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ARTICLE 6: USE-SPECIFIC DEVELOPMENT STANDARDS

A. APPLICATION OF USE-SPECIFIC DEVELOPMENT STANDARDS

The development standards of Article 6 are in addition to other requirements in this Ordinance. These development standards are use-specific and apply to those uses designated with a “DS” within the Permitted Use Tables. Uses requiring approval of a Special Use Permit (“SUP” with the Permitted Use Tables) shall also be subject to these standards or conditions required by the Special Use Permit.

B. STANDARDS FOR ALL USES

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

1. PROPERTY SEPARATION

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

2. USE SEPARATION

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

3. OUTDOOR LIGHTING

All standards of Article 6: *General Development Standards* apply. Where there is a conflict, the stricter requirement applies.

C. USE-SPECIFIC STANDARDS

1. ACCESSORY DWELLING UNITS

(a) General Requirements

- (1) No more than one accessory dwelling unit is permitted on the same lot with a principal dwelling unit.
- (2) No accessory dwelling unit shall be permitted on the same zone lot with a two-family dwelling or family care home.
- (3) The accessory dwelling unit shall not be considered a separate unit for the purpose of determining minimum lot size or maximum density.
- (4) On premise parking shall be provided to meet the requirements of both principal and accessory dwellings.

(b) Accessory Dwelling Unit within a Principal Single-Family Dwelling

- (1) The principal building shall not be altered in any way so as to appear from a public or private street to be other than single-family housing. Prohibited alterations include, but are not limited to, multiple entranceways, or multiple mailboxes. Access to the accessory dwelling unit shall be by means of an existing side or rear door, except where a new entrance is required by the NC Building Code. No new doorways or stairways to upper floors are permitted if they are attached to the side of a building facing a public or private street.
- (2) An accessory dwelling unit shall occupy no more than 50% percent of the heated floor area of the principal building. The sum of all accessory uses (including home occupations) in a principal building shall not exceed 30% percent of the total floor area.

(3) The minimum size of an accessory dwelling unit shall be 300 square feet.

(c) Detached Accessory Dwelling Units

The accessory dwelling unit shall have, water, sanitary sewer, and electrical utilities as part of the principal building.

(1) A detached accessory dwelling unit may be a:

- a. manufactured dwelling in zones which permit this use;
- b. dwelling unit which is part of an accessory detached garage; or,
- c. freestanding dwelling unit meeting the NC Building Code.

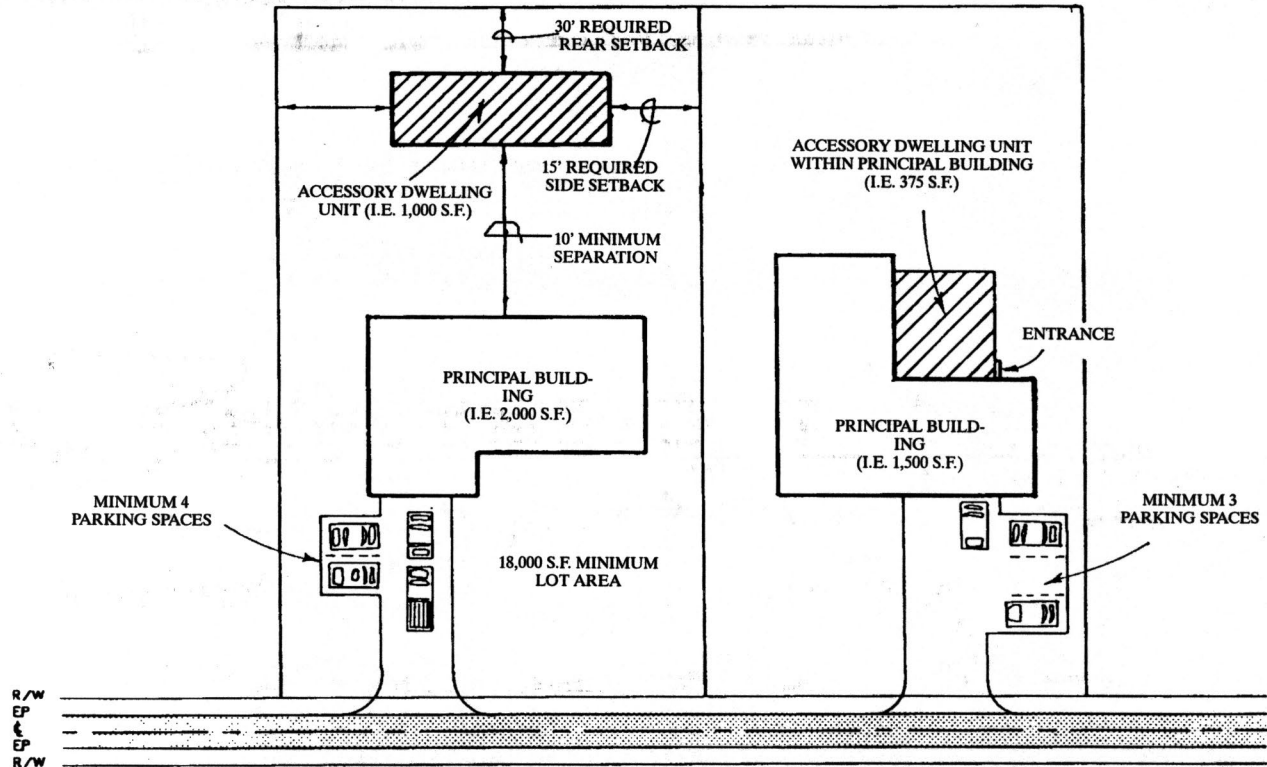


Figure 6.C.1 ACCESSORY DWELLING UNITS ON SINGLE FAMILY LOTS

(2) **Detached Accessory Dwelling Units shall:**

- a. have an approved sewage disposal connection or system;
- b. meet all setbacks applicable to the principal building;
- c. be erected behind and at least ten (10) feet from the principal building; and,
- d. not exceed the maximum lot coverage applicable to the zoning district when added to the square footage of all accessory buildings on the lot.

