 4.3.3.N.3: POCKET NEIGHBORHOOD LOTS	
FEATURE	**REQUIREMENT**
Minimum side setback (ft)	3 one side; 15 other side [1]
Minimum rear setback (ft)	None [2]
NOTES: [1] Porch steps, ramps, fences, and walkways may encroach into the front setback in accordance with Section 9.3, Rules of Measurement, but no other structures shall be permitted to encroach into the required setback. [2] When an individual lot includes a driveway, the minimum rear setback shall be 20 feet.	

a. USE EASEMENT

Any lot abutting another lot used for residential purposes in a pocket neighborhood shall be subject to a use easement on one side that extends from the lot line to the exterior wall of the dwelling (see Figure 4.3.3.N.3.a: Use Easement). The purpose for the use easement is to ensure each dwelling has a private outdoor space.

FIGURE 4.3.3.N.3.A: USE EASEMENT



4. DWELLING UNIT CONFIGURATION

a. MAXIMUM HEIGHT

A dwelling unit shall not exceed 1½ stories, or 24 feet, above grade.

b. DWELLING SIZE

i. A dwelling unit shall be at least 600 square feet in floor area, but not more than 2,000 square feet in floor area.

ii. At least 2 dwellings in a pocket neighborhood shall maintain a total square footage that differs by at least 200 square feet in floor area from the average square footage of all other dwellings. Nothing shall prohibit a configuration where all dwellings are different sizes.

c. FENCES

Pocket neighborhoods are exempted from the standards in Section 5.5, Fences and Walls, but shall comply with the following:

i. Fences within front yards or side yards forward of the front façade plane shall not exceed three feet in height.

ii. Fences in rear yards or side yards behind the front facade plane shall not exceed six feet in height.

iii. In no instance shall a fence be placed within a use or access easement.

d. HOMEOWNER'S ASSOCIATION

A pocket neighborhood shall include a homeowner(s) or property owner(s) association that maintains control of common areas and takes responsibility for maintenance of common features in the neighborhood established and configured in accordance with Section 6.5, Owners' Associations.

O. SINGLE-FAMILY ATTACHED DWELLING

Single-family attached development shall comply with the following provisions:

1. BUILDING PLACEMENT

a. A minimum ten feet of separation shall be maintained between all buildings in the development.

b. Buildings must be set back from private drives and parking lots a minimum of ten feet as measured from back of curb or edge of pavement, if no curb is provided.

c. Buildings shall be setback from public streets in the development in accordance with the street setbacks for the district where located.

2. MAXIMUM NUMBER OF UNITS PER BUILDING

Table 4.3.3.O.2: Maximum Number of Units in a Buildings, sets out the maximum number of attached residential dwelling units allowed in a single building by zoning district:

TABLE 4.3.3.O.2: MAXIMUM NUMBER OF UNITS IN A BUILDING

Zoning District	Maximum Number of Units in a Single Building
R4 & R6	6
RMF	12
GC	12
OI	8
DTC	5
DTP	8
RMU	6

3. RECREATION FACILITIES

Active recreation facilities must be placed a minimum of 50 feet from adjacent land used for single-family detached residential purposes.

4. UTILITIES

All electric, communications, water and sewer utility lines shall be installed underground.

5. CONDOMINIUMS

Single-family attached development configured as condominiums shall comply with the following standards:

a. Condominiums shall conform to the use and development requirements of this Ordinance for the zoning district(s) where located.

b. Condominiums shall conform to the requirements of the North Carolina Condominium Act, in Chapter 47C of the North Carolina General Statutes.

c. Condominium ownership may be created by the owner or co-owners of a structure(s) by an express declaration of their intention to submit such property to the provisions of the North Carolina Condominium Act, which declaration shall be subject to approval by the Board of Commissioners and recorded in the office of the Register of Deeds in the county where the development is located.

6. ACCESS TO DEVELOPMENT

a. Single-family attached developments shall abut a public street.

b. Individual single-family attached lots need not abut a public street provided that every dwelling unit shall be provided access to their property via either a public right-of-way or a private vehicular or pedestrian way owned by the individual lot owner in fee or in common ownership with other property owners in the townhouse development.

c. Adequate access shall be provided for firefighting equipment, service deliveries and refuse collections.

7. VEHICULAR ACCESS TO INDIVIDUAL DWELLINGS

Vehicular access points to individual dwellings or individual lots within a single-family attached development shall only be from the side or rear of the lot.

8. GUEST PARKING SPACES REQUIRED

a. Single-family attached residential developments of three or more dwelling units shall provide shared or common guest parking facilities in accordance with the standards in Table 5.8.4.H: Minimum Off-Street Parking Requirements Table.

b. Guest parking spaces shall be evenly distributed around the development, to the maximum extent practicable.

c. Guest parking areas shall be served by pedestrian access that connects to the existing public sidewalk, greenway, or trail network serving the development.

P. SINGLE-FAMILY DETACHED DWELLING

New single-family detached dwellings constructed after January 1, 2020 shall comply with the following standards:

1. FINISHED FLOOR HEIGHT

Except for single-family detached dwellings subject to a deed restricting limiting the age of residents to 55 years of age or older, the finished floor elevation shall be at least 18 inches above the finished grade adjacent to the home's primary entrance.

2. INGRESS/EGRESS ON EVERY SIDE

Single-family detached dwellings shall be configured so that each side of the dwelling includes some form of ingress or egress capable of allowing emergency exit from or entrance into the dwelling. Windows, doors, or other wall penetrations shall be credited towards these standards. Skylights shall also be credited towards these standards in cases where there is sufficient access to the ground from the roof.

3. SITE ACCESS

Site access to single-family detached dwellings shall only be in accordance with the standards in Table 4.3.3.P.3: Single Family Site Access Standards:

TABLE 4.3.3.P.3: SINGLE-FAMILY SITE ACCESS STANDARDS

LOT CONFIGURATION [1]	ALLOWABLE VEHICULAR ACCESS POINT LOCATION (LOT LINE) [2]
Lots With a Lot Width of 70 Linear Feet or More	Front, Side, or Rear
Lots with a Lot Width of Less than 70 Linear Feet	Interior Lot: Rear
	Corner Lot: Side or Rear
Cul-de-Sac Lots	Front or Rear
Lots in a Conservation Subdivision	Front, Side, or Rear
Lots in a Bungalow Court	Front, Side, or Rear
Lots in a Pocket Neighborhood	Vehicular Access to Individual Lot not Required

NOTES:
[1] Standards may be reduced by up to 10 feet as part of a conditional rezoning application.
[2] Lots obtaining vehicular access from a NCDOT-maintained street may be accessed from a location identified in a driveway permit from the NCDOT regardless of the standards in this table.

4. DESIGN GUIDELINE COMPLIANCE ENCOURAGED

Voluntary compliance with the standards in Section 5.2, Design Guidelines, is encouraged.

Q. TRIPLEX/QUADPLEX

Triplex and quadplex dwellings shall comply with the following standards:

1. The dwelling shall face the street from which the dwelling derives its street address.
2. If a parking lot is provided, it shall be located to the interior side or rear of the dwelling and not be located between the dwelling and the street.
3. Voluntary compliance with the standards in Section 5.2, Design Guidelines is encouraged.

R. UPPER-STORY RESIDENTIAL

1. Upper-story residential dwelling units shall occupy the second or higher floor of a building with a nonresidential use on the ground floor.
2. Upper-story residential units configured as condominiums shall comply with the standards in Section 4.3.3.O.5, Condominiums.
3. Except for buildings used solely for industrial purposes, new buildings containing upper-story residential uses shall comply with the standards in Section 5.3.2, Mixed-Use Design Standards. Lawfully established building in place prior to January 1, 2020 shall comply with the standards in Section 5.3.2, Mixed-Use Design Standards, to the extent practical.

4.3.4. INSTITUTIONAL USES

A. ADULT DAY CARE CENTER

An adult day care center use shall comply with the following requirements:

1. The use shall be certified by the North Carolina Department of Health and Human Services.
2. The use shall obtain all required licenses and permits from the State.
3. The use shall include a fenced outdoor gathering area of at least 25 square feet per patron receiving care.
4. The use includes a pick-up and drop-off area that allows patrons to enter and exit vehicles without crossing a parking lot or vehicular accessway.
5. The use must be at least 1,320 linear feet from another adult day care use.

B. ANTENNA COLLOCATION (MAJOR OR MINOR)

Major and minor antenna collocations shall comply with the applicable standards in Section 4.3.4.S, Wireless Telecommunication Facilities.

C. AUDITORIUM

Auditoriums shall comply with the following standards:

1. The parcel or site shall have an area of at least three acres.
2. The building shall be located at least 500 feet from any lot in a single-family residential zoning district.
3. No products shall be sold on-site except those that are clearly incidental and integral to training programs and seminars conducted in the auditorium (e.g., food items, shirts, glasses and mugs, pens and pencils, and similar items bearing the logo of conference or seminar sponsors or participants).

D. BROADCASTING STUDIO

Broadcasting studios shall comply with the following standards:

1. The use shall be operated in a manner that is compatible with the surrounding neighborhood and shall not be detrimental to adjacent lands as a result of traffic, noise, refuse, parking, loitering, or other activities;
2. Any broadcasting towers associated with the use shall be setback from all lot lines a minimum distance equal to the height of the tower;
3. The above-grade floor area associated with the use shall not exceed 5,000 square feet; and
4. The use shall not include a helipad or helicopter landing facilities.

E. CEMETERY, COLUMBARIUM, OR MAUSOLEUM

Except as otherwise required in this UDO, new cemeteries and the expansion of existing cemeteries (as a principal use) shall comply with the following standards:

1. New cemeteries shall be located on a site or parcel with an area of at least two-and-one-half acres. This standard shall not apply to existing cemeteries or the expansion of existing cemeteries.
2. New cemeteries shall be located on a site or parcel that fronts a major arterial or collector street. This standard shall not apply to existing cemeteries or the expansion of existing cemeteries.
3. Cemeteries shall include drive aisles or vehicular accessways of at least 12 feet in width or greater as needed for the parking and maneuvering of funeral processions.
4. Interments shall take place at least 25 feet from any lot line and comply with all requirements of the North Carolina General Statutes.

F. CHILD DAY CARE CENTER

Child day care centers shall comply with the standards in Article 7, Chapter 110, of the North Carolina General Statutes, and the following:

1. Evidence of compliance with all applicable State standards, including licensure, shall be furnished to the Planning Director by the operator of the use prior to the commencement of operation.
2. Child day care centers shall maintain a minimum lot area of at least 6,000 square feet plus an additional 100 square feet for each child enrolled in the facility in excess of ten.
3. Lots containing child day care centers shall include at least 100 square feet of well-drained, completely fenced, outside play area per child enrolled in the facility (excluding infants). Access drives or parking areas shall not be credited towards the play area requirements.

G. COMMUNITY/YOUTH/SENIOR CENTER

A community center, senior center, or youth center shall comply with the following standards:

1. Not front on or gain access from a residential local street.
2. Outdoor courts, swimming pools, and athletic fields shall be located at least 50 feet from any lot line abutting a single-family residential district.
3. Uses in residential districts shall be on a lot of at least two acres.

H. COLISEUM, ARENA, CONVENTION CENTER, CONFERENCE CENTER

Coliseums, arenas, convention centers, and conference centers shall comply with the following standards:

1. The parcel or site shall have an area of at least five acres.
2. The building shall be located at least 500 feet from any lot in a single-family residential zoning district.
3. Dining and banquet facilities may be provided for employees, trainees, and conferees, provided the gross floor area devoted to such facilities does not exceed 50 percent of the total floor area of the principal building.
4. On-site recreational facilities may be provided for use by employees, trainees, or conferees.
5. No products shall be sold on-site except those that are clearly incidental and integral to training programs and seminars conducted in the center (e.g., food items, shirts, glasses and mugs, pens and pencils, and similar items bearing the logo of conference or seminar sponsors or participants).

I. DRUG/ALCOHOL TREATMENT FACILITY

A drug or alcohol treatment facility shall comply with the following standards:

1. Be at least 500 feet from any other such facility; and
2. Be at least 500 feet from any lot in a single-family residential district, school, child care center, and religious institution that has a child care center or school.

J. FRATERNAL CLUB OR LODGE

When proposed within a residential district, the OI district or the NC district, clubs and lodges shall comply with the following:

1. The club or lodge shall be on a lot of at least one acre in area.
2. No structure, off-street parking, or activity area shall be closer than 40 feet to any lot line.
3. A Type A buffer configured in accordance with Section 5.6.10, Perimeter Buffers, shall be provided along all side and rear lot lines.
4. Exterior lighting shall be so shielded as to cast no direct light upon adjacent lands.
5. Public address systems are prohibited except when contained entirely within a building.

K. HELICOPTER LANDING PAD

A helicopter landing pad shall comply with the following standards:

1. The helicopter landing pad shall provide adequate land area for safe take-offs and landings in accordance with standards of the Federal Aviation Administration (FAA).
2. When located within 500 feet of a single-family residential zoning district, or existing single-family residential use, a helicopter landing pad shall provide a Type A buffer along side and rear lot lines to ensure the facility does not adversely impact surrounding uses.

L. HOSPITAL

A hospital shall comply with the following standards:

1. Be located on a site or parcel with an area of at least five acres;
2. Be located a parcel that fronts or has direct access to a major arterial or collector street;
3. Locate the emergency vehicle entrance on a major arterial or collector street;
4. Not locate an emergency vehicle entrance in an area across the street from a residential zoning district;
5. Be served by a public water and wastewater system; and
6. Ensure that principal structures are located at least 100 feet from any lot line.

M. RELIGIOUS INSTITUTION

Religious institutions shall comply with the following standards:

1. A religious institution with seating for 500 or more persons shall:
   a. Be on a lot of at least three acres in area.
   b. Meet the minimum off-street parking standards for a religious institution as well as for any accessory uses (e.g., a school, day care, etc.) in Table 5.8.4.H: Minimum Off-Street Parking Requirements Table.
2. Regardless of the zoning district where located, religious institutions of any size shall provide a Type A buffer along lot lines shared with single-family residential dwellings.

N. SCHOOL, HIGH/MIDDLE

A high or middle school shall not front or gain primary access from a local street.

O. SCHOOL, VOCATIONAL

Facilities within a vocational school which generate significant noise or fumes, such as auto body or engine repair, industrial/auto body painting, or manufacturing processes, and that are adjacent to a residential district shall be at least 100 feet from any lot line abutting the residential district.

P. SMALL WIRELESS FACILITY

1. Small wireless facilities located outside a public right-of-way shall comply with the applicable standards in Section 4.3.4.S, Wireless Telecommunication Facilities.
2. Small wireless facilities located within a public right-of-way shall comply with the Town's Right-of-Way Management Ordinance.

Q. TELECOMMUNICATIONS TOWER, MAJOR, MINOR, OR CONCEALED

Major, minor, and concealed telecommunications towers shall comply with the applicable standards in Section 4.3.4.S, Wireless Telecommunication Facilities.

R. TEMPORARY WIRELESS FACILITY

Temporary Wireless Facilities shall comply with the applicable standards in Section 4.3.4.S, Wireless Telecommunication Facilities.

S. WIRELESS TELECOMMUNICATION FACILITIES

1. PURPOSE AND INTENT

This section establishes general standards for the siting of wireless telecommunications facilities that will provide for the public health, safety, and welfare. The standards are intended to ensure that residents, businesses, and public safety operations in the Town

have reliable access to wireless telecommunications services. More specifically, the provisions of this section are intended to:

a. Ensure adequate protection of residential areas and uses from potential adverse impacts of wireless telecommunications facilities, and to generally encourage the location of these facilities in areas where adverse impact on the community is minimal;

b. Encourage the placement of wireless telecommunications facilities in non-residential areas;

c. Minimize the number of new telecommunications towers in the Town;

d. Create conditions where wireless telecommunications service providers are able to provide wireless telecommunications services effectively and efficiently in accordance with state and federal law;

e. Strongly encourage the joint use or collocation of new and existing wireless telecommunications facilities so as to minimize the number of new telecommunications towers throughout the Town;

f. Establish collocation and concealed towers as the preferred options for the accommodation of wireless telecommunications equipment; and

g. Ensure that wireless telecommunications facilities located within the public right of way do not obstruct sight distance triangles or create safety hazards for pedestrians or bicyclists.

2. APPLICABILITY OF THESE STANDARDS

The standards in this section shall apply to all wireless telecommunications facilities except for the following, which are exempted from these standards but remain subject to all other applicable standards in this Ordinance:

a. Removal of antennas, antenna support structures, or wireless telecommunications equipment on an existing telecommunications tower, utility pole, vertical projection, or equipment compound that does not result in a substantial modification;

b. The operation of a small wireless facility solely within the interior of a structure, stadium, or athletic facility;

c. Routine maintenance on an existing wireless telecommunication facility;

d. Installation, modification, or operation of a micro-wireless facility, receive-only television antenna, or receive-only radio antenna for noncommercial use; and

e. Installation, modification, or operation of FCC-licensed amateur ("ham") radio equipment.