(3) Size and Type of Accessory Dwelling Unit

- a. When the detached accessory dwelling unit is part of an accessory detached garage or a free-standing accessory dwelling unit meeting the NC Building Codes, the gross floor area of the accessory dwelling unit shall be limited to the maximum of 50% of the gross floor area of the principal building.
- b. When the detached accessory dwelling unit is a manufactured home, the principal dwelling unit shall be a Class AA Double-wide Manufactured Home or a freestanding principal dwelling unit meeting the NC Building Codes.
- c. In no case shall a Class A or B Manufactured Home be accessory to another Class A or B Manufactured Home.

2. ADULT-ORIENTED BUSINESS

Includes adult arcades, adult bookstores or adult video stores, adult cabarets, adult motels, adult motion picture theaters, adult theaters, escort agencies, nude model studios, sexual encounter centers, or any combination of these uses.

- (a) No adult-oriented establishment shall locate within 1,500 feet of a church, public or private elementary, middle, or secondary school, child daycare center or nursery school, public park, or residentially zoned property.
- (b) Except for an adult motel, no adult-oriented establishment may have sleeping quarters.
- (c) There shall not be more than one (1) adult-oriented establishment in the same building, structure, or portion thereof. No other principal or accessory use may occupy the same building, structure, property, or portion thereof with any adult oriented establishment.
- (d) Except for business signs permitted by Article 5.J Sign Regulations, promotional materials shall not be visible to the public from sidewalks, walkways, or streets.

3. AGRICULTURE

- (a) All structures, buildings or enclosed areas, used for the operation shall be a minimum of 100 feet to the nearest residence.
- (b) All unpaved storage areas shall be maintained to prevent dust from adversely impacting adjacent properties.
- (c) Agricultural Production Fencing shall meet Article 5.G *Fences and Walls*. Shelters for livestock shall meet the principal structure setbacks for the district in which they are located.
- (d) The minimum lot size shall be two and three-quarter acres

4. AGRICULTURAL TOURISM FACILITY, MAJOR AND MINOR

- (a) The minimum site area for a "minor" is two and three-quarter ($2\frac{3}{4}$) acres and for a "major" is five (5) acres.
- (b) Facilities associated with the display, sales and consumption of the product shall not exceed five thousand (5,000) square feet of gross floor area. A maximum of one thousand (1,000) square feet of gross floor area shall be permitted for product retail sales. Gross floor sales area of associated non-agricultural products shall not exceed 40% of the total floor area devoted retail sales.
- (c) All structures, buildings, and storage areas associated with the use shall observe a minimum fifty (50) foot setback from all property lines and right-of-way. All non-farm equipment used in the processing, blending, making and storage that produces noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest property line.
- (d) **Operation**

- (1) The facility must be operated in association with an existing vineyard, dairy farm or farm use located on the same property, or adjoining properties in the same ownership.
- (2) Site Plan approval does not supersede any required Federal, State or local licenses or permits required for operation.
- (e) All non-farming activities associated with the use shall have a Land Use Classification of two (2). If a non-farm activity is located one hundred (100) feet or more from a property line or right-of-way, no landscaping shall be required.
- (f) Parking areas related to the use shall locate a minimum of thirty (30) feet to the property line or right-of-way. The number of required parking spaces shall be the same as that required for manufacturing and industrial uses. Parking surface is not required to be paved. Buffers required where use is adjacent to residential use.
- (g) Signs are limited to Identification signs and one Development Entrance sign.

5. AIRPORT AND LANDING FIELDS

(a) Airport and Landing Fields, Commercial (Principal Use)

- (1) Fifty (50) acres is the minimum for Basic Utility Stage 1 airport with two thousand (2,000) foot runway and more area is required for larger airports. Airport size and layout shall conform to current FAA requirements.
- (2) There shall be a minimum three hundred (300) foot distance between airport property and the nearest residence.
- (3) Security fencing shall be provided sufficient to control access to runways and taxiways. The fencing shall be a minimum six (6) feet high.

(b) Flying Field, Private (Accessory Use)

- (1) The minimum is ten (10) acres and/or airstrip size and layout shall conform to current FAA requirements. Appropriate FAA permit(s) shall be included with site plan submission.
- (2) There shall be a minimum three hundred (300) feet between the private flying field and the nearest existing residence.

6. AMUSEMENT PARK

- (a) Minimum lot size shall be five (5) acres.
- (b) No buildings or structures, temporary or otherwise, shall be located within fifty (50) feet of any property line. No amusement equipment, machinery or mechanical device of any kind may be operated within one thousand (1,000) feet of any developed residential or public-institutionally zoned property.
- (c) Security fencing shall be a minimum six (6) feet high and provided along the entire boundary of park activities.

7. ANIMAL FEEDER/BREEDER

- (a) All structures, buildings or enclosed areas, used for housing of poultry, hogs, cattle or other livestock or animals being bred shall be a minimum of one hundred (100) feet from all property lines.
- (b) Any violation of Guilford County Health Department regulations concerning the operation of the feeder/breeder shall be considered a violation of this Ordinance.
- (c) Mechanical equipment producing noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.
- (d) Animal Feeder/Breeder does not include "Chicken House" as an accessory use.

8. ANIMAL CARE AND SERVICES, AND KENNELS, INDOOR

Pens and runs located outdoors are prohibited.

9. ANIMAL CARE AND SERVICES, AND KENNELS, OUTDOOR

Special Use permit is required.

10. ATHLETIC FIELDS, PUBLIC OR PRIVATE

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

11. AUTOMOTIVE TOWING AND STORAGE SERVICE

(a) In the Business (BN) zoning district, no more than twenty (20) motor vehicles shall be stored on the premises at any one time.

(b) In the Industrial (IND) zoning district, no more than one hundred (100) motor vehicles shall be stored on the premise at any one time.

(c) Screening

The automotive storage area must be screened with a six (6) foot high opaque fence in addition to the required planting yard.

(d) Operation

No outdoor disassembly or salvaging shall be permitted.

12. BAR, NIGHTCLUB, COCKTAIL LOUNGE, MICRO-BREWERY OR WINE BAR

(a) No such establishment shall be approved without a site and vicinity plan demonstrating that the location of the establishment will not endanger public health, safety, or welfare. No such establishment shall be located within one thousand (1,000) feet of a church, elementary, middle, or secondary school, public park or residential zoned property without a Special Use Permit demonstrating that the location of the establishment will not endanger public health, safety, or welfare.

(b) The main entrance of the building shall be toward a street zoned predominantly for non-residential uses.

(c) A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residential uses.

(d) Parking areas shall be located no closer than thirty (30) feet to the property line of abutting residences.

13. BARBER SHOP

(SEE PERSONAL SERVICES)

14. BANKS, CREDIT UNIONS

(SEE FINANCIAL SERVICES)

15. BATTING CAGES

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

16. BED AND BREAKFAST, TOURIST HOME

(a) No such facility shall locate within four hundred (400) feet of a rooming house, boarding house, or another tourist home.

(b) Operation

- (1) The tourist home must be operated by an individual who resides on the property.
- (2) The use shall be located in a structure which was originally constructed as a dwelling.
- (3) Meals served on the premise shall be only for guests of the facility.

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

17. BEVERAGE, FOOD, AND SNACK WAGON

(a) As an accessory use, a beverage, food and snack wagon must be located on the same lot as a larger principal use.

(b) Site Plan

A site plan must be submitted for a beverage, food and snack wagon showing proposed signage, lighting, location of the proposed structure, pedestrian circulation, location of employee parking, and customer parking area with adequate parking capacity provided in a safe, convenient location.

(c) Size

The square footage of the beverage, food and snack wagon must not be greater than 25% of the square footage of the principal use.

(d) Permanent Structure

The operation shall be housed in a structure that meets all building inspection requirements.

(e) Landscaping and Appearance

The appearance of a permanent accessory use shall be enhanced with landscaping, which may include planting beds, window boxes, planter boxes, appropriate awnings, etc.

(f) Bathroom

A permanent accessory use shall provide an employee bathroom facility. Such facility shall be connected to a permanent sanitary waste system.

18. BENEFICIAL FILL AREA

- (a) Two (2) acres is the maximum area allowed.
- (b) The area shall be in operation no longer than one (1) year.
- (c) Fill materials shall not be placed in areas protected by State and Federal wetland laws, floodplains, conservation areas, and stream buffers.

19. BUILDING SUPPLY STORES WITH OUTDOOR STORAGE

(SEE HOME IMPROVEMENT STORE WITH OUTDOOR STORAGE)

20. CAR WASH

- (a) Building(s) shall be not less than seventy-five (75) feet from any interior side or rear property line which adjoins residentially or public-institutionally zoned property.
- (b) In addition to any required landscape buffer, a minimum six (6) foot high opaque fence shall be provided adjacent to all residential zone district property.
- (c) **Operation**
 - (1) All washing operations shall be contained in a building.

- (2) Specific areas shall be provided for the manual drying, waxing, polishing and vacuuming of automobiles and other motor vehicles when these services are offered on the site. These areas shall not conflict with on-site circulation patterns.
- (3) Hours of operation shall be between 7:00 a.m. and 10:00 p.m. when adjoining developed residentially zoned property.
- (e) Adequate provision shall be made for the safe and efficient disposal of waste products.
- (f) Additional water disposal restrictions and requirements may be imposed.

21. CEMETERY/MAUSOLEUM

- (a) A minimum of three (3) contiguous acres shall be required to establish a cemetery or mausoleum not located on the same tract of land as a church.
- (b) Principal access must be from a collector street or higher capacity street.
- (c) Mausoleum and/or gravesites must be one hundred (100) feet from property lines.

22. CHICKEN HOUSE (ACCESSORY USE)

- (a) Up to twelve (12) birds may be housed per lot.
- (b) Roosters are prohibited.
- (c) Raising birds for slaughter is prohibited.
- (d) All birds shall be housed within a covered enclosure or coup.
- (e) No enclosure shall be located closer than 25 feet to any residential structure or lot line.
- (f) Birds shall be kept within a fenced enclosure at all times.

23. CHURCH

(SEE PLACE OF WORSHIP/RELIGIOUS INSTITUTION)

24. CLUB OR LODGE

Except in the AG district, clubs and lodges shall have direct access to a collector or higher capacity street.

25. CONGREGATE CARE FACILITY OR NURSING HOME

(a) Operation

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

(c) Density Requirements

The residential capacity of the facility shall be determined by provisions of the NC Building Codes in conjunction with the applicable setbacks, planting yards, and minimum off-street parking requirements of this Ordinance.

26. CONTINUING CARE RETIREMENT COMMUNITY (CCRC)

- (a) A Special Use Permit is required.

(b) Types of Dwellings, Uses and Associated Services Permitted

- (1) A CCRC may contain any or all of the following housing types, attached or detached, in any combination:
 - a. detached single family;
 - b. congregate, which is a structure which provides a range of housing and support services and that might contain, but is not limited to dwelling units with kitchen facilities, bedrooms with a bathroom and sitting area or without kitchen facilities, or common, social and recreational areas, such as dining rooms, libraries, and indoor and outdoor recreation facilities and gardening areas;
 - c. assisted or catered living, which consists of buildings or structures other than a hospital or nursing home/institution designed to accommodate assistance with one or more activities of daily living, such as dressing, eating, bathing, walking or toileting;
 - d. nursing care, which is a healthcare facility which must be built and operated in accordance with State licensing requirements; and,
 - e. living quarters for support staff.
- (2) A CCRC may contain any or all of the following uses and associated services, individually or in any combination, as part of dwellings or as separate structures, including, but not limited to:
 - a. dining rooms, coffee shops and related kitchen areas and facilities;
 - b. living rooms, libraries, music rooms, auditoriums, greenhouses;
 - c. lounges, card rooms, meeting rooms, and other social and recreational areas;
 - d. administrative offices, social service offices, educational uses;
 - e. mail rooms, gift shops, convenience stores;
 - f. medical offices, diagnostic/treatment centers, wellness centers, swimming pools, exercise areas, and home health care centers;
 - g. professional offices;
 - h. barbers, hairdressers, beauty salons;
 - i. banks and ATM banking machines;
 - j. home healthcare;
 - k. adult and childcare services;
 - l. cleaning services; and,
 - m. other uses, services and activities incident to the operation of a CCRC.