3. GENERAL STANDARDS APPLICABLE TO ALL TYPES OF WIRELESS TELECOMMUNICATIONS FACILITIES

The following requirements shall apply to all new wireless telecommunications facilities and any modifications to an existing wireless telecommunications facility that exceeds the scope of routine maintenance, as defined in this section.

a. BUILDING PERMIT REQUIRED

Prior to installation or modification exceeding the scope of routine maintenance, all wireless telecommunications facilities shall receive a building permit in accordance with the requirements in this Ordinance.

b. COMPLIANCE WITH FEDERAL AND STATE REGULATIONS

i. All wireless telecommunication facilities shall comply with or exceed current standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and any other agency of the federal government that regulates telecommunications facilities.

ii. In addition to federal requirements, all wireless telecommunication facilities shall comply with or exceed current standards and regulations of the State of North

Carolina pertaining to wireless telecommunications facilities in Sections 160D-903 through 160D-938 in the North Carolina General Statutes.

c. INTERFERENCE

No wireless telecommunication facility shall disturb, diminish, or interfere with public safety, radio, television, or other wireless communications signals, in accordance with FCC requirements.

d. STRUCTURALLY SOUND

All elements of a wireless telecommunication facility shall demonstrate, to the satisfaction of the Town, that the equipment and the structure supporting the equipment is structurally sound and can accommodate the proposed equipment and appurtenances.

e. SIGHT DISTANCE AT INTERSECTIONS

All elements of a wireless telecommunication facility shall be located outside of, and shall in no way obstruct, required sight distances at street intersections. This requirement shall apply to existing streets as well as to future street intersections that have been designed or where right-of-way is currently being protected by the Town.

f. ACCESSORY EQUIPMENT

i. Accessory equipment, including any buildings, cabinets, or shelters, shall be used only for the purposes of housing wireless telecommunications equipment and other supplies in direct support of the operation of the wireless telecommunications facility.

ii. Any equipment or materials not used in direct support of such operation shall not be stored on the site.

iii. When a generator is operated at a wireless telecommunication facility, it shall comply with the applicable standards in Chapter 97: Noise, of this Code of Ordinances.

g. SITE GRADING

Grading and vegetation removal for a wireless telecommunications facility shall be limited to the area necessary for the facility and any required accessory structures, including: stormwater management devices, access drives, or off-street parking.

h. UNDERGROUND EQUIPMENT

Nothing shall limit the Town from requiring ground-based or pole-mounted telecommunications equipment to be located underground or otherwise concealed in a manner that obstructs its view from the public realm in the following locations:

i. Historic districts (local or otherwise);

ii. Portions of Town subject to design standards or controls; or

iii. Portions of the Town's planning jurisdiction subject to adopted policy guidance that indicates the area as a pedestrian-oriented area or an area where the appearance of development is identified as one of the key policy considerations in preserving the Town's established character.

i. LIGHTING

i. Lighting of a wireless telecommunications facility shall be limited to that required for compliance with FAA minimum standards.

ii. Any lighting required by the FAA must be of the minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowable by the FAA.

iii. Nighttime strobing or flashing lights are prohibited, unless required by the FAA.

iv. Lights serving equipment compounds or other service areas shall be configured so that the source of illumination is not visible from off-site areas.

v. All exterior lighting shall comply with the lighting regulations of this Ordinance, or the Design Manual, whichever is more strict.

j. SIGNAGE

i. Signage shall be limited to safety or informational signage identifying the party responsible for the operation and maintenance of the facility and any additional security or safety signs, as necessary in the opinion of the Town.

ii. If the electrical service is in excess of 220 volts, the wireless telecommunications facility shall include signs located at least every twenty feet around the perimeter that display the words "HIGH VOLTAGE - DANGER" in bold, high contrast letters with minimum height of four inches for each letter.

iii. No signage shall be posted higher than 15 feet above grade.

iv. Signage required by this section shall be considered to be safety or governmental signage that is not subject to 1st Amendment protection regarding the regulation of sign content.

k. UNAUTHORIZED ACCESS PROHIBITED

Telecommunications towers and vertical projections with wireless telecommunications equipment with a height of 30 feet above grade or more shall be designed or configured to prevent unauthorized persons from climbing on the wireless telecommunication facility whether through the use of walls or fencing with a minimum height of six feet above grade, or other anti-climbing devices.

4. STANDARDS FOR SPECIFIC TYPES OF WIRELESS TELECOMMUNICATION FACILITIES

The following standards shall apply to the identified type of wireless telecommunications facility, and shall apply in addition to the standards in Section 4.3.4.S.3, General Standards Applicable to All Types of Wireless Telecommunications Facilities.

a. TELECOMMUNICATIONS TOWER, MAJOR		
New or replacement major telecommunications towers shall comply with the standards in Table 4.2.3, Principal Use Table, Section 4.3.4.S.3, General Standards Applicable to All Types of Wireless Telecommunications Facilities, and the following standards:		
i.	**Towers Distinguished**	**a.** A new or replacement telecommunications tower with a height of 30 feet or more above grade is a major telecommunications tower subject to these standards. **b.** A new or replacement telecommunications tower with a height less than 30 feet above grade shall be considered a minor telecommunications tower and shall be subject to the standards for a concealed or minor telecommunications tower.
ii.	**Type of Structure**	**a.** Telecommunications towers shall be configured as a monopole or be concealed in accordance with Section 4.3.4.S.4.b, Telecommunications Tower, Concealed. **b.** Construction of new guyed or self-supporting telecommunications tower configurations are prohibited.
iii.	**Setbacks**	**a.** Towers and their associated antennas shall be set back at least one foot from the front, side, and rear lot lines for each foot of overall wireless telecommunications facility height. **b.** In cases where an existing telecommunication tower's height is increased or where an existing telecommunications tower is replaced in order to accommodate a major or minor collocation, the existing or replacement tower shall comply with the setback requirements in subsection (a) above, to the maximum extent practicable. **c.** Accessory structures, including equipment cabinets, and other ground-based equipment shall conform with the applicable dimensional requirements for the zoning district where located.
iv.	**Maximum Height**	**a.** The maximum height (including antenna and other appurtenances) for any new, replaced, or collocated wireless telecommunication tower is 200 feet, as measured from the adjacent pre-construction grade to the top of the highest appurtenance on the tower. **b.** In no instance shall the collocation of an eligible facility or a collocation that constitutes a substantial modification result in a telecommunication tower with a height that exceeds 200 feet above the adjacent pre-construction grade. **c.** In cases where a telecommunications tower is mounted to or on top of a building, the overall height of the building and the attached tower shall not exceed 200 feet from the adjacent preconstruction grade. The adjacent pre-construction grade shall be the grade at the base of the building closest to the tower.
v.	**Collocation Required**	**a.** Telecommunications towers shall be designed to accommodate the present and future needs of the owner and as well as the collocation of additional equipment, in accordance with the following standards: **i.** Towers of 30 to 80 feet in height shall be configured to accommodate the collocation of at least two wireless telecommunications service provider's equipment. **ii.** Towers of 81 to 130 feet in height shall be configured to accommodate the collocation of at least three wireless telecommunications service provider's equipment. **iii.** Towers of 131 feet in height or higher shall be configured to accommodate the collocation of at least four wireless telecommunications service provider's equipment. **iv.** ii. In no instance shall an existing telecommunications tower be permitted to remain in place for a period of more than 14 days following installation of a replacement telecommunications tower constructed to accommodate a collocation.
vi.	**Color**	Telecommunication towers shall either maintain a galvanized steel finish or be painted a neutral, matte color designed to blend with its surroundings, unless otherwise required by the FAA.
vii.	**Screening**	**a.** All ground-based elements, such as an equipment compound or equipment cabinets, shall be completely screened from off-site views through the use of a fully opaque wooden privacy fence, masonry wall, or two staggered rows of evergreen shrubs located around the perimeter of the ground-based elements.

a. TELECOMMUNICATIONS TOWER, MAJOR		
		b. Chain-link fencing is a ground-based element subject to these screening requirements. **c.** Screening is not required in cases where ground-based equipment is not visible from off-site areas. **d.** Landscaping material shall reach and maintain a minimum height of six feet above grade within four years of planting. **e.** Landscaping material is not required in front of access gates, provided the gates are fully opaque or are not visible from off-site areas.
viii.	**Off-Street Parking**	**a.** A telecommunications tower shall provide at least one off-street parking space, paved with an all-weather surface, and configured to provide appropriate stormwater drainage. **b.** Nothing shall prohibit the use of off-street parking associated with another principal use on site or an on-street parking space from meeting this requirement.
ix.	**Example Images**	The following images depict potential monopole telecommunications tower configurations, and are provided for informational purposes only.



Typical monopole with collocated antennae



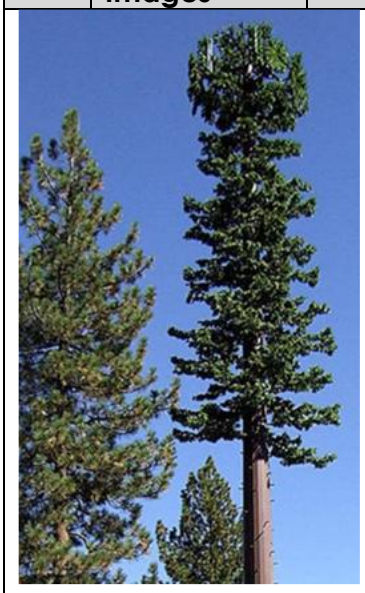
Monopole with "birdcage" antenna mounts



"Mast" monopole configuration with integral antennae

b. TELECOMMUNICATIONS TOWER, CONCEALED		
Concealed telecommunications towers shall comply with the standards in Table 4.2.3, Principal Use Table, Section 4.3.4.S.3, General Standards Applicable to All Types of Wireless Telecommunications Facilities, and the following standards:		
i.	**Towers Distinguished**	**a.** A concealed telecommunications tower is a telecommunications tower and associated equipment that is designed to appear as something other than a traditional wireless telecommunications facility. **b.** ii. A minor wireless telecommunications tower is a use that is designed to appear as a traditional wireless telecommunications facility except that the maximum height of the tower portion of the facility is less than 30 feet above grade.
ii.	**Appearance of a Concealed Telecommun-ications Tower**	**a.** A concealed telecommunications tower shall be configured to conceal the presence of the tower, antennas, antenna-support structures, and related wireless telecommunications equipment in order to obscure its purpose as a wireless telecommunications facility, to the maximum extent practicable. **b.** Allowable configurations include, but are not limited to: bell towers, clock towers, water towers, silos, chimneys, steeples, light standards, flag poles, or evergreen trees. **c.** Antennae, antenna support structures, cabling, and related appurtenances shall be enclosed, camouflaged, screened, or otherwise obscured so that they are not readily identifiable as wireless telecommunications equipment to the casual observer. **d.** Equipment cabinets and related structures shall be designed, located, and camouflaged in a manner that is compatible with the tower portion of the facility. **e.** Placement of ground-based wireless telecommunications equipment associated with a concealed telecommunications tower is strongly encouraged to be located indoors or underground.
iii.	**Setbacks**	**a.** Concealed and minor telecommunications towers and associated accessory structures, including equipment cabinets, shall comply with the applicable dimensional requirements for nonresidential uses in the zoning district where located. **b.** In no instance shall a concealed or minor telecommunications tower be exempted from the minimum applicable setback requirements for nonresidential uses. **c.** In cases where an existing concealed telecommunication tower's height is increased or where an existing concealed telecommunications tower is replaced in order to accommodate a major or minor collocation, the existing or replacement concealed telecommunications tower shall comply with the setback requirements in subsection (a) above, to the maximum extent practicable.
iv.	**Maximum Height**	**a.** The maximum height for any concealed wireless telecommunication tower is 200 feet, as measured from the adjacent pre-construction grade to the top of the highest appurtenance on the tower. **b.** In no instance shall a collocation of an eligible facility or work associated with a substantial modification result in a concealed telecommunication tower with a height that exceeds 200 feet above the adjacent pre-construction grade. **c.** The maximum height for a minor telecommunications tower is less than 30 feet from the adjacent pre-construction grade to the top of the highest appurtenance on the tower.
v.	**Collocation**	**a.** Concealed and minor telecommunications towers are encouraged (but not required) to accommodate the collocation of other antennae, whenever technically and economically feasible. **b.** Any collocated equipment on a concealed telecommunications tower must maintain the appearance of the facility as a concealed telecommunications tower. **c.** Collocations of equipment on a minor telecommunications tower (whether a major or minor collocation) shall not increase the overall height of the tower by more than 10 feet beyond the initially approved height of the minor telecommunications tower. Actions that result in an increase in tower height by more than 10 feet shall require the minor telecommunications tower to undergo review as a major telecommunications tower. **d.** In no instance shall a concealed telecommunications tower be replaced with a telecommunications tower that is not concealed in order to accommodate a collocation.

b. TELECOMMUNICATIONS TOWER, CONCEALED		
vi.	**In Historic District**	A concealed telecommunications tower located within a historic district shall obtain a certificate of appropriateness and shall be configured to minimize visibility of the facility, to the maximum extent practicable.
vii.	**Screening**	**a.** All ground-based elements, such as an equipment compound or equipment cabinets, shall be completely screened from off-site views through the use of a fully opaque wooden privacy fence, masonry wall, or two staggered rows of evergreen shrubs located around the perimeter of the ground-based elements. **b.** Chain-link fencing is a ground-based element subject to these screening requirements. **c.** Screening is not required in cases where ground-based equipment is not visible from off-site areas. **d.** Landscaping material shall reach and maintain a minimum height of six feet above grade within four years of planting. **e.** Landscaping material is not required in front of access gates, provided the gates are fully opaque or are not visible from off-site areas. **f.** These screening requirements may be waived, on a case-by-case basis, when the Planning Director determines that compliance with these screening standards will diminish the concealment objective of the concealed telecommunications tower.
viii.	**Off-Street Parking**	**a.** A concealed telecommunications tower shall provide at least one off-street parking space, paved with an all-weather surface, and configured to provide for appropriate stormwater drainage. **b.** Nothing shall prohibit the use of off-street parking associated with another principal use on site or an on-street parking space from meeting this requirement. **c.** The Planning Director may waive this requirement when, in the opinion of the Planning Director, the inclusion of an off-street parking space will interfere with concealment objectives of the wireless telecommunications facility.
ix.	**Example Images**	The following images depict potential concealed telecommunications tower configurations, and are provided for informational purposes only.



Tree configuration



Steeple configuration



Clock tower configuration



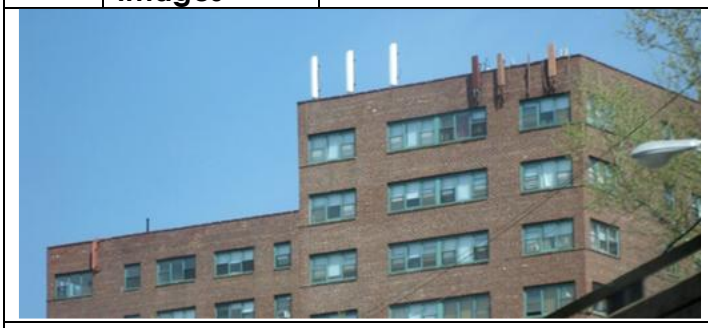
Flag pole configuration

c. ANTENNA COLLOCATION, MAJOR OR MINOR

Collocations, whether on a building wall or roof, a telecommunications tower, or on another vertical projection such as a water tank or electrical transmission tower, shall comply with the standards in Table 4.2.3, Principal Use Table, Section 4.3.4.S.3, General Standards Applicable to All Types of Wireless Telecommunications Facilities, and the following standards:

i.	**Collocations Distinguished**	All collocations shall be classified as either a major collocation or a minor collocation in accordance with Section 9.4, Definitions, and the following: **a.** A major collocation includes placement of antennas, antenna-support structures, and related wireless telecommunications equipment on any of the following: **i.** A building's roof; **ii.** A building's wall; **iii.** A vertical projection such as a water tank, electric transmission tower, or similar vertical projection not constructed for the sole purpose of providing wireless telecommunications services; or **iv.** An existing or replacement telecommunications tower where the collocation requires a substantial modification, as defined in these standards and Section 160D-931 of the North Carolina General Statutes. **b.** A minor collocation includes placement of antennas, antenna-support structures, and related wireless telecommunications equipment on an existing or replacement telecommunications tower, provided no substantial modification, as defined in these standards and Section 160D-931 in the North Carolina General Statutes, is required. A minor collocation may also be referred to as an "eligible facility," as defined in these standards and Section 160D-931 of the North Carolina General Statutes. **c.** In addition to the placement of antennas and antenna-support structures, collocations may also include the placement of wireless telecommunications equipment on a telecommunications tower, on a vertical projection, on the ground in close proximity to a telecommunications tower or vertical project, within an equipment compound, within an equipment cabinet, within a building, or on a building's roof. **d.** Nothing shall prohibit the replacement of an existing telecommunications tower or activities that increase the overall height of an existing telecommunications tower in order to accommodate a proposed collocation
ii.	**Substantial Modification**	**a.** Collocations on an existing or replacement telecommunications tower that require or result in any of the following shall be considered a substantial modification: **i.** Increasing the existing overall height of the telecommunications tower by the greater of: **1.** 20 feet; or **2.** More than ten percent; or **ii.** Adding an appurtenance (excluding cabling supports) to the body of an existing telecommunications tower that protrudes horizontally from the edge of the tower by the greater of: **1.** More than the width of the telecommunications tower at the height of the appurtenance; or **2.** More than 20 feet from the edge of the tower; or **b.** iii. Increasing the square footage of an existing equipment compound by more than 2,500 square feet. **c.** Substantial modifications that require an increase in the overall height of an existing telecommunications tower or require a replacement tower that exceeds the height of the existing telecommunications tower by more than 40 feet shall require review as a new telecommunication tower subject to the standards in Section 4.3.4.S.4.a, Telecommunications Tower, Major. **d.** In no instance shall an existing telecommunications tower be permitted to remain in place for a period of more than 14 days following installation of a replacement telecommunications tower constructed to accommodate a collocation.
iii.	**Collocation Prohibited**	In no instance shall a collocation take place on or in a single-family detached, duplex, or townhouse structure.

c. ANTENNA COLLOCATION, MAJOR OR MINOR		
iv.	**In Historic District**	A collocation on building, telecommunications tower, or other vertical projection located within a historic district shall obtain a certificate of appropriateness and shall be configured to minimize visibility of the facility, to the maximum extent practicable.
v.	**Maximum Height**	Antennae, antenna-support structures, or other wireless telecommunications equipment, associated with a major collocation on a building wall or roof shall not project more than ten feet above the highest point of the building's roof or parapet wall.
vi.	**Method of Attachment**	**a.** Antennae, antenna-support structures, or other wireless telecommunications equipment, associated with a collocation shall be mechanically fastened to the building, roof, vertical projection, or telecommunications tower in a manner that minimizes the potential for structural failure or endangerment of the public from falling wireless telecommunications equipment. **b.** ii. The Planning Director may, at the Planning Director's sole discretion, require an applicant for a collocation to furnish evidence from a professional engineer licensed in the State of North Carolina that the proposed collocation meets the applicable State and local building and fire code requirements.
vii.	**Appearance when Concealed**	When a collocation is proposed on a concealed telecommunications tower, the collocation shall be configured in the manner necessary to ensure the tower's concealment is not compromised or negatively impacted.
viii.	**Setbacks**	**a.** In cases where an existing telecommunication tower's height is increased or where an existing telecommunications tower is replaced in order to accommodate a collocation, the existing or replacement tower shall be set back at least one foot from the front, side, and rear lot lines for each foot of overall wireless telecommunications facility height. **b.** Accessory structures, including equipment cabinets, guy wire anchors, and other ground-based equipment shall conform with the applicable dimensional requirements for the zoning district where located.
ix.	**Screening**	**a.** All ground-based elements, such as an equipment compound or equipment cabinets, shall be completely screened from off-site views through the use of a fully opaque wooden privacy fence, masonry wall, or two staggered rows of evergreen shrubs located around the perimeter of the ground-based elements. **b.** Chain-link fencing is a ground-based element subject to these screening requirements. **c.** Screening is not required in cases where ground-based equipment is not visible from off-site areas. **d.** Landscaping material shall reach and maintain a minimum height of six feet above grade within four years of planting. **e.** Landscaping material is not required in front of access gates, provided the gates are fully opaque or are not visible from off-site areas. **f.** Roof- or building wall-mounted wireless telecommunications equipment (excluding antennae and antenna-support structures) shall be screened from view or shall be camouflaged in order to minimize its appearance from on-site and off-site areas.
x.	**Example Images**	The following images depict potential collocation configurations, and are provided for informational purposes only.



Typical collocation on a building

c. ANTENNA COLLOCATION, MAJOR OR MINOR



Concealed collocation on a building (red circle added for clarity)



Typical collocation on a tower



Concealed collocation on a tower

d. SMALL WIRELESS FACILITY

Small wireless facilities may be located within a public right-of-way, other right-of-way, or on an individual lot only in accordance with the standards in Table 4.2.3, Principal Use Table, Section 4.3.4.S.3, General Standards Applicable to All Types of Wireless Telecommunications Facilities, and the following standards:

i.	**Consolidated Application**	An applicant may file a single consolidated application for up to 25 separate small wireless facilities at one time, but the Town may choose to issue separate decisions on one or more of the facilities included within a consolidated application.
ii.	**Timeframe for Review**	Applications for establishment of a small wireless facility shall be processed and decided within 45 days from the date the application is determined to be complete. Nothing shall prohibit the Town and the applicant from mutually agreeing to a longer review period.
iii.	**Timing for Operation**	Construction of a small wireless facility shall commence within six months of its approval and the small wireless facility shall be activated for use within one year from the permit issuance date, unless delayed by a lack of commercial power at the site.
iv.	**In Historic District**	A small wireless facility located within a historic district shall obtain a certificate of appropriateness and shall be configured to minimize visibility of the facility, to the maximum extent practicable.
v.	**Maximum Equipment Size**	**a.** In no instance shall a small wireless facility exceed the following maximum size limitations: **i.** Each antenna, and any exposed elements, shall be capable of fitting within an enclosure of six cubic feet, or less. **ii.** All other wireless equipment associated with the small wireless facility shall maintain a maximum cumulative volume of 28 cubic feet, or less. The following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or the support structure. **b.** A small wireless facility that exceeds these maximum size limitations shall be reviewed in accordance with the standards for a collocation.

c. ANTENNA COLLOCATION, MAJOR OR MINOR		
vi.	**Maximum Height**	**a.** No new structure intended to support a small wireless facility shall be taller than 50 feet above the adjacent pre-construction grade. **b.** An existing structure (such as a utility pole, light standard, sign, etc.) may be replaced in order to accommodate a small wireless facility, but the replacement structure shall not exceed the height of the original structure being replaced. **c.** In no instance shall the antennae or equipment associated with a small wireless facility project more than ten feet above the height of the structure the small wireless facility is mounted on. **d.** In cases where a new structure installed to serve a small wireless facility exceeds 50 feet in height, the structure shall be reviewed and decided in accordance with the standards for a telecommunications tower. **e.** In cases where a replacement structure intended to serve a small wireless exceeds the height of the original structure, the replacement structure shall be reviewed and decided in accordance with the standards for a collocation.
vii.	**Placement**	**a.** A small wireless facility, including the support structure and all other equipment, shall not obstruct the safe passage of vehicles, pedestrians, or bicycles. **b.** Where an applicant proposes to install a new wireless support structure in the right-of-way, the Town may impose separation requirements between it and any existing wireless support structure or other facilities in or within ten feet of the right-of-way, to ensure safe operation and maintenance of all features within the public right-of-way.
viii.	**Method of Attachment**	**a.** Antennae, antenna-support structures, or other wireless telecommunications equipment, associated with a small wireless facility shall be mechanically fastened to the supporting structure in a manner that minimizes the potential for structural failure or endangerment of the public from falling wireless telecommunications equipment. **b.** The Planning Director may, at the Planning Director's sole discretion, require an applicant for a small wireless facility to furnish evidence from a professional engineer licensed in the State of North Carolina that the proposed wireless telecommunications facility meets the applicable State and local building and fire code requirements.
ix.	**Appearance**	**a.** The portion of a small wireless facility attached to the support structure shall match the color of the support structure, to the maximum extent practicable. **b.** In no instance shall a small wireless facility be placed on a decorative sign, light standard, or other feature that was required to be decorative as a condition of approval. **c.** In cases where an applicant proposes inclusion of a small wireless facility on a decorative support structure, sign, or other existing structure not constructed solely for the purposes of providing wireless telecommunications services, the Town shall require the small wireless facility, including cables and wiring, to be configured or concealed to ensure compatibility with the structure.
x.	**Screening**	**a.** All ground-based equipment shall be completely screened from off-site views through the use of a fully opaque wooden privacy fence, masonry wall, or two staggered rows of evergreen shrubs located around the perimeter of the ground-based equipment. **b.** Chain-link fencing is a ground-based element subject to these screening requirements. **c.** Screening is not required in cases where ground-based equipment is not visible from off-site areas. **d.** The Planning Director may waive or modify the screening requirements for small wireless facilities located within the public right-of-way when, in the opinion of the Planning Director, landscaping material would obstruct sightlines, pose challenges to maintenance, or call undue attention to the small wireless facility from passersby.
xi.	**Electrical Service**	In cases where a small wireless facility is proposed in areas where electrical service is underground, all electrical service to the small wireless facility shall also be underground.
xii.	**Right-of-Way Restored**	The applicant shall restore the right-of-way to pre-construction conditions following installation or maintenance of a small wireless facility.
xiii.	**Example Images**	The following images depict potential small wireless configurations, and are provided for informational purposes only.

c. ANTENNA COLLOCATION, MAJOR OR MINOR		
		
Typical placement on an electrical utility pole	Typical placement on a street light	Typical placement on a street sign

e. TEMPORARY WIRELESS FACILITY		
Temporary wireless facilities may be established only in accordance with the standards in Table 4.2.3, Principal Use Table, Section 4.3.4.S.3, General Standards Applicable to All Types of Wireless Telecommunications Facilities, and the following standards:		
i.	**Maximum Duration**	A temporary wireless facility may be allowed on a lot for the following maximum periods of time per calendar year: **a.** 30 days after a disaster or emergency, with the ability to renew for good cause shown; **b.** 14 days to evaluate the technical feasibility of a site for a permanent wireless telecommunications facility; **c.** 14 days to facilitate repair, replacement, or reconstruction of an existing telecommunications facility; or **d.** For the duration of a special event where additional wireless telecommunications services are necessary.
ii.	**Configuration**	A temporary wireless facility shall be self-contained (with the exception of a power source) and portable.
iii.	**Method of Attachment**	**a.** Antennae, antenna-support structures, or other wireless telecommunications equipment associated with a temporary wireless facility shall be mechanically fastened to the supporting structure in a manner that minimizes the potential for structural failure or endangerment of the public from falling wireless telecommunications equipment. **b.** The Planning Director may, at the Planning Director's sole discretion, require an applicant for a temporary wireless facility to furnish evidence from a professional engineer licensed in the State of North Carolina that the facility meets the applicable State and local building and fire code requirements.
iv.	**Placement**	A temporary wireless facility shall be located outside of required setbacks, off-street parking areas, landscaping areas, areas necessary for on-site circulation, and conservation areas like riparian buffers or wetlands.
v.	**Example Images**	The following images depict temporary wireless facilities, and are provided for informational purposes only.



Temporary facility on a trailer



Temporary facility in a vehicle

5. NONCONFORMING WIRELESS TELECOMMUNICATIONS FACILITIES

a. Lawfully established wireless telecommunications facilities in operation prior to January 1, 2020 that do not comply with these standards may remain and operate as nonconforming uses.

b. In the event of conflict between these standards and the standards for nonconforming situations in Article 7 of this Ordinance, the standards in this section shall control with respect to wireless telecommunications facilities.

c. Ordinary and routine maintenance may be performed on a nonconforming wireless telecommunications facility.

d. Minor collocation of antennae, antenna-support structures, and related wireless telecommunications equipment is allowed in accordance with the requirements in Section 4.3.4.S.4, Collocation, provided that the overall height of the existing nonconforming wireless telecommunications facility remains unchanged or is reduced.

e. In no instance shall a collocation resulting in an increased overall height or a requiring substantial modification, as defined in this section and Section 160D-931 of the North Carolina General Statutes, be permitted on a nonconforming wireless telecommunications facility.

f. In the event a nonconforming telecommunications tower is removed, it shall not be replaced with another nonconforming wireless telecommunications tower.

6. CESSATION, ABANDONMENT, AND REMOVAL OF WIRELESS TELECOMMUNICATIONS FACILITIES

a. CESSATION

i. A wireless telecommunication facility shall be considered to have ceased operation if:

1. The Town receives written notice from a wireless services provider that it intends to cease operations at a particular wireless telecommunication facility; or

2. A wireless telecommunications facility ceases to transmit a wireless telecommunications signal for a period of 30 consecutive days or longer; or

3. A wireless telecommunications facility ceases to be served by electricity for a period of 30 consecutive days or longer and no generator is in operation.

ii. Nothing shall limit the Town from compelling an owner or operator of a wireless telecommunications facility to demonstrate that a wireless telecommunications facility is in operation. For the purposes of this section, "in operation" shall mean sending and/or receiving wireless telecommunications signals on a regular and on-going basis.

iii. Upon receipt of a written notice from a wireless services provider or upon determination that a wireless telecommunication facility has ceased operation, the Town shall forward written documentation of the cessation to the wireless services provider, or the owner of the land, if different.

b. ABANDONMENT

i. The wireless telecommunications facility shall be deemed abandoned if wireless telecommunications signals do not resume for a period of 180 consecutive days or longer from the date the written documentation of cessation is filed.

ii. Upon making a determination that a wireless telecommunications facility has been abandoned, the Town shall forward written documentation of the abandonment to the wireless services provider, or the owner of the land, if different.

c. REMOVAL

i. The Town may require the wireless services provider or the owner of the land, if different, to remove an abandoned wireless telecommunications facility within 30 days of the date it is deemed abandoned.

ii. Should the wireless services provider, or the owner of the land, if different, fail to remove the abandoned wireless facility within 30 days of the date that notice of abandonment is filed, the Town may cause the wireless telecommunications facility to be removed and may recover the actual cost of such removal, including legal fees, if any, from the wireless services provider, or the owner of the land, if different.

T. UTILITIES

1. All uses in the utility use category shall comply with the following standards:

a. Where possible, utilities should be located on lots interior to a development rather than on lots abutting streets.

b. Except when a utility crosses a street, it shall be setback at least 25 from all lot lines unless the zoning district requirements specify a deeper setback.

c. Major utilities may only be located on lots that meet the dimensional requirements for the zoning district where located. Minor utilities may be on lots, leaseholds, or easements that do not meet the minimum dimensional standards for lots in the district where located.

d. The design of buildings, structures, and facilities located in residential neighborhoods shall conform as closely as possible to the character of development in the area to ensure compatibility. Utility placement and screening may also be used as a means of ensuring compatibility.

e. Portions of properties not used for facilities, off-street parking, or related services shall be maintained with natural ground cover.

f. Service and storage yards shall not be permitted within utility facilities located in residential ,OI, or RMU districts.

2. Ground-based electrical substations and transformers shall also comply with the following additional standards:

a. Ground-based electrical substations and transformers may only be located on a lot of one acre in area when located in a residential , OI, or RMU district.

b. Ground-based electrical substations and transformers shall include non-climbable fences or comparable safety devises to limit accessibility by the general public.

c. Ground-based electrical substations and transformers shall include a durable masonry wall, fence, hedge, or other natural planting of comparable opacity shall be provided along the exterior lot lines abutting a lot in a residential, OI or RMU district.

d. Walls, fences, or hedges required in this section shall be between five and seven feet in height measured from the ground along the lot line.

e. Plantings shall maintain an initial height of at least three feet at time of planting and shall achieve an average height of six feet within two years of the time of planting.

3. Communications or relay towers associated with a utility use type shall comply with the following additional standards:

a. Communications or relay towers associated with a utility use type may only be located on a lot of one acre in area when located in a residential, OI or RMU district.

b. The minimum distance from the base of any tower to the nearest property line shall be equal to the height of the tower.

4.3.5. COMMERCIAL USES

A. ADULT BUSINESS

1. No sexually oriented business or adult cabaret shall locate within 2,000 feet of any other sexually oriented business or adult cabaret, as measured in a straight line from property line to property line.
2. No sexually oriented business or adult cabaret shall be located within 1,000 feet of a church, public or private elementary or secondary school, child day care or nursery school, public park, residence or any establishment with an on-premise ABC license. The 1,000-foot distance shall be measured on a straight line from property line to property line.
3. There shall not be more than one sexually oriented business or adult cabaret on the same property or in the same building, structure or portion thereof.
4. No other principal or accessory use may occupy the same building, structure, property or portion thereof with any sexually oriented business or adult cabaret.
5. Except for the signs permitted in Section 5.11, Signage, no other advertisements, displays or signs or other promotional material shall be visible to the public from pedestrian sidewalks, walkways or vehicular use area.
6. Wall sign area limitations for a sexually oriented business or an adult cabaret shall be limited to the following:
   a. Sign area: one-fourth of a square foot per linear foot of building wall.
   b. Only one wall sign is permitted.
   c. The wall sign shall face a public street right-of-way.

B. ANIMAL DAY CARE/GROOMING

Animal day care or animal grooming uses shall comply with the following standards:

1. Overnight boarding of animals shall not be permitted.
2. Outside play areas for animal day care uses shall not be located within 100 feet of any residentially zoned property or property being used as residential.
3. No more than one animal day care or animal grooming and day care in combination operating as one business shall be allowed within a multi-tenant building.
4. Animal day care uses located within multi-tenant structures shall be soundproofed.
5. Free standing animal day care uses located within 100 feet of property zoned residential or being used as residential shall be soundproofed.
6. Animal day care or grooming located within a downtown district shall be conducted within a completely enclosed building. No outside activity shall be permitted.

C. ANIMAL SHELTER

1. All activities associated with the use shall take place within enclosed and soundproofed structures, or the use shall comply with the following separation requirements:
   a. All activities shall be at least 500 linear feet from a lot in a residential or OI zoning district; and
   b. All activities shall be at least 300 linear feet from land zoned NC.
2. Outdoor areas used to house or exercise animals shall be protected from the weather and enclosed by a fence at least six feet in height.

D. ART GALLERY

1. Work displayed within an art gallery shall be available for retail sale.
2. Display areas within art galleries may also be used as event or gathering spaces when they are clearly accessory to the principal use of display of art for retail sale.

E. ARTISAN STUDIO

1. Goods produced on site shall also be available for retail sale on site.
2. At least 20% of the total floor area shall be dedicated for the display of items for retail sale.

3. Total manufacturing, assembly, or production space shall not exceed 5,000 square feet.
4. Measures shall be taken to minimize any potential noise, vibration, smell, or similar impacts onto neighboring buildings, lots, or uses.

F. AUTOMOTIVE REPAIR AND SERVICING (WITHOUT PAINTING/BODYWORK)

When proposed in the NC, GC, or HC districts, automobile repair and servicing uses shall comply with the following:

1. If the property abuts a lot in a residential zoning district, the following requirements shall be met:
   a. A Type A perimeter buffer shall be provided along any lot line abutting a residential zoning district.
   b. Side yards abutting a lot in a residential zoning shall be at least ten feet in width.
   c. Side yards abutting a lot in a residential zoning shall be at least 20 feet in width.
2. New construction shall conform to the mixed-use design standards in section 5.3.2.

G. AUTOMOTIVE SALES OR RENTALS

Uses primarily involving the sales or rental of automobiles, trucks, recreational vehicles, or travel trailers, shall comply with the following standards:

1. Vehicle display areas shall be surfaced with concrete, asphalt, or other permanent surfacing material other than crushed stone;
2. No vehicles or other similar items shall be displayed on the top of a building;
3. All lights and lighting shall be designed and arranged so no source of light is directly visible from any adjacent property; and
4. Repair and service functions are permitted as an accessory use provided all repair-related activities take place within an enclosed building.
5. No more than 50% of the vehicles for sale may be between the building and any public road.

H. AUTOMOTIVE PAINTING/BODY SHOP

Automobile painting/body shop uses shall comply with the following standards:

1. The use shall be located at least 250 feet from any residential district, school (except vocational schools), or child day care center.
2. Vehicles shall not be parked or stored as a source of parts.
3. Repair and storage of all vehicles shall occur within an enclosed building. Temporary outdoor vehicle storage may be allowed in an outdoor storage area that is no larger than 25 percent of the buildable area of the lot, located behind or to the side of the principal structure, and fully screened by an opaque fence or wall of at least six feet in height.
4. New construction shall conform to the mixed-use design standards in section 5.3.2.