(c) Design Objectives

- (1) Structure and site designs should blend with the scale of residential units, institutional structures and professional office space.
- (2) Minimization of traffic impacts and safe design of all ways, vehicular and pedestrian shall be emphasized.
- (3) CCRC property, campus, and grounds shall have direct access to a road or street at a collector or higher order level and primary access shall not be through a single-family residential development.

- (4) Preservation of natural features and the protection of wetlands, riparian buffers, scenic vistas, and open spaces shall be maximized.
 - (5) Site plan design shall visually emphasize building design and landscaped areas and shall minimize the visual impact of parking areas.
 - (6) Site plan design shall create open space by using cluster principles. At least 25% of the site shall be preserved as open space, recorded, and maintained as natural vegetation or landscaped areas. Use of open space, except for passive recreation, plantings, footpaths, and agriculture shall be prohibited. Easements may be granted for the installation of underground utilities, provided all disturbed areas are restored to a natural state after construction. A landscape management plan shall be developed with restrictions to provide for maintenance of the open areas in a manner which will ensure its suitability for its function, appearance, cleanliness, and for proper maintenance of drainage, utilities and the like.
 - (7) Structures shall be located on the site so as to provide for the privacy of residents adjacent to the CCRC. An example is to orient front doors away from exiting house fronts.
- (d) **Site Requirements**
- (1) No CCRC shall be allowed on a parcel of land containing less than 10 acres.
 - (2) The maximum number of units allowed shall be calculated by application of the following to encourage a mix of housing types and sizes: **Detached single-family** 5,500 square feet per dwelling unit.
 - (3) The number of habitable buildings on a lot and the maximum number of dwelling units permitted per habitable building shall be determined by the Planning Board on a case-by-case basis, with primary consideration given to open space preservation and sanitary waste disposal requirements.
 - (4) The total area devoted to non-residential uses located may not exceed twenty-five percent (25%) of the total area of the living areas.
 - (5) The open space requirement is substituted for the more conventional rear and side yard requirements in order to provide flexibility in the protection of natural features; to maintain significant open space areas for the enjoyment of the residents; and to promote a variety of site plans tailored to the needs of the elderly.
 - (6) While there are no yard requirements between buildings within the CCRC, all structures must conform to the NC State Building Codes with respect to building separation and fire walls. Fire inspection and approval shall be required by the local fire inspection agency.
 - (7) The location and design of all structures shall be reviewed with regard to accessibility of emergency vehicles by the fire prevention authority of jurisdiction.
 - (8) No structure shall be more than thirty-five (35) feet high measured from the average grade at the base of the building to the eave line.
 - (9) Disposal areas shall be located in screened areas according to the provisions of Article 6.1.4 *Design Standards*.
- (e) **Roadway and Parking Requirements**
- (1) Parking areas shall be designated as either to be constructed at the time of building construction or at a future date when it shall be placed in service. Where there is a mix of uses, the total parking area for the CCRC must equal or exceed the sum of the minimum requirements below. One parking space for each dwelling shall be provided except as follows:

a. Congregate Housing and Assisted or Catered Living Facilities

One (1) parking space for every five (5) beds and one (1) parking space for each employee on the largest shift; and,

b. Nursing Care facility

One (1) parking space for every twenty (20) beds and one (1) parking space for every employee on the largest shift.

- (2) All other parking and screening provisions of this ordinance shall apply unless modified by this section.
- (3) Roads and utilities shall be designed and constructed in conformance with the development standards of Article 6: *General Development Standards*. The Planning Board may modify said standards if it determines that such action will more acceptably meet the purposes of this section.

(f) Sewage Disposal

No special permit for a CCRC may be granted unless the proposed developer has first received approval for sanitary waste collection and treatment from Guilford County and/or the State of North Carolina, as applicable.

(g) Signs

Signs will be regulated by Article 6: *General Development Standards*.

- (h) Applications for CCRCs expected to generate one thousand (1,000) average daily trips, shall include a traffic study addressing both on-site and off-site traffic and circulation impacts.

27. CONVENIENCE STORE, WITH GASOLINE PUMPS

- (a) A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- (b) No outside storage of materials shall be permitted.
- (c) There shall be no more than one (1) gasoline service island containing no more than four (4) gasoline pumps.
- (d) Floodplain and watershed regulations also apply.

28. CONVENIENCE STORE, WITHOUT GASOLINE PUMPS

- (a) A maximum of three thousand (3,000) square feet of gross floor area shall be permitted per establishment.
- (b) No outside storage of materials shall be permitted.

29. DAYCARE CENTER, ADULT OR CHILD

- (a) An adult or child daycare center with five (5) or fewer attendees shall be operated as a Home Occupation and is subject to the development standards for a Home Occupation.
- (b) An adult or child daycare center with six (6) or more attendees shall be operated as a principal use and is subject to the following development standards.
- (1) An indoor activity area shall be provided equivalent to at least twenty-five (25) square feet per attendee.
- (2) An outdoor activity area shall be provided equivalent to at least seventy-five (75) square feet per attendee and located outside of the street setback.
- (3) Outdoor activity area(s) for children shall be enclosed by a security fence at least four (4) feet high and located outside the street setback. Gates shall be self-latching and self-closing.

- (4) Centers on a site greater than three (3) acres shall have frontage on a collector or thoroughfare street.

30. DRUGSTORE (PHARMACY)

- (a) A maximum of ten thousand (10,000) square feet of gross floor area shall be permitted per establishment.
- (b) No outside storage of materials shall be permitted.

31. DRY-CLEANING/LAUNDRY SUBSTATION

- (a) Laundry or dry-cleaning substations are permitted only for drop-off and pick-up of laundry or dry-cleaning. None of the actual laundering or dry-cleaning process occurs onsite.
- (b) Minor clothing repairs related to hems, buttons, and the like are permitted.
- (c) A maximum of five thousand (5,000) square feet of gross floor area shall be permitted per establishment.
- (d) No outside storage of materials shall be permitted.