I. AUTOMOTIVE WRECKER YARD

Automotive wrecker service uses shall comply with the following requirements:

1. MOTOR VEHICLES

a. A maximum of no more than 50 vehicles at any one time shall be stored on the property.
b. All towed vehicles must be stored in an approved vehicle towing and storage area.

2. VEHICLE STORAGE AREA

a. SIZE

The minimum size of the fenced storage area shall be 5,000 square feet.

b. SECURITY

i. A chain link fence, a minimum of six feet in height, shall be provided around all accessible sides of the storage area.

ii. All entrances to and from the storage area shall be secured and locked whenever an employee is not present on the property.

c. SCREENING

Storage of motor vehicles shall comply with the applicable standards in Section 5.10, Screening.

d. SURFACE

The storage area shall be maintained with an all-weather surface by paving, gravel or as required in the district in which it is located to minimize dust emissions and the buildup of dirt, mud, and other debris.

e. LIGHTING

All lighting shall be shielded so as not to cast direct light upon any adjacent residential lot.

f. LOCATION

No storage area shall be permitted within 100 feet of any residentially-zoned property or within any required front yard.

3. STORAGE BUILDINGS

All buildings used to protect stored motor vehicles shall be located on the same lot.

J. BAR, COCKTAIL LOUNGE, OR PRIVATE CLUB

A bar, cocktail lounge, or private club shall comply with the following requirements:

1. Such uses shall be separated from a religious institution or a school by at least 200 feet.
2. The minimum separation requirement above is reduced to 100 feet in the HC district and there is no separation requirement in a downtown district.
3. The use shall not orient the primary entrance toward an abutting lot in a residential district.
4. The use shall have a six-foot high opaque fence or masonry wall along all lot lines abutting a residential district.
5. Outdoor seating (including, but not limited to, seating for dining or listening to live or recorded acoustic or amplified entertainment outside of the building) shall comply with the following standards:
   a. The outdoor seating area shall be located no closer than 100 feet from any single-family residential zoning district.
   b. The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.

K. BED AND BREAKFAST

A bed and breakfast shall comply with the following standards:

1. The use shall be owner-occupied or have a manager who resides on the premises;
2. A bed and breakfast use shall be separated from a boarding/rooming house or another bed and breakfast use by at least 400 linear feet;
3. The use shall be limited to a maximum of seven sleeping rooms;
4. Rooms used for sleeping shall be part of the primary structure and shall not have been specifically constructed or remodeled for rental purposes;
5. The use shall maintain its appearance as a single-family home if proposed in a structure constructed for single-family purposes;
6. The use shall have only one kitchen;
7. Limit meals served on the premises to overnight guests only;
8. Facilities for the preparation and distribution of food and proper garbage disposal shall be approved by the Wake County Health Department; and

9. Signage shall be limited to ground-mounted or wall signage with a maximum sign face area of eight square feet with a maximum height of six feet.

L. BOTTLE SHOP (WITH ON-PREMISE CONSUMPTION)

A bottle shop use shall comply with the standards in Section 4.3.5.J, Bar, Cocktail Lounge, or Private Club.

M. BUSINESS INCUBATOR

1. A business incubator may be provided as a principal use in its own building, as a tenant in a multi-tenant building, or as an accessory use to an existing office, personal service, or industrial use.
2. Table 4.3.5.M: Business Incubator Composition, sets out the types of individual uses permitted within a business incubator, based on the zoning district where proposed:

TABLE 4.3.5.M: BUSINESS INCUBATOR COMPOSITION

Zoning District	Maximum Number of Units in a Single Building
NC, OI	3
GC, HC	12
LI, IC	No limit
DTC, DTP, RMU	No limit

3. When proposed as an accessory use to an existing business or development, the floor area devoted to the business incubator shall not exceed 25 percent of the building's gross floor area.
4. Business incubators shall meet the off-street parking requirement for this use type in Table 5.8.4.H: Minimum Off-Street Parking Requirements Table, not the individual types of uses within the business incubator.
5. Floor area within a building serving as a business incubator may be used for storage, but no outdoor activity or storage is permitted.

N. CAMPGROUND

Campgrounds shall comply with the following standards:

1. Campgrounds shall not include permanent residences, except as necessary for caretakers;
2. Individual campsites shall maintain a minimum size of 1,200 square feet in area and at least 25 feet in width;
3. Campgrounds shall provide a common recreational area consisting of 100 square feet per campsite;
4. Campgrounds shall provide sufficient groundcover to prevent erosion; and
5. Individual campsites shall be set back at least 100 feet from the front lot line and at least 50 feet from the side and rear lot lines.

O. CAR WASH OR AUTO DETAILING

Car wash or auto detailing uses proposed in the NC district shall comply with the following:

1. No outdoor display or storage of merchandise, materials, or rubbish shall be permitted.
2. No flags, banners, pennants, or other devices that flutter or revolve and that are designed and used solely to attract attention shall be permitted.
3. All floodlights shall be turned off at the close of business or at 11:00 p.m., whichever is earlier.

4. No exterior lights shall be so arranged as to direct or reflect light into the windows of any residence.
5. If the property abuts a lot in a residential zoning district, the following requirements shall be met:
   a. A Type D perimeter buffer shall be provided along any lot line abutting a residential zoning district.

P. COFFEE SHOP

Coffee shops shall comply with the following requirements:

1. To assure provision of adequate parking, the maximum amount of seating and/or square footage of the public floor area for a coffee shop in a multi-tenant building shall be specified at the time of site plan approval.
2. A coffee shop shall have a six-foot high opaque fence or masonry wall along all lot lines abutting a residential district.
3. Coffee shops with outdoor seating (including, but not limited to, seating for dining or listening to live or recorded acoustic or amplified entertainment outside of the building) shall comply with the following standards:
   a. The outdoor seating area shall be located no closer than 100 feet from any single-family residential zoning district.
   b. The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.

Q. CONVENIENCE STORE (WITH GASOLINE SALES)

Convenience stores with fuel sales shall comply with the following standards:

1. LOCATION OF FUEL PUMP ISLANDS

a. Pump islands may not be located between a building and any adjacent street rights-of-way.
b. Pump islands shall be at least 10 feet from any lot line, and 12 feet from any principal building. Canopies over the pump islands may be located within 10 feet of a lot line.

2. LOCATION OF FUEL TANKS

Gasoline and fuel storage tanks shall be located a minimum of 20 feet from any lot line or building.

R. CO-WORKING SPACE

1. Use types and activities associated with a co-working space shall be limited to the range of activities typically associated with office uses.
2. Food or beverages produced or sold within the use shall be limited to patrons of co-working space not the general public.
3. Delivery of personal services within the co-working space (manicure, massage, education, exercise classes, child care, etc.) shall be limited to patrons of the co-working space.
4. Facilities for pets shall be indoors or fully screened from adjacent streets and other uses.

S. EVENT VENUE

Event venues shall be operated in accordance with the following standards:

1. SETBACKS

Outdoor activity areas shall be set back from lot lines shared with a residential use by an amount at least twice the minimum rear setback for the district where the use is located.

2. MAXIMUM NUMBER OF GUESTS

The maximum number of guests shall be in accordance with the maximum occupancy of the principal structure as determined by the fire marshal or fire chief.

3. HOURS OF OPERATION

Outdoor activities shall not take place between the hours of midnight and 7:00 AM.

4. LIGHTING

Exterior lighting shall not project into adjoining residential lots. Use of stadium-style or other pole-mounted lighting is prohibited. Lighting of accessible paths may be provided, if necessary.

5. NOISE

The event venue must comply with noise restrictions in the Town Code of Ordinances.

6. PARKING

a. In cases where off-site parking is employed, the event venue shall maintain an agreement with the owner of land where vehicles are parked.

b. The venue shall ensure guests may access the venue safely from off-site parking areas.

c. In no instance shall vehicles be parked along streets in ways that block driveways, sight triangles, or emergency access.

7. TRASH AND DEBRIS

The event venue shall provide sufficient on-site trash receptacles, and shall ensure that windblown trash or other debris does not accumulate anywhere on the site.

8. OUTDOOR ACTIVITY

Event venue uses shall demarcate the boundaries of the event venue site for guests and shall include fences, walls, or other techniques such as landscaping to ensure guests to do not inadvertently trespass on adjacent lots.

9. EMERGENCY ACCESS

Event venues shall ensure adequate ingress and egress from all buildings and structures to accommodate emergencies.

T. FINANCIAL SERVICES ESTABLISHMENT

1. Drive-throughs, if provided, shall be located to the side or rear of the building to the maximum extent practicable.

2. New construction of drive-through financial services establishment shall conform to the mixed-use design standards in section 5.3.2.

U. FLEA MARKET

Flea markets shall comply with the following standards:

1. HOURS OF OPERATION

a. Flea markets shall be open at least three days within any 90-day period.

b. Hours of operation shall be limited to 7:00 AM to 7:00 PM.

2. SITE FEATURES

a. Off street parking shall be provided with a minimum of three spaces per stand or rented space.

b. Sanitary facilities shall be provided for both men and women.

c. Provisions shall be made for garbage or trash removal for each day the flea market is open to the public.

3. LOCATION

All rental spaces and buildings shall maintain a 50-foot setback from all residential development or residentially-zoned land.

V. FUNERAL-RELATED SERVICES

Funeral-related services shall comply with the following standards:

1. Crematories shall not be located within a residential zoning district.
2. All storage shall take place within enclosed buildings.
3. Display of headstones or other memorials shall be fully screened from any lot line shared with a lot in a residential zoning district.

W. GAMES OF SKILL

A commercial operation offering games of skill or operated as a similar use shall comply with the following standards:

1. SEPARATION

- **a.** No use subject to these standards shall locate within one half-mile (2,460 linear feet) feet of the any other use subject to these standards.
- **b.** No use subject to these standards shall locate within 1,000 feet of any of the following use types:
  - **i.** Elementary, middle, or high school;
  - **ii.** Religious institution;
  - **iii.** Child day care center;
  - **iv.** Parks;
  - **v.** Adult business;
  - **vi.** ABC store;
  - **vii.** Bar, cocktail lounge, or private club;
  - **viii.** Nightclub or dancehall; or
  - **ix.** Pool hall.
- **c.** There shall not be more than one use subject to these standards on the same property or in the same building, structure, or portion thereof.

2. HOURS OF OPERATION

Such uses shall only operate during the following hours:

- **a.** Monday through Thursday: 7:00 am to 11:00 pm;
- **b.** Friday through Saturday: 7:00 am to 12:00 midnight; and
- **c.** Sunday: 1:00 pm to 8:00 pm.

3. SWEEPSTAKES ACTIVITIES PROHIBITED

Uses subject to these standards shall not engage in the display or conduct of sweepstakes-related activities at any time.

4. MAXIMUM SIZE

The maximum number of machines, terminals, or computers for any operation's business is 20.

5. AGE-RESTRICTED

No one under the age of 18 can enter the premises.

6. SALES OF ALCOHOL PROHIBITED

No alcoholic beverages shall be served or consumed on the premises of the operation.

7. CLEAR VIEW MAINTAINED

No screens, curtains, blinds, partitions, or other obstructions shall be placed between the entrance to the room where games are played and the rear wall of the room, so that a clear view of the interior may be had from the street.

8. MANAGER PRESENT

There must be an adult, 18 years of age or older, managing the business on the premises at all times during the hours of operation.

X. GOLF COURSE

Golf courses shall comply with the following standards:

1. No building shall be nearer to any lot line than 100 feet.
2. No green shall be nearer to any lot line than 150 feet.
3. Lighting shall be shielded so as to cast no direct light upon any adjacent lot.

Y. GOLF DRIVING RANGE

Golf driving ranges shall comply with the following standards:

1. The depth of a driving range along the driving axis shall be at least 250 yards measured from the location of the tees and at 125 yards wide.
2. Lighting shall be shielded so as to cast no direct light upon any adjacent lot.

Z. GYMNASIUM/FITNESS CENTER

Outdoor courts, swimming pools, and athletic fields shall be located at least 50 feet from any lot line abutting a residential district.

AA. HEAVY EQUIPMENT SALES, RENTAL, AND REPAIR

Uses primarily involving the sales, rental, service, or storage of heavy equipment shall comply with the following standards:

1. No heavy equipment or building displays shall be located within a required setback or perimeter buffer.
2. No heavy equipment shall be displayed on the top of a building.
3. All lights and lighting shall be designed and arranged so no source of light is directly visible from any residential district or existing residential use.

BB. KENNEL, INDOOR/OUTDOOR

All kennels shall comply with the following requirements:

1. All structures shall be designed and maintained in a manner to prevent the development of unsanitary conditions;
2. All activities associated shall take place within enclosed and soundproofed structures, or the use shall comply with the following separation requirements:
   a. All activities shall be at least 200 linear feet from a lot in a residential or OI zoning district;
   b. All activities shall be at least 100 linear feet from land zoned NC; and
3. Outdoor areas used to house or exercise animals shall include areas protected from the weather and be enclosed by a fence at least six feet in height.
4. Any animal suspected of showing symptoms of rabies infection shall be immediately segregated and reported to Animal Control.

CC. LAUNDRY OR CLEANING SERVICE

When proposed in the NC district, laundry and cleaning service uses shall comply with the following standards:

1. No more than 2,000 square feet of floor area shall be devoted to the dry cleaning, laundering, or finishing processes;
2. No more than three employees (including a manager) shall be working in the use at any one time;
3. No coal-burning or smoke-producing equipment or process shall be used;
4. Washing machines shall not exceed 50 pounds of capacity; and
5. No petroleum-based chemicals in excess of 500 gallons shall be stored in above-ground tanks.

DD. MICROBREWERY, MICROWINERY, OR MICRODISTILLERY

A microbrewery, microwinery, or microdistillery use shall comply with the standards in Section 4.3.5.J, Bar, Cocktail Lounge, or Private Club.

EE. NIGHTCLUB OR DANCE HALL

A nightclub or dance hall shall comply with the standards in Section 4.3.5.J, Bar, Cocktail Lounge, or Private Club, and the following:

1. Such uses shall be separated from land in a residential zoning district by at least 500 feet.
2. The building shall be configured and the use operated such that sound from amplified music or other performance taking place within the building is not audible at the lot line after 11:00 PM.

FF. OUTDOOR COMMERCIAL RECREATION

1. GENERALLY

Outdoor commercial recreation uses shall comply with the following standards:

- **a.** Outdoor recreation uses shall be screened from abutting major arterial streets with a Type A buffer.
- **b.** Grading shall be limited to a maximum of five feet above or below the grade existing prior to development.
- **c.** No associated outdoor features shall be located between the front façade of the building and the street fronting the lot.

2. DRIVE-IN THEATRE

A drive-in theatre shall comply with the following requirements:

- **a.** The viewing screen shall be directed away from major thoroughfares or collector streets.
- **b.** Lighting shall be shielded so as to cast no direct light on adjoining lots.
- **c.** An eight-foot high opaque screen shall be required around the perimeter, except at driveways.
- **d.** Audio shall be delivered to each car by individual speakers only.
- **e.** The use shall provide stacking spaces at the entrance capable of accommodating 20 percent of the vehicular capacity of the use.

3. MINIATURE GOLF

In addition to the general standards for outdoor commercial recreation uses in subsection (a) above, miniature golf uses shall also comply with the following:

- **a.** No green shall be allowed within a street setback or closer than 100 feet to any lot line.
- **b.** Lighting shall be shielded so as to cast no direct light upon any adjacent lot.

GG. OUTDOOR STORAGE

1. GENERAL STANDARDS

The following standards shall apply to all outdoor storage areas.

- **a.** The extent of the outdoor storage area shall be clearly delineated on an application for establishment of the use.
- **b.** Outdoor storage areas shall comply with the minimum setback standards applicable in the zoning district where the outdoor storage area is located.
- **c.** Outdoor storage areas are prohibited between the development's principal structure(s) and a thoroughfare (major and minor) or collector street.
- **d.** No outdoor storage area shall be located within a perimeter buffer required in accordance with Section 5.6.10, Perimeter Buffers.

e. Flammable liquids or gas containers in excess of 1,000 gallons shall be stored underground.

f. No materials shall be stored in areas intended for vehicular or pedestrian circulation.

g. No materials shall be stored on any potable or non-potable water easement, stormwater easement, or sanitary sewer easement.

2. SCREENING REQUIREMENTS

Screening of outdoor storage shall be in accordance with the applicable standards in Section 5.10, Screening.

HH. PARKING LOT

A commercial parking lot that is the principal use shall comply with the parking lot configuration requirements in Section 5.8, Parking and Loading, and the following standards:

1. Parking shall be the principal use of the parking lot. Parking spaces may be rented for parking, or otherwise used in accordance with an approved temporary use permit or other permit, but no other business of any kind shall be conducted on the lot, including repair service, washing, display, or storage of vehicles or other goods.

2. Commercial parking lots shall not be located contiguous to a single-family residential zoning district.

3. Commercial parking lots that are the principal use of the lot shall have no more than 100 feet of street frontage occupied by parking or vehicular access area. The balance of the frontage shall be screened or occupied by vegetation.

II. PARKING STRUCTURE

Parking structures, whether serving as a principal or accessory use in the DTC, DTP, RMU, and OI districts, shall be configured in accordance with the following standards:

1. DIMENSIONAL REQUIREMENTS

Parking structures shall comply with the dimensional standards applicable to the zoning district where located.

2. GROUND FLOOR CONFIGURATION

The ground floor of a parking structure abutting a sidewalk shall be configured as building floor area capable of accommodating a nonresidential use or shall be configured with a minimum first floor ceiling height of 20 feet above grade to ease conversion of the ground floor to habitable space in the future.