32. DWELLING, CARETAKER

- (a) A building permit must be obtained for the principal building or principal use is engaged prior to occupancy.
- (b) No more than one (1) caretaker dwelling unit shall be permitted per lot.
- (c) The property shall be capable of sustaining an additional septic tank drainage system.

33. ELECTRONIC GAMING ESTABLISHMENTS (INTERNET CAFES, SWEEPSTAKES)

- (a) No Electronic Gaming Operation shall be located within 1/2 mile in any direction from any other Electronic Gaming Operation. No Electronic Gaming Operation shall be located within one thousand (1,000) feet of any place of worship, school, day care, public park, residential use or zoning district. This required separation shall apply whether the above uses are principal or accessory uses. All measurements in this Section shall be from the outer building walls of the proposed use to the nearest property line of the above specified uses, and such measurement shall be in a straight line without regard to intervening structures.
- (b) No Electronic Gaming Operations shall engage in business prior to 8:00 a.m. or after 12:00 a.m., Monday through Saturday and not prior to 12:00 p.m. or after 12:00 midnight on Sunday. During hours of operation, electronic gaming operations shall be open for direct, unobstructed access by police, fire and emergency response personnel. All entrance doors shall remain unlocked while patrons are on the premises. All Electronic Gaming Operations terminals, computers, machines, and/or gaming stations shall be open and visible from the exterior front of the establishment.
- (c) No person or entity engaged in Electronic Gaming Operations shall allow, permit or condone any person under the age of eighteen (18) years to be upon the premises while patrons are engaged in Electronic Gaming Operations.
- (d) Signage shall meet all the requirements of Article 6.J *Sign Regulations* and the following requirements. No signs shall be posted on the windows of the property which are visible from the exterior of the development. No neon or other effects which simulate the appearance of neon, nor any flashing, chasing, undulated, or other variable lighting effects shall be used in connection with any use hereunder where such lighting effect would be visible from the exterior of the establishment. All rules of the electronic games shall be displayed prominently within the establishment.
- (e) Parking shall be provided at a ratio of one (1) space per four hundred (400) square feet of gross floor area in accordance with Article 6.C *Off-Street Parking, Loading and Circulation*.
- (f) The maximum number of terminals, computers, machines, and/or gaming stations permitted within an Electronic Gaming Operation is fifteen (15).

- (g) The maximum daily cash payout shall not exceed \$600. Winnings in excess of this amount shall be paid out in the form of a check or credit.
- (h) Establishments shall not be permitted within any Scenic Corridor Overlay of the Town, as identified on the Town zoning map.

34. ELEMENTARY, MIDDLE OR SECONDARY SCHOOL (PUBLIC AND PRIVATE SCHOOLS)

- (a) All elementary, middle, or secondary schools shall have direct access to a collector street or higher capacity street.
- (b) All elementary, middle, or secondary schools shall be located on a minimum of three acres. This requirement may be waived by the Administrator with the approval of site and vicinity plans demonstrating compatibility with surrounding land uses.
- (c) Parking and carpool accommodations shall be adequate to provide for the full student body without negatively impacting surrounding properties or compromising pedestrian and bicycle access.
- (d) At the discretion of the Administrator, a traffic study addressing both on-site and off-site traffic and circulation impacts may be required as part of the permit application.
- (e) All elementary, middle, or secondary schools shall be designed for pedestrian and bicycle access to nearby neighborhoods in accordance with current NCDOT programs and resources such as the National Center for Safe Routes to School.

35. EQUESTRIAN FACILITY

- (a) All equestrian facilities shall be located on a minimum of five acres.
- (b) There shall be minimum one hundred (100) foot distance between manure storage areas, barns or stables and any adjacent residentially zoned property.
- (c) All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjoining properties.
- (d) With spectator events, when the equestrian facility includes gathering space(s) for an event drawing more than 100 participants, organizers, observers, and/or other persons, the following standards apply.
 - (1) The minimum area required is 10 combined acres for all uses.
 - (2) A site plan must be submitted for approval by the Administrator showing proposed signage, layout for the venter areas, pedestrian circulation aisles, any temporary or permanent structures, temporary fencing, RV and trailer parking, and customer parking.
 - (3) **Access and Parking**
 - a. Have a minimum 24' approach to the property from a public road or approved private road. If the driveway access is connected to a paved public or private road, the driveway must be paved for a minimum distance of 20' from the edge of the connecting road.
 - b. Have off-street parking in sufficient numbers to satisfy the maximum demand likely, including accommodation for the expected number of horse trailers and towing vehicles. One parking space shall also be provided for each employee expected for the largest period of demand and parking spaces for spectators shall be calculated by dividing the maximum spectator capacity for an event by two.
- (e) The cumulative square footage for all equestrian facility buildings shall be calculated at the rate of no more than one thousand square feet (1,000 ft²) for each acre of equestrian facility property.
- (f) A farm building that might otherwise qualify for exemption from building rules shall remain subject only to an annual safety inspection by Guilford County Inspections of any grandstand, bleachers, or other

spectator-seating structures in the farm building. An annual safety inspection shall include an evaluation of the overall safety of spectator-seating structures as well as ensuring the seating structure's compliance with any building codes related to the construction of such structures in effect at the time of the construction of the seating or during the training of horses.

- (g) The construction and maintenance of the facility shall comply with all federal, state, and local building codes, laws and regulations as authorized for municipalities by the General Statutes.
- (h) Food service is allowed when incidental to an event and only for the duration of the event. Such food service shall not include restaurants, unless otherwise permitted in the zoning district, but may include the Service of pre-packaged food or catered food service.
- (j) Retail sales are permitted when incidental to an event and only for its duration. Such retail sales may include the sales directly related to equestrian activity, such as sales of tack merchandise or ancillary retail sales such as trademark items, and items which promote the region or equestrian activity.

36. EQUIPMENT REPAIR, LIGHT

Outside storage is prohibited.

37. FARMERS MARKET

- (a) At least seventy-five (75) percent of the vendors regularly participating must be Farm Product Producers, or family members or employees of Farm Product Producers. (i.e. a person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.)
- (b) A farmers market may be operated by a governmental agency, a nonprofit corporation, a private entity, or one or more Farm Product Producers.
- (c) At least seventy-five (75) percent of the products sold must be either Farm Products or Value-Added Farm Products.
 - (1) Farm Products are fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese and other dairy products), and fish.
 - (2) Value-Added Farm Products are products processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
- (d) The market and its vendors shall comply with all federal, state, and local laws and regulations relating to the operation, use, and enjoyment of the market premises.
- (e) The market and its vendors shall obtain all required operating and health permits, and these permits (or copies) shall be in the possession of the Farmers' Market Manager or the vendor, as applicable, on the site of the Farmers' Market during all hours of operation.
- (f) The market shall have an established set of operating rules addressing the governance structure of the farmers' market, hours of operation, maintenance, safety and security requirements and responsibilities; and appointment of a Market Manager.
- (g) A Market Manager shall be authorized to direct the operations of all vendors participating in the market on the site of the market during all hours of operation.
- (h) The market shall provide for composting, recycling, and waste removal in accordance with Guilford County requirements.
- (i) A site plan must be submitted for approval by the Administrator showing proposed signage, layout for the vender areas, pedestrian circulation aisles, any temporary or permanent structures, temporary fencing and customer parking area.

- (j) Parking must be provided in a safe, convenient location as follows:
 - (1) There shall be 3 spaces of customer parking per vendor stall or other point of sales. Vender trucks may be pulled up to the back of sales stalls, if provided for in the rules of the market.
 - (2) Vender vehicles may be moved during operating hours only if such movement is separated from customer circulation areas and if provided for in the rules of the market.
 - (3) Parking areas shall be paved, or shall be constructed of crusher run, recycled concrete, Reclaimed Asphalt Pavement (RAP) or other all-weather products as approved by the Administrator.
- (k) Principal access must be from a collector or higher capacity road. The NCDOT must issue all driveway permits.
- (l) Detailed information shall be provided regarding any amplified speakers, as well as a complete lighting plan.
- (m) No amusements are permitted in association with a farmers' market.
- (n) Fire inspection and approval of the operation shall be required by the local fire inspection agency.

38. FINANCIAL SERVICES

- (a) The total direct customer service floor space shall not exceed four thousand (4,000) square feet.
- (b) For drive-through services, the point of service for window tellers, remote tellers, or automated teller machines (ATM) shall be located no closer than seventy-five (75) feet to residential zoned property.

39. FLEA MARKETS, SWAP MEET, AND MARKET, OPEN AIR

- (a) Flea markets are not allowed within the scenic corridors as identified on the Official Zoning Map.
- (b) The minimum lot size is two (2) acres.
- (c) Principal access must be from a collector or higher capacity road. The NCDOT must issue all driveway permits.
- (d) No part of the improved area of the site (including parking) may be closer than 200 feet to the nearest residential structure.
- (e) Special setbacks shall be as follows (superseded by the residential separation requirement):
 - (1) **Front** - 50 feet;
 - (2) **Rear** - 30 feet; and,
 - (3) **Side** - 30 feet.
- (f) A site plan must be submitted for approval by the Administrator showing proposed signage, layout for the vender areas, pedestrian circulation aisles, any temporary structures, temporary fencing and customer parking area.
- (g) Parking must be provided in a safe, convenient location as follows:
 - (1) there shall be one (1) space of employee parking plus three (3) spaces of customer parking per vendor stall or point of sales;
 - (2) parking and vehicular traffic shall be separated from vendor areas during operating hours;
 - (3) parking areas shall be constructed of crusher run, recycled concrete, Reclaimed Asphalt Pavement (RAP) or other all-weather products as approved by the Administrator.
- (h) The market and its vendors shall comply with all federal, state, and local laws and regulations relating to the operation, use, and enjoyment of the market premises.

- (i) A Market Manager shall be authorized to direct the operations of all vendors participating in the market on the site of the market during all hours of operation.
- (j) The market and its vendors shall obtain all required operating and health permits, and these permits (or copies) shall be in the possession of the Market Manager or the vendor, as applicable, on the site of the Market during all hours of operation.
- (k) The market shall have an established set of operating rules addressing the governance structure, hours of operation, maintenance, safety and security requirements and responsibilities; and appointment of a Market Manager. Among the rules shall be:
 - (1) all sales items must be returned to storage and not left out overnight. Covering sale items with a tarp or other material is not an acceptable means of storage.
 - (2) no RVs or campers shall be allowed on the property overnight.
 - (3) goods shall not be sold from truck trailers.
- (l) The market shall provide for recycling, and waste removal in accordance with Guilford County requirements.
- (m) Detailed information shall be provided regarding any amplified speakers, as well as a complete lighting plan.
- (n) No amusements are permitted in association with the market.
- (o) Fire inspection and approval of the operation shall be required by the local fire inspection agency.
- (p) A flea market, swap meet, or open-air market may operate no more than eight (8) days in any given month.
- (q) To promote more attractive appearance when the market is not in operation, all non-permanent items such as display tables shall be housed in a permanent structure such that they are not visible from scenic corridors when empty of display items.

40. FRESH FOODS SELLER AND PRODUCE STANDS AS ACCESSORY USE

- (a) The square footage of the fresh food or produce sales operation must not be greater than 25% of the square footage of the principal use.
- (b) The operation shall be housed in a permanent or semi-permanent structure (i.e. substantial tent) that meets all building inspection requirements.
- (c) A permanent accessory use shall provide an employee bathroom facility. Such facility shall be connected to a permanent sanitary waste system.
- (d) The operation's appearance shall be enhanced with landscaping, which may include planting beds, window boxes, planter boxes, appropriate awnings, etc.

41. GARDEN CENTER OR RETAIL NURSERY

No unenclosed outside storage of non-natural material shall be permitted such that it is visible from the right of way or existing residential structures.