3. ARCHITECTURE

a. Parking structures visible from street frontages shall be designed to be compatible with the architectural character and quality of adjacent buildings and shall not adversely impact abutting sidewalks.

b. Parking structure elevations shall use color, massing, or architectural features to reduce the appearance of bulk.

c. Parking structure façades facing residential lots shall:

i. Be enclosed to prevent light spillover from headlights, adverse noise, or pollutants; and

ii. Incorporate architectural design elements, including surface treatments, offset planes, structural articulation, and landscaping to provide visual interest and compatibility with adjacent residential uses.

4. DRAINAGE

Parking structures shall be designed and constructed so that surface water will not drain over sidewalks or adjacent lots; and

5. LIGHTING

a. Parking and pedestrian areas shall have adequate illumination for security and safety with a minimum of one foot candle at every point within the parking structure.

b. Lighting fixtures shall be designed and located to illuminate only the interior of the parking structure and not project glare into adjoining land.

JJ. PAWN SHOPS

Pawn Shops shall comply with the following requirements:

1. SEPARATION

a. No use subject to these standards shall locate within 500 feet of any of the following use types:

i. Pawn Shop;
ii. Vape Tobacco, & CBD Shop;
iii. Elementary, middle, or high school;
iv. Religious institution;
v. Child day care center;
vi. Parks;
vii. Adult business;
viii. Nightclub or dancehall; or
ix. Pool hall.

b. There shall not be more than one use subject to these standards on the same property or in the same building, structure, or portion thereof.

2. BUILDING APPEARANCE:

Buildings containing such uses shall meet the following requirements:

a. No illuminated signs shall be within 36 inches of the surface of a window.

b. Metal gates or similar elements are not permitted in front of or behind windows.

c. Exterior building modifications, including paint colors, shall be approved by the Planning Director and shall be in keeping with the context of the surrounding buildings.

KK. PHARMACY

A pharmacy may be permitted as an accessory to a health care use or medical office in the OI district, provided:

1. The pharmacy is on the ground floor and does not occupy more than 50 percent of the ground floor square footage; and

2. The pharmacy be limited to sales of drugs, prescription medicines, medicinal supplies and appliances, and pharmaceutical products.

LL. RECREATIONAL VEHICLE PARK

Recreational vehicle and travel trailer parks shall comply with the following standards:

1. MINIMUM SITE AREA

The park shall have a minimum area of two acres of well-drained land. All areas of the premises shall be kept clean and free from weeds and undergrowth.

2. MINIMUM CAMPSITE AREA

The minimum campsite area occupied by any travel trailer or recreational vehicle shall be 1,500 square feet with a minimum width of 30 feet.

3. MINIMUM SPACING

A clearance of at least 20 feet shall be maintained between each travel trailer, recreational vehicle, and any building within the park.

4. OPAQUE SCREEN

A continuous opaque screen shall be provided along all park boundaries, except at entrances.

5. INTERIOR DRIVES

a. All campsites shall abut a paved driveway with a continuous width of 25 feet.

b. All interior drives shall have unobstructed access to a public street.

6. FIRE PROTECTION STANDARDS

The park shall meet the standards for adequate fire protection as established by the latest edition of the National Fire Protection Association Bulletin No. 501-A.

7. LIMITATION OF STAY

No travel trailer or recreational vehicle shall remain within a park for more than 30 days during any six-month period.

8. SANITARY FACILITIES

Each park shall provide the following bathroom facilities for every eight campsites or fraction thereof:

a. Male bathrooms to include one commode, one urinal, one lavatory and one shower;

b. Female bathrooms to include two commodes, one lavatory and one shower; and

c. All bathrooms shall provide an adequate supply of hot and cold running water.

9. REFUSE FACILITIES

a. All garbage and refuse shall be stored in a suitable water-tight and fly-tight standard garbage receptacle and shall be kept covered with tight-fitting covers.

b. At least one such receptacle shall be provided and conveniently located for every campsite, except where a dumpster or dumpsters are conveniently located and used in the same manner as separate receptacles.

c. It shall be the duty of the park operator to ensure that all garbage and refuse is disposed of regularly and in a manner approved by the Wake County Health Director.

d. No materials that attract or that afford harborage for insects or rodents may be stored or allowed to remain on the premises.

MM. REPAIR SHOP

1. All repair uses shall limit repair activities to those occurring indoors.

2. Gun repair shops may include testing facility for firearms, provided:

a. The facilities are constructed in accordance with all applicable laws and regulations;

b. The facilities include acoustical apparatus and/or materials that prevent any noise or disturbance to the owners and/or occupants of the adjoining properties; and

c. The facilities are not used as a shooting range for target practice or the testing of marksmanship skills.

NN. RESTAURANTS

All restaurant use types shall comply with the following requirements:

1. A restaurant shall have a six-foot high opaque fence or masonry wall along all lot lines abutting a residential district.

2. New construction of drive-through restaurants shall conform to the mixed-use design standards in section 5.3.2.

3. Restaurants having outdoor seating (including, but not limited to, seating for dining or listening to live or recorded acoustic or amplified entertainment outside of the building) shall comply with the following standards:

a. The outdoor seating area shall be located no closer than 100 feet from any single-family residential zoning district.

b. The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.

OO. RETAIL, BULKY ITEM

The outdoor display of bulky goods shall comply with the following standards:

1. Portable storage containers and dumpsters that are utilized for the purpose of display and any item that exceeds 10 feet in height shall not be placed within required setbacks, parking, or landscape areas.

2. Other bulky items that are less than or equal to 10 feet in height must be located at least 10 feet from any public street and shall not be placed within required parking or landscape areas.

PP. RETAIL, LARGE FORMAT

Large format retail uses shall comply with the standards in Section 5.3.1.G, Standards for Large Format Retail Uses.

QQ. SELF SERVICE STORAGE, EXTERNAL OR INTERNAL ACCESS

1. GENERALLY

Self-service storage facilities shall comply with the following standards:

a. The use shall be located on a lot or site of at least five acres in area;

b. No more than 50 percent of the total site may be occupied by buildings;

c. External-access only storage buildings shall not exceed 20 feet or one story in height;

d. No activity other than storage shall take place within a storage unit; and

e. Storage of hazardous, toxic, or explosive substances shall be prohibited.

2. ADDITIONAL STANDARDS FOR INTERNAL-ONLY ACCESS SELF-STORAGE USES

a. No indoor storage material, racks, bins, shelving or other evidence of the operation shall be visible from the public right-of-way;

b. Glass doors and windows shall contain curtains, blinds or other suitable treatment to screen the interior of the building from view;

c. Windows shall not be boarded or paneled over from the outside or the inside; and

d. Outdoor storage shall be prohibited at mini-storage facilities with internal only access.

RR. SHOOTING RANGE, INDOOR

Indoor shooting ranges shall comply with the following standards:

1. All activities shall take place within a building;

2. Firing areas shall be configured to ensure metal fragments do not escape the building's containment areas;

3. Exhaust fans and other equipment shall be configured to ensure lead or other airborne hazardous materials do not escape the building; and

4. The use shall be configured such that no noise attributed to operations inside the building are audible on off-site areas.

SS. SPECIALTY EATING ESTABLISHMENT

Specialty eating establishments shall comply with all applicable requirements in Section 4.3.5.NN, Restaurants.

TT. TRUCK STOP

A truck stop shall comply with the following standards:

1. SETBACKS

All buildings, parking, and service areas associated with the use shall be setback at least 50 feet from an abutting residential district.

2. LOCATION

Truck stops shall have frontage on or be located within a one-half mile of an Interstate or US Primary Highway exit.

UU. VAPE, TOBACCO, & CBD SHOP

Vape Tobacco & CBD shops shall comply with the following requirements:

1. SEPARATION

a. No use subject to these standards shall locate within 500 feet of any of the following use types:

i. Pawn Shop;
ii. Vape Tobacco, & CBD Shop;
iii. Elementary, middle, or high school;
iv. Religious institution;
v. Child day care center;
vi. Parks;
vii. Adult business;
viii. Nightclub or dancehall; or
ix. Pool hall.

b. There shall not be more than one use subject to these standards on the same property or in the same building, structure, or portion thereof.

2. BUILDING APPEARANCE:

Buildings containing such uses shall meet the following requirements:

a. No illuminated signs shall be within 36 inches of the surface of a window.
b. Metal gates or similar elements are not permitted in front of or behind windows.
c. Exterior building modifications, including paint colors, shall be approved by the Planning Director and shall be in keeping with the context of the surrounding buildings.

VV. VETERINARY CLINIC

Veterinary clinics shall comply with the following requirements:

1. All structures shall be designed and maintained in a manner to prevent the development of unsanitary conditions;
2. All activities associated shall take place within enclosed and soundproofed structures, or the use shall comply with the following separation requirements:
a. All activities shall be at least 200 linear feet from a lot in a residential or OI zoning district;
b. All activities shall be at least 100 linear feet from land zoned NC; and
c. Outdoor areas used to house or exercise animals shall be enclosed by a fence at least six feet in height.

4.3.6. INDUSTRIAL USES

A. ASPHALT OR CONCRETE PLANT

An asphalt or concrete plant shall comply with the following standards:

1. SETBACKS

An asphalt plant shall be located at least 50 feet from a lot line.

2. SECURITY FENCING

A security fence, a minimum of six feet in height, shall be provided around the use.

3. REHABILITATION

a. Within one year of the cessation of the use, all equipment and stock piles incidental to the operation shall be dismantled and removed by and at the expense of the landowner.

b. The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public ways, nor to appreciably increase the turbidity of any natural water course, or to occlude any existing drainage course, except in an instance where redevelopment for another permitted use is in progress.

4. ACCESS

a. Vehicular access shall be constructed with an all-weather surface and be maintained in a dust-free condition.

b. Access drives shall be located no closer than 15 feet from a lot line.

c. A 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 negatively affected by truck traffic.

B. CONTRACTOR SERVICES/YARD

1. Outdoor storage of equipment, materials, and vehicles shall be screened from view from all adjacent single-family residential uses, public rights-of-way, sidewalks, and greenways in accordance with the applicable standards in Section 5.10, Screening.

2. Equipment can exceed the required fence height but should be stored in a manner that limits visibility from the line of sight from all street rights-of-way.

C. EXTRACTIVE INDUSTRY

Quarries and other extractive industries shall comply with the following requirements:

1. GENERAL REQUIREMENTS

a. The minimum development area shall be five acres.

b. The use shall not require the use of residential neighborhood streets to gain ingress or egress.

c. Where the final slope of areas being excavated will exceed 30 percent, such areas shall be enclosed with a fence at least five feet high located not less than ten feet from the excavation's edge.

d. Excavated areas, stockpiles, waste storage piles, and associated processing, storage, and loading areas shall be fully screened from view from major thoroughfares, collector streets, and lots in residential zoning districts in accordance with the standards in Section 5.10, Screening.

e. No blasting operations shall be conducted during the hours from 6:00 p.m. to 7:00 a.m. and shall not cause unreasonable amounts of noise, vibration, dust, or flying debris on nearby lots.

f. No operations shall impede the normal flow of any stream or watercourse, silt up or pollute any stream, undermine any public road or bridge, or promote flooding on adjacent land.

2. REHABILITATION PLAN AND BOND REQUIRED

a. Upon discontinuance of operations, all buildings and equipment shall be removed, and excavated areas shall be rehabilitated in accordance with a rehabilitation plan included as part of the application to establish the use.

b. The rehabilitation plan shall identify the ways the site will be to returned as closely as possible to its original condition or a condition suitable for a specified alternate use. The rehabilitation plan shall address the storage and protection of topsoil removed during the course of operations as well as regrading, refertilization, and replanting.

c. The estimated cost of carrying out the rehabilitation plan shall be filed with the application. Said estimate shall be certified as approximately correct by a civil engineer licensed to practice in the State of North Carolina.

d. A rehabilitation bond, payable to the Town and in a form approved by the Town Attorney, shall be required in an amount equal to the estimated cost of carrying out the rehabilitation plan.

e. The rehabilitation bond shall be maintained as a legally binding obligation until such time as the Board of Commissioners determines that all rehabilitation work has been satisfactorily completed.

f. If the Board of Commissioners finds that extractive uses have been discontinued for a period of 12 consecutive calendar months and that no major attempts have been made to implement the rehabilitation plan, it shall order forfeiture of the bond and the proceeds shall be used to carry out, to the extent possible, the rehabilitation plan.

D. FLEX SPACE

Flex space use shall comply with the following standards:

1. Flex space uses shall meet the off-street parking requirement for this use type in Table 5.8.4.H: Minimum Off-Street Parking Requirements Table, not the individual types of uses within the flex space.

2. The following activities shall not be included within a flex space use type:

a. Residential dwellings;

b. Religious institutions;

c. Adult businesses;

d. Eating establishments;

e. Bars, cocktail lounges, or private clubs;

f. Nightclubs or dance halls; or

g. Heavy manufacturing uses.

3. Outdoor storage or business-related activity is permitted as an accessory use.

E. FUEL OIL/BOTTLED GAS DISTRIBUTOR

Uses storing 100,000 or more gallons of petroleum products as a principal or accessory use shall comply with all applicable Zebulon Fire Department and Fire Prevention Code of the National Board of Fire Underwriters requirements, all above-ground storage tanks and loading facilities shall be located at least 50 feet from any front lot line.

F. LANDFILL

Land clearing and inert debris (LCID) landfills and construction debris (CD) landfills shall comply with the following standards:

1. LCID and CD landfills shall be set back at least 300 feet from any existing residential use, school, or child care use, and shall provide a Type D landscape buffer around its perimeter (see Section 5.6.10, Perimeter Buffers).

2. Access to a landfill shall be controlled through the use of a fence, wall, gate, or other suitable device to prevent unregulated dumping.
3. All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.
4. No filling associated with a landfill shall take place within in any flood hazard area, drainage ways, or utility easements.

G. MAKERSPACE

Makerspace uses shall be configured in accordance with the following standards:

1. No outdoor storage shall be permitted.
2. The use shall include adequate ventilation and equipment for the dispersal of vapors, dust, or airborne contaminates created within the structure;
3. The use shall include a fire suppression system as required by the fire marshal;
4. No operation between the hours of 11:00 PM and 7:00 AM;
5. Incidental sale of products created on site is permitted.

H. MANUFACTURING

1. MANUFACTURING, HEAVY

Heavy manufacturing uses shall comply with the following standards:

a. Heavy manufacturing uses shall be located at least 1,000 feet from any residential district.
b. A Type D perimeter buffer of at least 25 feet in depth shall be provided along any boundary with another property not zoned for heavy industry.

2. MANUFACTURING, LIGHT

All light manufacturing uses shall comply with the following standards:

a. Buffer and setback areas in the side and rear may not be used for parking.
b. Finished products for display and sale shall not occupy more than 40 percent of the land area between the principal building and all adjacent streets.

I. PUBLIC CONVENIENCE CENTER/TRANSFER STATION

A transfer station shall comply with the following standards:

1. Access shall be controlled through the use of a fence, wall, gate, or other suitable device to prevent unregulated dumping.
2. Vehicular access shall be constructed with an all-weather surface and be maintained in a dust-free condition.
3. Be located at least 150 feet from a residential district and operated entirely within an enclosed building, except for loading facilities which may be located outdoors.
4. Outdoor storage of waste material is prohibited.

J. RECYCLING CENTER

Recycling centers shall comply with the following standards:

1. Recycled batteries must be stored in non-porous containers.
2. All loading and storage areas shall be diked to prevent runoff/spill contamination.
3. Recycled motor oil and grease shall be stored in above-ground tanks approved by the Zebulon Fire Chief.

K. SALVAGE OR JUNKYARD

Junk yards, including junked automobile storage, shall be subject to the following regulations:

1. Junk yards shall be located at least 200 linear feet, as measured from the required perimeter screening from any lot in a residential zoning district.
2. An opaque screen eight feet in height shall be required around all boundaries.
3. Any planted opaque screen shall be at least four feet in height when planted.

4. No required front or side yard shall be used for storage purposes.

L. SOLAR FARM

A solar farm use shall comply with the following standards:

1. Be on a site of at least one acre in area;

2. Signage shall be limited to ownership and contact information, and any other information required by government regulation. Commercial advertising is prohibited. Nothing in this section shall prohibit signage that is legally approved for other uses on the same lot or site on which the solar array facility is located;

3. Be enclosed with a fence of at least six feet in height; and

4. Not create glare or shadows on adjacent lands.

M. TRUCK OR FREIGHT TERMINAL

Truck or freight terminals shall comply with the following standards:

1. The use shall be located at least 500 feet from any residential district, school, or child care center.
2. The use shall not locate storage areas within a required setback or perimeter buffer.
3. The use shall have direct access onto an major arterial street.

N. WAREHOUSE, DISTRIBUTION OR STORAGE

1. In the GC district, warehouse uses shall be conducted entirely indoors and no exterior storage is permitted.
2. In the downtown districts, warehouse uses are only permitted as an accessory use to a separate principal use.

O. WHOLESALE SALES

1. In the GC district, wholesale sales uses shall be conducted entirely indoors and no exterior storage is permitted.
2. In the downtown districts, wholesale sales are only permitted as an accessory use to a separate principal use.

P. WIND ENERGY CONVERSION

A wind energy conversion facility shall comply with the following standards:

1. LOCATION

a. No tower associated with a large wind energy facility shall be located within 1,000 feet of land in a R4 or R6 district or a public park.
b. All ground-based equipment buildings shall be located under the blade sweep area, to the maximum extent practicable.

2. SETBACKS

a. All towers associated with a large wind energy facility shall be set back a distance equal to one-and-one-half times the overall height of the tower and associated wind turbine blade.
b. All associated facilities other than towers and associated wind turbines shall be subject to the setback standards for the district where located.

3. TOWER STRUCTURE

Large wind energy facilities shall utilize monopole or self-supporting towers

4. COMMON CONFIGURATION

All towers and turbines within a single large wind energy facility shall maintain uniform design in terms of the following features:

a. Tower type;
b. Tower, turbine, and blade colors;
c. The number of blades per turbine; and
d. The direction of blade rotation.

5. HEIGHT

The maximum height of a large wind energy system (including the tower and extended blades) shall be 450 feet.

6. BLADE CLEARANCE

The blade tip or vane of any large wind energy facility shall have a minimum ground clearance of 75 feet above grade, as measured at the lowest point of the arc of the blades. No blades shall extend over public rights-of-way.

7. UNAUTHORIZED ACCESS

All large wind energy facilities shall incorporate anti-climbing devices to prevent unauthorized climbing.

8. UTILITIES

Except for transmission lines, all utilities associated with a large wind energy facility shall be located underground.

9. APPEARANCE

The wind turbine and tower shall be painted or finished in the color originally applied by the manufacturer, or a matte neutral color (e.g., gray, white, or galvanized steel).

10. LIGHTING

No illumination of the turbine or tower shall be allowed, unless required by the (FAA). In the event obstruction lighting is required by the FAA, it shall be of the lowest intensity allowed, and strobes or blinking lights shall be avoided, to the maximum extent practicable.

11. SIGNAGE PROHIBITED

Signage visible from any public street or off-site area shall be limited to the manufacturer's or installer's identification, appropriate warning signs, or owner identification.

12. SOUND

The noise at the lot line produced by the wind energy conversion facility during operation shall not exceed 55 dBA. This standard shall not apply during power outages, windstorms, or other conditions beyond the owner's control.

13. SHADOW FLICKER

Shadows cast by the rotating blade of a large wind energy facility shall not fall upon off-site areas.

14. INTERFERENCE

The owner shall take all reasonable steps to prevent or eliminate interference with transmission of communications signals (e.g., radio, television, telephone, etc.) resulting from a wind energy conversion facility.

15. ABANDONMENT

- **a.** On determining that a large wind energy conversion facility has been inoperable for 180 days or more, the Planning Director may issue a Notice of Abandonment to the facility owner.
- **b.** The facility owner shall restore operation of the wind energy conversion facility within 30 days of receipt of the Notice of Abandonment, or file a Notice of Termination with the Planning Director.
- **c.** The wind energy conversion facility shall be removed from the site within three months of the filing of a Notice of Termination.
- **d.** Removal of a wind energy conversion facility shall include removal of all of the following features:
  - **i.** Towers;
  - **ii.** Turbines;
  - **iii.** Above-ground equipment;
  - **iv.** Outdoor storage;
  - **v.** Foundations to a depth of four feet below grade; and
  - **vi.** Any hazardous material associated with the facility.

4.3.7. AGRICULTURAL USES

A. AGRICULTURE AND HORTICULTURE

Sale of produce grown on-site or on an adjacent lot that is part of the same agricultural operation is permitted provided they take place outside the right-of-way.

B. AGRICULTURAL SUPPORT SERVICES

1. GENERAL

All directly-related agricultural support services shall comply with the following standards:

- **a.** Be allowed only in direct association with an on-going agriculture, horticulture, animal husbandry, or silvicultural use;
- **b.** Be on a lot of at least one acre in size; and
- **c.** Be operated or maintained by the owner or occupant of the land upon which the primary agricultural activity is being conducted.

2. AGRI-EDUCATION AND AGRI-ENTERTAINMENT

Agri-education and agri-entertainment uses shall comply with the following standards:

a. MINIMUM SIZE
Be at least two acres in area;

b. OBTAIN BUILDING PERMITS
Obtain building permits and comply with the State Building Code(s) for all structures intended for occupancy by members of the public;

c. SPECIAL EVENT PERMIT
Obtain a special event permit for all activities drawing more than 100 people to the site per day;

d. PROVIDE ADEQUATE FACILITIES
Provide public restrooms, adequate parking, and pedestrian circulation features; and

e. COMPLY WITH MINIMUM REQUIREMENTS
Ensure permanent buildings within 500 feet of a public right-of-way comply with the landscaping standards in this Ordinance.

3. EQUESTRIAN FACILITIES

Equestrian facilities shall comply with the following standards:

- **a.** The land on which the facility is located shall be at least two acres in size.
- **b.** No stalls or stables shall be within 200 feet of any existing adjoining residential dwelling and 100 feet from any adjoining well being used for human consumption.
- **c.** Stables must be operated and maintained in a healthy and safe manner. Healthy and safe is defined as, but not limited to: fences kept in good repair; potable water available on demand; protection from wind or rain; a sign posted indicating the name and phone number of the person to be contacted in case of emergency.

4. NURSERY, PRODUCTION

- **a.** No heated greenhouse shall be operated within 20 feet of any lot line.
- **b.** Any outside storage of equipment, vehicles, or supplies shall be fully screened from off-site views by buildings, fencing, or landscaping.

5. ROADSIDE MARKET

- **a.** Retail sales within a roadside market shall be limited to the agricultural and aquaculture products produced by the owners or vendors in the establishment.

b. At least 75 percent of the floor area shall be devoted to the direct retail sales of agricultural, seafood, or related agricultural products to the general public.

c. Temporary signage associated with a roadside market shall not be erected more than 30 days prior to the seasonal opening of the market, and shall be removed within 30 days of the closing of the season.

C. ANIMAL HUSBANDRY

Animal husbandry uses shall comply with the following standards:

1. OUTSIDE CORPORATE LIMITS

Animal husbandry is only permitted on lots located outside the Town's corporate limits.

2. MINIMUM SITE SIZE

a. Any use engaged in animal husbandry shall have a minimum lot area of at least 20,000 square feet in size.

b. Uses maintaining non-hoofed animals shall maintain 1,500 square feet per animal kept on site.

c. Uses maintaining hoofed animals shall maintain 9,000 square feet per animal kept on site.

3. MINIMUM SETBACKS

All barns, pens, and enclosures shall be located at least 100 linear feet from lot lines and drinking water sources (except those intended for livestock).

4. FENCING OR PENS REQUIRED

Animals (excluding waterfowl) shall be maintained within pens, fenced areas, or other suitable enclosures.

5. MAINTENANCE REQUIRED

a. Pens, stalls, and grazing areas shall be maintained in a sanitary manner free from noxious odors.

b. Manure stockpiles shall not exceed six feet in height and shall not be permitted during the period from May 1 until August 31.

D. FARMER'S MARKET

A farmer's market shall comply with the following standards:

1. The use shall be a principal use of the lot where located.

2. Retail sales shall be limited to the agricultural and aquaculture products produced by the owners or vendors in the establishment.

3. At least 75 percent of the floor area shall be devoted to the direct retail sales of agricultural, seafood, or related agricultural products to the general public.

4.4. ACCESSORY USES

4.4.1. PURPOSE

This section authorizes the establishment of accessory uses and structures that are incidental and subordinate to principal uses. The purpose of this section is to allow a broad range of accessory uses and structures, provided they comply with the standards set forth in this section in order to reduce potentially adverse impacts on surrounding lands.

4.4.2. ORGANIZATION OF THESE STANDARDS

These standards set out the standards and allowable locations for accessory uses and structures in the Town's planning jurisdiction, and are organized into the following sections:

A. Section 4.4.3, Procedure for Establishment, describes the procedure for establishing an accessory use or structure.

B. Section 4.4.4, General Standards for Accessory Uses and Structures, lists the general standards applicable to all accessory uses and structures under this Ordinance.

C. Section 4.4.6: Accessory Use Table, lists a series of common accessory uses and the zoning districts where they are permitted.

D. Section 4.4.7, Standards for Specific Accessory Uses, sets out additional standards applied to individual accessory use types where identified in Table 4.4.6: Accessory Use Table.

4.4.3. PROCEDURE FOR ESTABLISHMENT

A. Accessory uses or structures may be approved in conjunction with the approval of the principal use or subsequently following the establishment of the principal use. No accessory use or structure shall be approved, established, or constructed before the principal use is approved in accordance with this Ordinance.

B. Applications to establish a conditional zoning district shall be supplemented by a site plan showing proposed accessory uses or by a written list of proposed accessory uses which shall be attached to the application approval along with other conditions of approval.

C. Table 4.4.6: Accessory Use Table, may not be inclusive of all possible accessory uses, and in the event an accessory use is proposed that is not listed in the table, the Planning Director shall consult Table 4.2.3, Principal Use Table, to determine if the proposed accessory use corresponds to a listed principal use. Any listed principal use is permitted as an accessory use in any zoning district where the principal use is permitted. In no instance shall an accessory use be permitted in a zoning district where it is prohibited as a principal use.

D. In the event a proposed accessory use is not listed in Table 4.4.6: Accessory Use Table, and there is no corresponding principal use, the Planning Director shall determine how to treat the accessory use in accordance with Section 4.6, Unlisted Uses.

4.4.4. GENERAL STANDARDS FOR ACCESSORY USES AND STRUCTURES

A. PERMITTED ACCESSORY USES AND STRUCTURES

Permitted accessory uses and structures include those listed in this section and those that the Planning Director determines meet the following:

1. Are clearly incidental to an allowed principal use or structure;
2. Are subordinate to and serving an allowed principal use or structure;
3. Are subordinate in area, extent and purpose to the principal use or structure; or
4. Contribute to the comfort, convenience or needs of occupants, business or industry associated with the principal use or structure.

B. LOCATION OF ACCESSORY USES AND STRUCTURES

1. WITHIN REQUIRED LANDSCAPING BUFFERS

Except for fences and walls contributing to the screening function of a buffer, no accessory structure shall be located within a required buffer except in accordance with Section 5.6, Landscaping, or Section 5.10, Screening.

2. WITHIN A FRONT OR SIDE YARD

a. Except for the following, no accessory use or structure may be located in a required front or side yard:
- **i.** Art installation;
- **ii.** Cluster box unit;
- **iii.** Fence or wall;
- **iv.** Flag pole and flag;
- **v.** Outdoor display of merchandise; or
- **vi.** Produce stand.

b. On corner lots, an accessory structure or use shall not be closer to the street than the street setback.

3. WITHIN OTHER AREAS ON A SITE

a. No accessory use or structure shall:
- **i.** Be within five feet of a lot line, except as authorized by Table 9.3.5: Allowable Encroachment into Required Setbacks;
- **ii.** Be within ten feet of the centerline of an alley except as authorized by Table 9.3.5: Allowable Encroachment into Required Setbacks;
- **iii.** Be located within a designated fire lane;
- **iv.** Obstruct required sight distances;
- **v.** Impede ingress or egress to a lot, site, or principal structure;
- **vi.** Be located above or beneath public utilities (except for fences or walls); or
- **vii.** Be within an emergency access route designated on an approved site plan.

b. Accessory structures may encroach into required yards only in accordance with the standards in Table 9.3.5: Allowable Encroachment into Required Setbacks.

4. WITHIN AN EASEMENT

Except for authorized stormwater management devices within a drainage easement, no accessory use or structure shall be located within any platted or recorded easement without the prior written consent of the landowner.

C. STRUCTURE HEIGHT

Accessory structures shall comply with the maximum building height requirements for the zoning district where located, except that accessory structures within 10 feet of a lot line shall not be taller than 15 feet.

D. COMPLIANCE WITH ORDINANCE REQUIREMENTS

Accessory uses and structures shall conform to the applicable requirements of this Ordinance, including this section, the district standards in Chapter 3: Districts, the development standards in Chapter 5: Development Standards.

4.4.5. TABLE AS GUIDE

Table 4.4.6: Accessory Use Table, is established as a guide to identify the appropriateness of the more common accessory uses in each zoning district.

4.4.6. LISTED ACCESSORY USES

Table 4.4.6: Accessory Use Table, lists what types of accessory uses, structures, and activities are allowed in each of the zoning districts.

A. If a specific accessory use is allowed by-right, the cell underneath the zoning district is marked with a "P".

B. If a specific accessory use is allowed subject to a special use permit, the cell underneath the zoning district is marked with a "S".

C. If the accessory use or structure is not allowed in a zoning district, the cell is blank.

D. In the case of planned development districts, if an accessory use is allowable, it is marked with an "A", and the accessory use must be set out in the approved master plan.

E. If there is a reference contained in the column entitled "Acc. Use-Specific Standards," refer to the cited section(s) for additional standards that apply to the specific accessory use.

TABLE 4.4.6: ACCESSORY USE TABLE [1]

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "·"=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE					ACC. USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	CG	HC	LI	IC	HI	OI	DTC	DTP	RMU	PD	
Accessory Dwelling Unit	P	P	P	P	P	P	·	·	·	·	·	P	P	P	P	A	4.4.7.A
Amateur Ham Radio	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	4.4.7.B
Art Installation	P	P	P	P	P	P	P	P	·	P	·	P	P	P	P	A	4.4.7.C
Automated Teller Machine	·	·	·	·	·	P	P	P	P	P	S	P	P	P	P	A	4.4.7.D
Bus Shelter	·	·	·	P	P	P	P	P	P	·	·	P	P	P	P	A	4.4.7.E
Child Care, Incidental	P	P	P	P	P	P	·	·	·	·	·	P	P	P	P	A	4.4.7.F
Cluster Box Unit	P	P	P	P	P	P	P	·	·	·	·	P	P	P	P	A	4.4.7.G
Detached Accessory Structure	P	P	P	P	P	P	·	·	·	·	·	P	P	P	P	A	4.4.7.H
Drive Through	·	·	·	·	·	S	P	P	·	·	·	S	·	·	P	A	4.4.7.I
Electric Vehicle Charging Station	·	·	·	P	P	P	P	P	P	P	P	P	P	P	P	A	4.4.7.J
Family Health Care Structure	P	P	P	P	P	P	·	·	·	·	·	P	·	P	P	A	4.4.7.K
Guard House, Shelter, or Gatehouse	P	P	P	P	P	P	P	P	P	P	P	P	·	·	P	A	4.4.7.L
Helistop	·	·	·	·	·	·	·	S	S	S	S	·	·	·	S	A	4.4.7.M
Home Occupation	P	P	P	P	P	P	P	·	·	·	·	P	P	P	P	A	4.4.7.N
Ice House	·	·	·	·	·	P	P	P	S	·	·	·	·	·	·	A	4.4.7.O
Outdoor Dining	·	·	·	·	P	P	P	P	·	P	·	P	P	P	·	A	
Outdoor Display/Sales	·	·	·	·	·	P	P	P	P	·	·	S	P	P	·	A	4.4.7.P
Outdoor Storage	·	·	·	·	·	·	·	S	S	S	P	·	·	·	·	A	4.4.7.Q
Parking of Heavy Trucks or Trailers	·	·	·	·	·	·	·	·	P	P	P	·	·	·	·	·	4.4.7.R
Parking of Recreational Vehicles	P	P	P	P	P	·	·	·	·	·	·	·	·	·	·	A	4.4.7.S

TABLE 4.4.6: ACCESSORY USE TABLE [1]

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "·"=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE					ACC. USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	CG	HC	LI	IC	HI	OI	DTC	DTP	RMU	PD	
Storage of Unlicensed or Inoperable Vehicles or Trailers	·	P	P	P	·	·	·	·	·	·	·	·	·	·	·	·	
Play Equipment	P	P	P	P	P	P	P	·	·	·	·	P	P	P	P	A	4.4.7.T
Produce Stand	P	P	P	P	P	P	P	P	·	·	·	P	P	P	P	A	4.4.7.U
Solar Energy Systems	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	4.4.7.V
Stable (horses)	P	P	·	·	·	·	·	·	·	·	·	·	·	·	·	A	4.4.7.W
Swimming Pool/Hot Tub	P	P	P	P	P	P						P	P	P	P	A	4.4.7.X
Tool/Storage Shed	P	P	P	P	P	P	P	P	P	P	P	P	P	P	·	A	
Underground Storage Tank	·	·	·	·	·	·		S	P	P	P	·	·	·	S	A	4.4.7.Y
Wagering, Sports	-	-	-	-	-	-	-	P	P	P	S	-	-	P	-	A	4.4.7.Z
Wind Energy Conversion	·	P	P	P	P	P	P	P	P	P	P	P	·	·	S	A	4.4.7.AA

NOTE:
[1] Unlisted accessory uses may be permitted in accordance with Section 4.4.3, Procedure for Establishment.

4.4.7. STANDARDS FOR SPECIFIC ACCESSORY USES

Standards for a specific accessory use or structure shall apply to the particular individual accessory use or structure regardless of the zoning district in which it is located or the review procedure by which it is approved, unless otherwise specified in this Ordinance. This section sets forth and consolidates the standards for all accessory uses and structures for which a reference to this section is provided in the "Acc. Use-Specific Standards" column of Table 4.4.6: Accessory Use Table. These standards may be modified by other applicable standards or requirements in this Ordinance.

A. ACCESSORY DWELLING UNIT

An accessory dwelling unit (ADU) is permitted as accessory to a single-family detached dwelling, and shall comply with the following standards:

1. No more than one ADU shall be located on a lot with a single-family detached dwelling.
2. An ADU shall not exceed 35 percent of the total amount of finished floor area in the principal structure.
3. An ADU shall not exceed one story, but nothing shall limit an ADU from being located on a second or third story provided the structure complies with the applicable maximum height limitations in the district where located.
4. An ADU and the principal dwelling shall have the same street address and mailbox.
5. An ADU shall not be subdivided or otherwise separated in ownership from the principal dwelling unit.

6. An ADU and the principal dwelling shall utilize the same driveway, unless the ADU is accessed from a right-of-way not used by the principal dwelling (e.g., a rear alley or separate street access on a corner or through lot).
7. An ADU shall be served by water, sanitary sewer, gas, and electrical utilities as part of the principal dwelling.

B. AMATEUR HAM RADIO

1. Towers associated with an amateur ham radio operator or private television antenna shall not exceed 100 feet above grade.
2. Towers or antennas attached to a principal structure shall be located on a side or rear elevation.
3. Freestanding towers or antennas shall be located behind the principal structure.