42. GOLF COURSE, PUBLIC OR PRIVATE

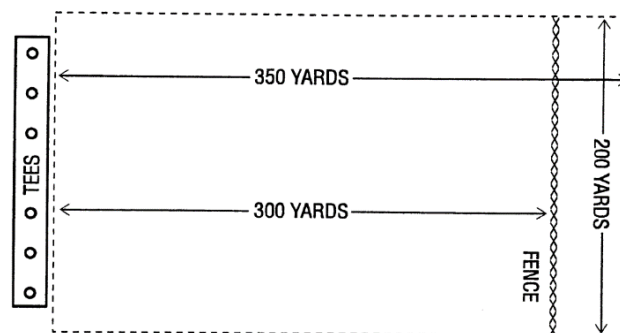
There shall be a fifty (50) foot minimum distance between a clubhouse or other principal building(s) and any adjacent residential zone district property.

43. GOLF COURSE WITH COUNTRY CLUB, SWIM AND TENNIS CLUB

- (a) The minimum area shall be two (2) acres in addition to the golf course(s). The minimum shall be one (1) acre if located on common area within a development.
- (b) There shall be a one hundred (100) foot minimum distance between clubhouse, swimming pool, lighted tennis court, or athletic field and any adjacent residential zone district property.
- (c) Outdoor swimming pools shall be protected by a fence or equal enclosure that is a minimum six (6) feet high and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

44. GOLF DRIVING RANGE

- (a) The depth of a driving range along the driving axis shall be not less than three hundred fifty (350) yards measured from the location of the tees and the breadth not less than two hundred (200) yards at a distance of three hundred fifty (350) yards from the tees.

**Golf Driving Range Dimensions**

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

45. GROUP HOME, LARGE

- (a) The facility shall not be located within one-half (0.5) mile of an existing group care facility.
- (b) The facility shall be limited to not more than thirty (30) persons.

46. HOME IMPROVEMENT STORE, WITH OUTDOOR STORAGE

- (a) All outside storage shall be completely screened from view from all streets and adjacent residentially zoned property.
- (b) Security fencing shall be a minimum of six (6) feet in height around all outside storage areas.
- (c) All storage areas shall be maintained so as to limit dust from drifting onto adjoining properties.

47. HOMELESS SHELTER OR HALFWAY HOUSE

- (a) No such facility shall be located within one-quarter (0.25) mile of an existing shelter or halfway house or within one thousand (1,000) feet of an elementary, middle, or secondary school or public park.
- (b) The minimum floor area shall be at least fifty (50) square feet for each individual sheltered.
- (c) **Operation**
 - (1) The facility shall be operated by a government agency or nonprofit organization and contained within one of the entity's buildings.

- (2) The facility operator(s) shall provide continuous on-site supervision by employees and/or volunteers during the hours of operation.

48. HOME OCCUPATIONS, INCLUDING RENTING OF ROOMS

- (a) The area set aside for a home occupation shall occupy no more than twenty-five (25) percent of the gross floor area of the dwelling unit.
- (b) No outside storage or display of items associated with the home occupation is permitted.
- (c) **Operation**
 - (1) It must be a use which is clearly incidental and secondary to the use of the dwelling unit for residential purposes and it must not change the character of the residence. Home occupations located in garages must be operated in a manner which is integral to the dwelling as a whole.
 - (2) Examples of permitted home occupations include the following services or professions: typing, telephone sales, barber/beauty, architects, accountants, family daycare (5 or fewer persons), food catering, and handcrafting etc.
 - (3) No display, stock-in-trade, nor commodity sold not made on the premises shall be permitted.
 - (4) No more than one (1) person may be employed who is not an occupant/resident of the residence.
 - (5) Activities shall not generate traffic, parking, noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the zoning district in which it is located.
 - (6) Instruction in music, dancing, art or similar subjects shall be limited to no more than five (5) students at one time.

49. HORSE FARM

- (a) The minimum area required to establish a horse farm should follow current best practices established by the North Carolina Horse Council.
- (b) There shall be minimum one hundred (100) foot distance between manure storage areas, barns or stables and any adjacent residentially zoned property.
- (c) All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjoining properties.

50. INDUSTRIAL USES

- (a) Loading areas shall not be located on the side of a building facing a public street, unless such areas are screened from view as directed within this Ordinance's landscape provisions.
- (b) Outside storage or assembly shall be fully screened from ground level view or public streets.

51. KENNELS

(SEE ANIMAL CARE AND SERVICES, AND KENNELS, INDOOR; ANIMAL CARE AND SERVICES, AND KENNELS, OUTDOORS)

52. LIVESTOCK, WHOLESALE TRADE

- (a) All structures, buildings or enclosed areas used for the operation shall be a minimum of 100' to the nearest residence.
- (b) Equipment-producing noise or sound in excess of 70 decibels shall be located no closer than 100' to the nearest residence.
- (c) All unpaved storage areas shall be maintained to prevent dust from adversely impacting adjacent properties.

- (d) Security fencing shall be provided around all outside storage areas.

53. MANUFACTURED HOME

(a) Where Required

- (1) A Class AA manufactured home may be placed in the AG district provided that it meets the standards below. Class A and B cannot be placed in the AG district.
- (2) A Class AA manufactured home may be placed in residential districts RR and RS with special use permit only and provided that it:
 - a. is located in a manufactured housing subdivision that has been zoned to a Manufactured Housing Overlay; and,
 - b. meets the standards below.