C. ART INSTALLATION

In no instance shall an art installation visible from a street or off-site area depict specified anatomical areas or specified sexual activities as defined by this Ordinance and the North Carolina General Statutes.

D. AUTOMATED TELLER MACHINE (ATM)

1. An ATM designed for walk-up use and located in the exterior wall of a building or a parking area shall be designed to avoid obstructions to pedestrian movement along sidewalks, through public use areas, or between parking areas and building entrances, or vehicular movement in front of buildings or through parking areas.
2. If an ATM is designed for use by customers in their vehicles, it shall comply with the accessory use standards (including districts where permitted) in Section 4.4.7.H, Detached accessory structures

E. BUS SHELTER

Nothing shall limit the placement of a bus shelter within a required yard or setback, provided it shall:

1. Maintain a maximum size or floor area of 100 square feet or less;
2. A height of 15 feet or less;
3. Be located outside any required sight distance triangles; and
4. Maintain a minimum distance of five feet from a street right-of-way.

F. CHILD CARE, INCIDENTAL

An incidental child care or home day care for three or more children is permitted as accessory to an occupied residential dwelling unit if it complies with Article 7 of Chapter 110 of the North Carolina General Statutes, and the following standards:

1. Care is provided within a principal dwelling unit.
2. The maximum number of children receiving child care in the use at any given moment does not exceed six (provision of day care services for more than six children at any given moment is treated as a day care center by this Ordinance, and requires licensure from the State as a day care center).
3. It complies with all applicable home occupation requirements, except the gross floor area limitation, which may be exceeded.
4. It is licensed by the State of North Carolina and complies with all applicable State requirements.

G. CLUSTER BOX UNIT

Cluster box units shall comply with the standards of the United States Postal Service and the relevant standards in the Town's Standard Details and Specifications.

H. DETACHED ACCESSORY STRUCTURES

Detached accessory structures that are accessory to residential uses shall comply with the following standards unless otherwise specified by this Ordinance:

1. All detached accessory structures shall be located on the same parcel as the principal structure.
2. Detached accessory structures located on a parcel of two acres or less shall not exceed the height of the principal structure.
3. The total footprint for all detached accessory structures shall not exceed 35 percent of the total amount of finished floor area in the principal structure for a lot 2 acres or less.
4. The total of all detached accessory structures located on the lot may increase by 5 percent for each acre over 2 acres.
5. Detached Accessory structures on lots greater than 10 acres shall not be subject to these size limitations.

I. DRIVE THROUGH

Drive-through facilities shall comply with the following standards:

1. Outdoor speakers associated with a drive-through shall be at least 50 feet from any lot with a residential zoning district designation.
2. Drive-through windows, menus, or order boxes shall not be located on the front façade of the building they serve.
3. Drive-through facilities shall be designed so as not to obstruct the movement of pedestrians along sidewalks, through areas intended for public use, or between the building entrance and customer parking spaces.
4. Canopies or other features installed over a drive through window shall maintain common roof lines and materials with the principal structure.
5. New construction of drive-throughs shall conform to the mixed-use design standards in section 5.3.2.

J. ELECTRIC VEHICLE CHARGING STATION

1. Electric Vehicle (EV) charging station spaces shall be reserved for the charging of electric vehicles only and shall be posted with signage identifying the spaces as reserved only for the charging of electric vehicles, amperage and voltage levels, any enforceable time limits or tow away provisions, and contact information for reporting non-operating equipment or other problems.
2. A required accessible parking space may also serve as an EV charging station space, provided the charging station and its controls meet ADA standards for accessibility to persons with physical disabilities.
3. EV charging station equipment shall be located so as not to interfere with vehicle, bicycle, or pedestrian access and circulation, or with required landscaping.

K. FAMILY HEALTH CARE STRUCTURE

One family health care structure is permitted on a lot with a single-family detached dwelling, in accordance with the standards in Section 160D-915 of the North Carolina General Statutes, and the following standards:

1. STRUCTURE

A family health care structure is one that:

a. Is transportable and primarily assembled at a location other than the site of installation;
b. Is located on a lot with an existing single-family detached dwelling;
c. Is limited to one occupant who is a mentally or physically impaired person related to the caregiver;

d. Is used by a caregiver or legal guardian in providing care for one mentally or physically impaired person on property owned or occupied as the caregiver's or guardian's residence;
e. Has no more than 300 square feet of gross floor area;
f. Is connected with water, sewer and electricity by branching service from the single-family detached dwelling;
g. Has the same street address and mailbox as the existing single-family detached dwelling;
h. Uses the same driveway as the existing single-family dwelling, unless the structure is accessed from a right-of-way not used by the dwelling (e.g., a rear alley or separate street access on a corner or through lot);
i. Meets the dimensional standards of the zoning district for a single-family detached dwelling; and
j. Meets the applicable provisions in the State Building Code(s); however, is not located on a permanent foundation.

2. NEED AND RELATIONSHIP

a. The occupant of the structure must be a mentally or physically impaired person that is a resident of the State who requires assistance with two or more activities of daily living (bathing, dressing, personal hygiene, ambulation or locomotion, transferring, toileting, and eating) as certified in writing by a physician licensed to practice in this State.
b. The caregiver must be an individual 18 years of age or older who provides care for the mentally or physically impaired person and is a first or second degree relative of the impaired person. A first or second degree relative is a spouse, lineal ascendant, lineal descendant, sibling, uncle, aunt, nephew or niece, including half, step, and in-law relationships.

3. PERMIT CONDITIONS

a. Once the applicant provides sufficient proof that the family health care structure meets all standards, then the structure shall be permitted for a period of 12 months.
b. The applicant may renew the zoning compliance permit for a 12-month period and continue to renew it provided the applicant provides evidence of continued need and compliance with these standards.
c. The Town may make permit renewal and periodic inspections of the temporary structure at reasonable times convenient to the applicant.
d. No signage shall be permitted on the exterior of the structure or on the lot that identifies or promotes the existence of the structure.
e. The structure shall not be subdivided or otherwise separated in ownership from the single-family detached dwelling.
f. The structure shall be removed within 60 days if the impaired occupant is no longer receiving or in need of assistance.
g. The zoning compliance permit may be revoked or other enforcement actions taken if these standards are violated.

L. GUARD HOUSE, SHELTER, OR GATEHOUSE

Nothing shall limit the placement of a guard house, guard shelter, or gatehouse within a required yard or setback, provided it shall:

1. Maintain a maximum size or floor area of 100 square feet or less;
2. A height of 15 feet or less;
3. Be located outside any required sight distance triangles; and
4. Maintain a minimum distance of five feet from a street right-of-way.

M. HELISTOP

Auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment are not permitted.

N. HOME OCCUPATION

Customary home occupations such as home offices, beauty parlors, dressmaking, laundering, music teaching, tutoring, etc., shall comply with the following standards:

1. Home occupation accessory uses shall be clearly incidental and subordinate to a dwelling's use for residential purposes by its occupants.
2. Except for home offices, home occupations shall be engaged in only by a resident on the premises, and not more than one employee may be a nonresident. Home offices shall be limited to no more than two employees not residing on the premises.
3. No more than 25 percent of the first floor area of a dwelling shall be used for home occupations.
4. No display of goods or advertising shall be visible from the street.
5. No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors or electrical interferences detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used that creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.
6. No accessory buildings shall be used for home occupations.
7. Only one commercial vehicle with up to one attached trailer associated with the home occupation may be parked or stored on the lot.
8. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

O. ICE HOUSE

Ice houses of 50 square feet in size or larger shall comply with the following requirements:

1. Ice houses shall provide at least one designated off-street parking space and shall not occupy any off-street parking spaces required for the principal use.
2. Any signage shall comply with the signage provisions for the district where located.
3. All roof-top mechanical equipment shall be screened.
4. A litter receptacle shall be provided, and shall be maintained in a sanitary condition.
5. Ice houses shall not be allowed as a primary use.

P. OUTDOOR DISPLAY/SALES

The outdoor display and sale of goods shall be limited to a commercial or mixed use and shall comply with the following standards:

1. Except in the downtown districts, an outdoor display/sales area shall not be located within a required front yard or street setback.
2. In the downtown districts, outdoor display/sales areas may be located on or adjacent to the sidewalk provided the display is attached to or located immediately adjacent to a building's front façade wall.
3. Outdoor display/sales areas shall not be located any closer than five feet from any lot line.
4. Outdoor display/sales areas shall not be located within any local or State site easement.
5. Outdoor display areas shall maintain at least five feet of space along the side of the display free of obstruction to allow for pedestrian and handicap movement, such that pedestrians do not have to step off the sidewalk or enter the drive aisle to see the merchandise.

Q. OUTDOOR STORAGE

1. GENERAL STANDARDS

The following standards shall apply to all outdoor storage areas other than uses where outdoor storage is the principal use of land (see Table 4.2.3, Principal Use Table).

a. The extent of the outdoor storage area shall be clearly delineated on a site plan.

b. Outdoor storage areas shall comply with the minimum setback standards applicable in the zoning district where the outdoor storage area is located.

c. Outdoor storage areas are prohibited between the development's principal structure(s) and a thoroughfare (major and minor) or collector street.

d. Outdoor storage areas shall be fully screened in accordance with the applicable standards in Section 5.10, Screening.

e. No outdoor storage area shall be located within a required landscaping area.

f. Stored goods, materials, and equipment shall be limited to those goods, materials, and equipment associated with the principal use or uses of the lot.

g. No materials shall be stored in areas intended for vehicular or pedestrian circulation.

h. No materials shall be stored on any potable or non-potable water easement, stormwater easement, or sanitary sewer easement.

2. SCREENING REQUIREMENTS

Outdoor storage shall be screened in accordance with the applicable standards in Section 5.10, Screening.

R. PARKING OF TRUCKS OR TRAILERS

1. The parking and/or storage of motorized and non-motorized vehicles in excess of 10,000 pounds gross vehicle weight shall be prohibited in all residential districts except for loading and unloading purposes; for emergency home service; for use in the conduct of a legal non-conforming use; for temporary construction purposes; or for bona fide agricultural purposes.

2. No apparatus designed to be used as a motor vehicle or designed to be towed by a separate motorized unit or vehicle shall be allowed to be used as a storage facility or accessory building in any residential district.

S. PARKING OF RECREATIONAL VEHICLES

Nothing herein shall be construed so as to prohibit the parking of personal recreational vehicles including but not limited to motor homes, vans, or campers.

T. PLAY EQUIPMENT

Play equipment shall comply with the setback requirements for the zoning district where located, though it may encroach into setbacks in accordance with Table 9.3.5: Allowable Encroachment into Required Setbacks.

U. PRODUCE STAND

The sale of fresh vegetables and produce, as defined in Section 153A.340.b.2 of the North Carolina General Statutes, from curbside stands or in a similar fashion shall:

1. Be located on the same lot as a principal use;

2. Be limited to retail sale of agricultural or horticultural products grown on-site or in agricultural facilities under the same ownership as the produce stand;

3. Be located outside sight distance triangles or other areas that may result in visual obstructions to drivers;

4. Not exceed 1,000 square feet in area; and

5. Provide adequate ingress/egress and off-street parking.

V. SOLAR ENERGY SYSTEM

A solar energy system (SES) shall comply with the following requirements:

1. A SES may be roof-mounted, attached to a principle or accessory structure, be ground-mounted, or placed over a parking or other hard-surface area.
2. The footprint of a ground-mounted SES shall not exceed 50 percent of the floorplate of the principal structure, or one acre, whichever is less.
3. An SES shall comply with the dimensional requirements for the district where located, as modified by Section 4.4.4, General Standards for Accessory Uses and Structures.
4. An SES shall not obscure required sight distance triangles.
5. A SES may be placed within a required landscaping area provided it does not compromise the screening objective of the landscaping.
6. Ground-mounted SES facilities are exempted from the screening requirements in Section 5.10, Screening.
7. Ground-mounted SES facilities shall not exceed 20 feet in height above adjacent pre-construction grade.

W. STABLE (HORSES)

Stables shall comply with the following standards:

1. Stables are not permitted on land within the corporate limits.
2. The land on which the facility is located shall be at least two acres in size.
3. No stalls or stables shall be within 200 feet of any existing adjoining residential dwelling and 100 feet from any adjoining well being used for human consumption.
4. Stables must be operated and maintained in a healthy and safe manner. Healthy and safe is defined as, but not limited to: fences kept in good repair; potable water available on demand; protection from wind or rain; a sign posted indicating the name and phone number of the person to be contacted in case of emergency.

X. SWIMMING POOL/HOT TUB

1. Swimming pools built as accessory uses to a residential use shall be completely isolated from adjacent lands and streets by a fence or other structure having a minimum height of four feet and configured to prevent small children from gaining unsupervised access to the pool.
2. Gates or doors opening into the area around the swimming pool from outside the dwelling shall have self-closing and self-latching devises for keeping the gate or door closed at all times when not in use.
3. These standards shall apply to any built structure placed or constructed for the purpose of bathing or swimming with a depth of two feet or more.
4. Swimming pools included as an accessory use to a single-family subdivision shall include one off-street parking space for every four persons of design capacity.

Y. UNDERGROUND STORAGE TANK

Underground storage tanks shall comply with the following requirements:

1. Underground storage tanks shall not be located within required setbacks, easements, or beneath public rights-of-way.
2. Underground storage tanks shall be installed and operated only in accordance with the State Building Code(s) and all applicable Fire Code requirements.
3. Underground storage tanks shall be depicted on site plans and as-builts.

Z. WAGERING, SPORTS

1. Sports wagering in compliance with Section 18C-901 through 18C-928 of the North Carolina General Statutes.

AA. WIND ENERGY CONVERSION

Wind energy conversion uses shall comply with the following requirements:

1. Limited to one per principal use;
2. The facility shall not exceed 70 feet in height;

3. The facility shall maintain a minimum blade clearance of at least 20 feet from the ground; and
4. Sound levels shall not exceed 55 dBA.

4.5. TEMPORARY USES

4.5.1. PURPOSE

This section allows for the establishment of specific temporary uses of limited duration, provided that such uses do not negatively affect adjacent land, and provided that such temporary uses are discontinued upon the expiration of a set time period. Temporary uses shall not involve the construction or alteration of any permanent building or structure.

4.5.2. APPLICABILITY

The standards in this section apply to non-permanent uses that take place on a temporary basis whether on the same site or in different locations in the jurisdiction. The activities listed in this section require the issuance of a temporary use permit, except as exempted, in accordance with the standards in Section 2.2.19, Temporary Use Permit, and compliance with the standards in Section 4.5.3, General Standards for Temporary Uses and Structures, and Section 4.5.4, Standards for Specific Temporary Uses.

4.5.3. GENERAL STANDARDS FOR TEMPORARY USES AND STRUCTURES

All temporary uses and structures shall comply with the following general standards, unless otherwise specified in this Ordinance:

A. GENERAL STANDARDS

An applicant proposing a temporary use or structure shall:

1. Secure written permission from the landowner;
2. Obtain the appropriate permits and licenses from the Town and other agencies;
3. Comply with the requirements for temporary signs in Section 5.11, Signage;
4. Meet public utility and Town requirements for proper connection to water, sewer, electrical and other utility service connections, as applicable;
5. Not violate the applicable conditions of approval that apply to a site or use on the site;
6. Not result in a situation where the principal use, if present, fails to comply with the standards of this Ordinance;
7. Ensure the site of a temporary use or structure contains sufficient land area for the temporary use and for the parking and traffic movement associated with the temporary use, without impacting environmentally sensitive lands;
8. Ensure temporary uses remain in place no longer than 90 days if located within the Flood Hazard Overlay (FHO) district;
9. Provide adequate on-site restroom facilities (as appropriate); and
10. Cease all outdoor activities within 500 feet of a residential use by 10:00 pm.

B. GENERAL CONDITIONS

In approving a temporary use permit, the Planning Director is authorized to impose any of the following general conditions upon the premises benefited by the permit as may be necessary to reduce or minimize any potential adverse impacts upon other property in the area, as long as the condition relates to a situation created or aggravated by the proposed temporary use. The Planning Director is authorized, where appropriate, to require:

1. Provision of temporary parking facilities, including vehicular access and egress;
2. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat;
3. Prohibition of the storage or use of hazardous materials;
4. Regulation of placement, height, size, and location of equipment;
5. Provision of sanitary and medical facilities;
6. Provision of solid waste collection and disposal;
7. Provision of security and safety measures;

8. Use of an alternate location or date;
9. Modification or elimination of certain proposed activities;
10. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
11. Submission of a performance guarantee to ensure that any temporary use will be removed from the lot or site within a reasonable time and the lot or site will be restored to its former condition.

4.5.4. STANDARDS FOR SPECIFIC TEMPORARY USES

A. MOBILE FOOD VENDORS

1. PURPOSE

This section is designed to provide standards relative to the accessibility, appearance, and safety regarding commercial food vending, as well as to preserve the peace and enjoyment of residences and occupation of a site by a properly licensed business.

2. OPERATIONAL REGULATIONS

a. A mobile food vendor permit shall be required as provided for herein.

b. Noncommercial private events held on single-family detached and duplex lots shall not be required to obtain a mobile food vendor permit.

c. The following activities shall not be required to obtain a mobile food vendor permit provided that all required permits are obtained:

d. Mobile food vendors that that stop based on customer demand for point of sale service and move to a different location such as an ice cream truck or similar operation.

e. Mobile food vendors operating as part of a Town of Zebulon sponsored event. provided that all required permits are obtained, if applicable, and that the mobile food vendor:

i. Is not open to the public, such as outdoor weddings and employee parties;

ii. Is located on a site with a single user and/or tenant; and,

iii. Noncommercial private events held on single-family detached, duplex lots, or common space owned by a home owners association, if applicable, the mobile food vendor:

1. Is not open to the public, such as outdoor weddings, employee parties and homeowner association events;
2. Is located on a site with a single user/ or tenant;
3. Will not make, cause, or allow the making of any noise or sound which exceeds the limits set forth in the Town of Zebulon's Code of Ordinances, as may be amended from time to time, and will not generate adverse traffic, or other nuisance impacts on adjacent properties.

f. Permits, unless sooner suspended or revoked, shall be valid for no longer than one year expiring at the end of the calendar year.

g. Permit certificates shall be attached to the mobile food vendor unit where they are readily visible and shall include the name, mailing address, and valid phone number of the mobile food vendor unit owner and shall list the addresses and parcel identification numbers where the permit is valid.

h. Routine inspections may be conducted by local inspectors on each mobile food unit at any time and at any frequency deemed appropriate by the Town.

i. Any mobile food vendor unit that has a suspended or revoked permit by the State of North Carolina and/or Wake County, and on a subsequent inspection, a State of North Carolina and/or Wake County Inspector determines that the mobile food vendor has not corrected the violation(s), shall have its Town-issued mobile food vendor permit revoked and food service shall cease in the Town.

j. A permit issued under this section is not transferable.

3. STANDARDS

The following standards shall apply to all mobile food vendor permits, unless exempt above:

a. Except in the DTC, no products shall be sold from any mobile food vendor unit which is stopped, standing, or parked in any public street, right-of-way, or easement. Nor shall the mobile food vendor impede the flow of traffic or pedestrians on the sidewalk.

b. In the DTC, mobile food vendors may operate in town on-street parking spaces in front of a sponsoring business provided:

i. The sponsoring business identifies the spots and submits a monthly schedule to the Planning Department for approval.

ii. Both the sponsoring businesses and all mobile food vendors maintain valid temporary use and mobile food vendor permits, respectively.

c. Mobile food vendor units are prohibited on all parcels used for residential purposes as designated on the Official Zoning Map or on the grounds of any government office, facility, public park, recreation area, or other similar public land within the Town, which is under the control, operation, or management of the Town, except as otherwise allowed in this section or by law.

d. Except as described otherwise in this section, mobile food vendors are allowed within the Town's planning jurisdiction so long as the mobile food vendor unit is located on private property designated and used for commercial, industrial, or nonresidential purposes, subject to the following conditions:

i. Mobile food vendors shall not provide customer seating.

ii. No display areas, merchandise, or stored items in association with the vendor or those associated with the principal use on the property, which are displaced due to the vending activity, shall encroach onto any public street, right-of-way, or easement, or onto any adjacent private property without express permission from that property owner.

iii. The mobile food vendor shall set up and locate the vehicle, wares, and/or any associated displays in accordance with the principal structure setback requirements of the district where located.

iv. The mobile food vendor sales area shall not exceed more than two parking spaces or six hundred square feet in area, whichever is greater. However, at no time may the required number of parking spaces for the principal use of the property be rendered nonconforming due to vendor use.

v. The mobile food vendor unit shall not interfere with required parking, loading and unloading spaces or the vehicular access to those spaces for the principal use.

vi. The mobile food vendor unit shall not block, damage, or interfere with required landscaping, buffers, or stormwater drainage systems on the subject property.

vii. During periods of nonuse, mobile food vendor equipment must remain locked and secured, unless otherwise required by the State of North Carolina or Wake County.

viii. The mobile food vendor shall be prohibited from selling or distributing any type of glass container with the exception of sealed prepackaged nonalcoholic beverages such as sodas or juices.

ix. Amplified music from any mobile food vendor unit for the purposes of vending products is prohibited.

x. All mobile food vendors shall operate in compliance with Title IX: General Regulations, Chapter 97: Noise, of the Town Code of Ordinances.

xi. Mobile food vendors shall be prohibited from discharging fat, oil, grease, or waste water into the sanitary sewer system. Waste shall be properly stored and disposed of at a properly designated location.

xii. Each mobile food vending unit shall be equipped with adequate trash receptacles and shall be responsible for the proper disposal of solid waste from the site daily without using public waste receptacles. All disturbed areas must be cleaned following each stop at a minimum of 20 feet of the sales location.

xiii. Each mobile food vending unit shall be equipped with at least one fire extinguisher with a minimum of a 2A-10-BC rating.

xiv. Vinyl wrapping, decals, stickers, painted text and/or graphics, and menu boards affixed to the mobile food vendor unit shall not count towards the maximum aggregate sign area.

xv. In the DTC, mobile food vendors may operate on Wednesday through Saturday from 6pm to 2am, and on Sundays from 11am to 11 pm, in spaces shown in an approved monthly schedule submitted by a permit holding downtown business.

4. ENFORCEMENT

The following provisions may be enforced by the Police Department and the Planning Department.

a. FINE FOR VIOLATION

Any mobile food vendor licensee operating in violation of any provision within this section or any other rules and regulations may be subject to a fine in accordance with Article 8: Enforcement. Each day of violation shall constitute a separate offense for purposes of the penalties and remedies specified in this Ordinance.

b. REVOCATION, SUSPENSION, MODIFICATION

i. The Board of Commissioners may modify a mobile food vendor license, including an approved location:

1. At any time before the issuance of a mobile food vendor license;

2. If after the issuance of such license, for cause, after reasonable notice to the licensee of the grounds for the proposed modification and the time and place of the hearing regarding such proposed modification; or

3. By request of the licensee.

ii. The Board may suspend, revoke, or decline to renew a mobile food vendor license for cause, after reasonable notice to the licensee of the grounds for the proposed action and the time and place of the hearing regarding such proposed action. For purposes of this section, cause means health or safety violations, false or incorrect information contained in the application, violations of Town ordinances, or failure to comply with the terms or conditions contained in the license.

B. OUTDOOR SEASONAL SALES

1. PURPOSE

The purpose of this section is to prevent the unrestricted proliferation of open-air sales events within the town and to protect those businesses and food services that operate from within principle buildings at permanent locations in accordance with the law.

2. EXEMPTIONS

Sale of the following products or services are exempted from these standards.

a. The sale or display of fruits, vegetables, other farm or homemade products produced by the person offering them for sale in a commercial zoning district with the permission of the property owner;

b. The sale or display of goods or merchandise (not including food or food products) by a person, partnership, corporation or other entity at a particular location if the sale or display of like or same items is conducted in association with the party's sale or display of goods or merchandise at the same location from or in a principle building that is

regularly entered by the general public for the transaction of business. The items to be sold are limited to the same items that are sold inside the establishment, such as toys, clothing, furniture and outdoor equipment.

c. Any nonprofit group, charitable or civic organization that conducts open-air sales on either their own property or on other business property for charitable or other fund-raising purposes.

d. Vendors at special events, such as the Christmas Parade, Arts in the Park and the like selling goods only for that event. Food vendors will need to obtain a permit from the Wake County Health Department.

e. Seasonal sales of Christmas trees, pumpkins, and similar products.

3. STANDARDS

a. The maximum hours of operation of an outdoor seasonal sales use shall be from 8:00 AM to 11:00 PM, except when located in a residential district, then the seasonal sales use shall cease by 9:00 PM.

b. Exterior lighting shall comply with the requirements in Section 5.4, Exterior Lighting.

c. One recreational vehicle is allowed as a temporary dwelling for security purposes in association with the seasonal sales use, provided it meets the general standards of Section 4.5.4.E, Temporary Dwelling, and is removed at the end of the sales.

d. Upon termination of an open-air sale, all temporary buildings or structures erected for the purpose of the use, and all trash and debris generated in connection with the sale, shall be removed by the applicant or owner of the premises.

e. Each permit issued pursuant to this section shall specify the commencement date for the use and the date of expiration of the permit.

4. DURATION

a. Up to four permits may be issued to the same applicant during any calendar year for a use subject to the provisions of this section, and at least 60 calendar days shall elapse between the issuance of permits to the same applicant, same use at the same or different location, whether or not issued in the same calendar year.

b. For purpose of this subdivision, an applicant shall be deemed to include any predecessor business to the applicant, and any person, partnership, corporation or other entity that controls, is controlled by or is under common control with the applicant.

C. PORTABLE STORAGE CONTAINER

Portable storage containers may be permitted as a use accessory to a single-family detached, single-family attached, duplex, triplex, or quadplex dwelling unit, subject to the following standards.

1. TYPES DISTINGUISHED

Portable storage containers shall take one of the following three forms:

a. A container used for the purposes of storage of personal property such as household items being temporarily stored or relocated.

b. A roll-off box, bin, or construction dumpster used for the collection and hauling of waste or debris; or

c. A fully-enclosed, non-motorized, trailer (commonly known as a semi-trailer) with wheels intended to be towed to a site for the purpose of storage or transport of goods, materials, or equipment.

2. PERMIT REQUIRED

A building permit shall not be required for a portable storage container, but a temporary use permit issued in accordance with Section 2.2.19, Temporary Use Permit, is required.

3. EXEMPTIONS

The standards in this section shall not apply to portable storage containers used as temporary construction trailers, dumpsters, or recycling facilities, provided construction on the site is on-going.

4. MAXIMUM SIZE

Containers no larger in dimension than eight feet in height, eight feet in width, or 20 feet in length.

5. MAXIMUM NUMBER

a. No more than two portable storage containers shall be located on a single lot or parcel of land.

b. No other type of container or shipping container is located on the same lot or parcel of land.

6. HAZARDOUS SUBSTANCES

Portable storage containers shall not be used to store or transport nonresidential materials and substances, including but not limited to the following: solid waste, hazardous materials, explosives, and unlawful substances and materials.

7. LOCATION

a. A portable storage container may be located in a driveway, a designated parking area, or behind a dwelling.

b. A portable storage container shall be located at least five feet from any principal or accessory structure.

c. If site conditions make placement of the portable storage container behind a dwelling, on a driveway, or in a designated parking area impossible, then the portable storage container may be located immediately adjacent to the driveway or designated parking area.

d. A portable storage container shall not be located between the front of a dwelling and the street it faces unless any other placement is impossible due to site conditions.

e. In no instance shall a portable storage container be located within a Town street, public street right-of-way, or in a location that poses a threat to public health or safety.

8. DURATION

a. Portable storage containers may be located on a site for a maximum of up to 90 days per calendar year.

b. In no instance shall these standards be construed to allow placement of one or more portable storage containers on a single site for more than 90 days in any single calendar year.

D. SPECIAL EVENTS

1. EXEMPT EVENTS

A special event is not subject to the requirements in Section 4.5, Temporary Uses, if:

a. The event lasts two or fewer days within a 180-day period on a lot with an established principal use; or

b. The event is sponsored by the Town, a county, or the State.

2. SUBJECT TO THIS ORDINANCE

A special event not exempted from the standards in this section if it is proposed on a lot in a commercial or mixed-use zoning district, subject to the following standards:

a. A special event includes, but is not be limited to arts and crafts shows, cultural events, musical events, concerts and stage shows, celebrations, festivals, fairs, carnivals, circuses, or outdoor religious events.

b. Circuses, carnivals and similar amusements may be subject to the applicable provisions of the City Code of Ordinances.

c. Temporary dwelling(s) are allowed in association with the special event provided they meet the general standards of Section 4.5.4.E, Temporary Dwelling, and are removed at the end of the event.

E. TEMPORARY DWELLING

A temporary dwelling is permitted on a lot in a residential, conditional, mixed-use, or conditional zoning district, subject to the following standards:

1. GENERAL STANDARDS

a. A temporary dwelling may be either a dwelling that meets all applicable North Carolina Building Code requirements for a dwelling or a recreational vehicle.

b. The temporary dwelling shall be located on a lot and meet the dimensional standards of the zoning district, to the maximum extent practicable.

c. Temporary emergency dwellings operated by a religious institution, governmental agency, or nonprofit organization may be located to provide emergency shelter where fire, flood, or other natural disaster has displaced persons.

2. TEMPORARY CONSTRUCTION DWELLING

a. One temporary dwelling may be used to house occupants of the principal dwelling under construction or subject to repair or casualty damage.

b. Temporary dwellings may be used on a construction site and occupied by persons having construction or security responsibilities over such construction site.

c. Temporary dwellings shall be located on the same lot as the structure under construction.

d. The temporary use permit shall not be issued until a site plan approved or a building permit is issued for a principal structure.

e. A temporary dwelling shall be removed within 30 days of issuance of a certificate of occupancy for the structure, or removed immediately if the building permit expires or is revoked.

3. DURATION

A temporary dwelling shall be limited in duration to a maximum of six months, except that the temporary use permit may be renewed for good cause shown.

F. TEMPORARY REAL ESTATE OFFICE

A temporary real estate office is permitted on a lot in a residential, business, special, or conditional zoning district, subject to the following standards:

1. The office is located on a lot that is part of the real estate development being sold or leased.

2. Signage complies with the standards of Section 5.11, Signage.

3. The office complies with the dimensional standards of the zoning district in which it is located.

4. The temporary office is converted into a dwelling or removed within 30 days after all units are sold or leased.

5. In the event a temporary real estate office is a trailer, it shall be removed within 30 days after all units are sold or leased.

G. TEMPORARY WIRELESS TELECOMMUNICATIONS FACILITY

A temporary wireless telecommunications facility shall comply with the standards in Section 4.3.4.S.4.e, Temporary Wireless Facility, and the following standards:

1. A temporary wireless telecommunications facility may be allowed on a lot after a disaster or other emergency for a period not to exceed 30 days, except that the temporary use permit may be renewed for good cause shown.

2. A temporary wireless telecommunications facility may be allowed on a lot to evaluate the technical feasibility of a site for a period not to exceed 14 days, except that the temporary use permit may be renewed for good cause shown.
3. A temporary wireless telecommunications facility may be allowed on a lot in association with an event where the anticipated demand cannot be handled by existing facilities for a period not to exceed 14 days.
4. A temporary wireless telecommunications facility may be allowed on a lot with an existing permanent wireless telecommunications facility where the permanent structure is undergoing reconstruction or maintenance and the temporary facility is needed to maintain sufficient levels of service. The temporary facility shall be removed after reconstruction or maintenance is complete and service restored on the permanent structure.
5. All temporary wireless telecommunications facilities, including all supporting cables and anchors, shall be contained on the lot.

H. YARD SALES

Yard sales are permitted on lot in a residential zoning district subject to the following standards:

1. Yard sales shall be limited to four per year per lot.
2. There shall be a minimum of 30 days between yard sales on the same lot or site.
3. Each sale shall be limited to daylight hours, and shall not exceed two consecutive days.

I. MOBILE CLASSROOMS

Mobile classrooms are permitted on the site of an existing school, subject to the following standards:

1. Mobile classrooms shall be permitted as temporary expansion of classroom space until permanent classroom space is available.
2. All permits required by applicable building, electrical, plumbing, and mechanical codes shall be obtained prior to placement of the mobile classrooms.
3. A mobile classroom will only be allowed for the duration of 10 years unless extended by the Board of Commissioners.

4.6. UNLISTED USES

4.6.1. PROCEDURE

A. The Planning Director shall determine whether or not an unlisted use is similar to an existing use type set out in Table 4.2.3, Principal Use Table, based on the definitions in Section 9.4, Definitions, and the standards for unlisted uses in Section 2.2.12, Interpretation.

B. Nothing shall limit the Planning Director from seeking input from Town staff, Planning Board, or Board of Commissioners in making a determination of how to categorize an unlisted use.

C. In cases where a proposed unlisted use type is not found to be similar to an existing use type, the Planning Director may, but shall not be required to, initiate a text amendment application to revise the text of this Ordinance to add the use type in accordance with Section 2.2.20, UDO Text Amendment.

4.7. PROHIBITED USES

4.7.1. PROHIBITED EVERYWHERE

A. The following use types are not listed in Table 4.2.3, Principal Use Table, and are prohibited throughout the Town's planning jurisdiction in all zoning districts.

B. In cases where one or more of these uses is lawfully established and in operation prior to January 1, 2020, the use shall be subject to the provisions in Section 1.10, Transitional Provisions.

1. AGRICULTURAL USES

a. Concentrated animal feeding operations;
b. Slaughterhouses; or
c. Poultry processing facilities.

2. COMMERCIAL USES

a. Outdoor advertising or billboards, except where prohibition is preempted by State or federal law. Outdoor advertising lawfully established prior to January 1, 2020, may be permitted to continue as a nonconforming use only in accordance with Article 7: Nonconformities, and Sections 136-126 through 136-140.1 of the North Carolina General Statutes; or
b. Outdoor shooting ranges.

3. INDUSTRIAL USES

a. Acetylene gas manufacture;
b. Acid manufacture;
c. Ammonia, bleaching powder, or chlorine manufacture;
d. Brick, tile, or terra cotta manufacture;
e. Cellophane manufacture;
f. Creosote manufacture or treatment plants;
g. Distillation of bones, coal, refuse, tar, or wood;
h. Explosives, ammunition, fireworks, or gunpowder manufacture;
i. Fat rendering, or production of fats and oils from animal or vegetable products by boiling or distillation;
j. Garbage, offal, or animal reduction and processing;
k. Glue and size manufacture;
l. Leather and leather products manufacturing involving tanning;
m. Linseed oil, shellac, turpentine manufacture or refining;
n. Nitrogenous tankage, fish meal or manufacture of any fertilizer materials carrying an objectionable odor;

o. Oilcloth or linoleum manufacture;
p. Ore reduction;
q. Pulp mills; or
r. Vinegar manufacturing.

4. INSTITUTIONAL USES

a. Package treatment plant wastewater disposal systems that discharge to surface waters; or
b. Storage or processing of radioactive or infectious waste.

5. RESIDENTIAL USES

a. Use of a boat, houseboat, or other floating structure as a temporary or permanent residence (this shall not prevent the overnight occupancy of a vessel temporarily moored while in transit on navigable waters);
b. Mobile homes, mobile home parks, and manufactured dwelling parks; or
c. Use of a travel trailer as a permanent or temporary residence.

4.7.2. PROHIBITED BY OVERLAY DISTRICT STANDARDS

Regardless of how a use type is permitted or prohibited in Table 4.2.3, Principal Use Table, if a lot or tract is located within one or more overlay zoning districts, any use type limitations in the overlay district standards (see Section 3.8, Overlay Zoning Districts) shall control.