(b) Standards

The placement of Class AA, A, B, and C manufactured homes within corporate limits are subject to the following standards:

- (1) A Class AA manufactured home constructed after July 1, 1976 shall meet or exceed the construction standards enacted by the U.S. Department of Housing and Urban Development at the time of construction and may be permitted if the manufactured home:
 - a. is occupied only as a single-family dwelling;
 - b. has a minimum width of sixteen (16) feet;
 - c. has a length not exceeding four (4) times its width with length measured along the longest axis perpendicular to the longest axis at the narrowest part;
 - d. has a minimum of nine hundred sixty (960) square feet of enclosed and heated living area;
 - e. has the towing apparatus, wheels, axles, and transporting lights removed, and not included in length and width measurements;
 - f. has the longest axis oriented parallel or within a ten (10) degree deflection of being parallel to the lot frontage, unless other orientation is permitted by the Board of Adjustment following a public hearing;
 - g. is set up in accordance with the standards established by the NC Department of Insurance. In addition, a continuous, permanent masonry foundation or masonry curtain wall constructed in accordance with the standards of the NC Uniform Residential Building Code for One- and Two- Family Dwellings, unpierced except for required ventilation and access, must be installed under the perimeter;
 - h. has exterior siding, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction, consisting of one or more of the following: vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint); cedar or other wood siding; wood grain; weather resistant press board siding; stucco siding; or brick or stone siding;
 - i. has a roof pitch minimum vertical rise of three and one-half (3.5) feet for each twelve (12) feet of horizontal run;
 - j. has a roof finished with a Class C or better roofing material that is commonly used in standard residential construction;

- k. has a roof that provides for an eave projection of no less than six (6) inches, which may include a gutter; and,
 - l. has stairs, porches, entrance platforms, ramps and other means of entrance and exit that, if provided, are installed or constructed in accordance with the standards set by the North Carolina State Building Code, attached firmly to the primary structure and anchored securely to the ground. Wood stairs shall only be used in conjunction with a porch or entrance platform with a minimum of twenty-four (24) square feet. The use of wood stairs only is prohibited at any entrance.
- (2) A Class A manufactured home constructed after July 1, 1976, shall meet or exceed the construction standards enacted by the U. S. Department of Housing and Urban Development at the time of construction and shall also meet or exceed the above criteria (a), (c), (d), (e), (f), (g), (h), (i), (k), and (l) for a Class AA manufactured home.
- (3) A Class B manufactured home constructed after July 1, 1976, shall meet or exceed the construction standards enacted by the U. S. Department of Housing and Urban Development at the time of construction and shall also meet or exceed the above criteria (e), (f), (g), and (h) for a Class AA manufactured home. Class B manufactured homes shall also have a minimum of seven hundred twenty (720) square feet of enclosed and heated living area.
- (4) A Class C manufactured home that does not meet the above criteria for a Class AA, Class A, or Class B manufactured home may not be brought into or relocated in Town as it does not meet the construction standards of NC Building Codes nor those enacted by the US Department of Housing and Urban Development. Class C manufactured homes are typically manufactured homes built prior to July 1, 1976. Existing Class C manufactured homes may stay in place subject to the requirements of Article 8: *Nonconformities*.

54. MANUFACTURED HOME PARK, EXISTING

New manufactured housing developments must be in the form of a manufactured housing subdivision and authorized by zoning action to create a Manufactured Housing Overlay in accordance with Article 4: *Zoning*. Existing manufactured home parks may remain as a nonconforming use subject to the following:

- (a) Only Class A or B manufactured homes may be erected in a manufactured home park. Existing Class C manufactured homes may remain but may not be replaced by another Class C home.
- (b) Manufactured homes located within a manufactured home park shall be on a masonry foundation as a substantial skirting and protection of under-home utilities from animals.
- (c) All structural additions to manufactured homes may be erected only after a building permit shall have been obtained, and such additions shall conform to the International Building Code with North Carolina Amendments. An existing septic system check shall be required to ensure the proposed addition(s) do not encroach on any part of a septic system.
- (d) All manufactured home parks shall comply with regulations for signs within the zoning district they are located.
- (e) All manufactured homes shall be placed individually on approved manufactured home sites where all design standards and utilities have been completed.
- (f) No more than one manufactured home will be allowed on each approved manufactured home site. In no case shall any manufactured home be placed on any open space or recreation area within the park.

55. MIGRANT LABOR HOUSING

- (a) Each site shall contain not less than two (2) acres of land. An additional two thousand (2,000) square feet of land shall be required for each worker in excess of twenty (20) people.

- (b) The minimum required front yard shall be one hundred (100) feet and the minimum required interior yard shall be fifty (50) feet.
- (c) Rooms or compartments for sleeping shall contain not less than thirty-nine (39) square feet of floor space for each person, or comply with the current NC Building Codes, whichever is greater.
- (d) **Health & Safety**
 - (1) Not more than ten (10) people shall be housed in one (1) room or compartment for sleeping.
 - (2) Separate toilet and shower facilities shall be provided for male and female workers. A minimum of one (1) toilet and one (1) shower shall be provided for each ten (10) workers.
 - (3) A laundry room shall be required with one (1) wash sink of at least ten (10) gallons capacity for each ten (10) workers. Adequate clothes drying lines shall be provided.
 - (4) Dining and food service facilities shall be provided and shall contain at least twelve (12) square feet of floor space per worker and shall be approved by the Guilford County Health Department.
 - (5) All water, sewer and sanitary facilities shall be approved by the Guilford County Health Department.
 - (6) All garbage and refuse shall be stored in water-tight and fly-tight receptacles and it shall be the property owner's responsibility to ensure that all garbage and refuse is regularly disposed of in a sanitary manner acceptable to the Guilford County Health Department.

56. MIXED-USE DEVELOPMENT (EXCEPT OPEN SPACE MIXED-USE DISTRICT)

- (a) No residential use(s) shall be permitted on or below the ground floor.
- (b) Where residential and non-residential uses are mixed in a principal building, at least twenty percent (20%) of the gross floor area shall be devoted to the permitted non-residential office and/or commercial use.
- (c) Any buildings must conform to the non-residential dimensional requirements of the district in which it is located.

57. NEIGHBORHOOD BUSINESS USES

Outside storage is prohibited.

58. NURSING HOME

(SEE CONGREGATE CARE FACILITY)

59. OUTDOOR STORAGE AND/OR SHIPPING CONTAINER

Temporary storage in a portable shipping container shall be permitted for the purposes of temporary storage subject to the following standards:

(a) Location and Size in Residential

- (1) Containers shall be located within a driveway, parking, or loading area. In cases where the driveway, parking, or loading area extends behind the front façade of a building, the container shall be placed behind the front façade.
- (2) In cases where improved driveways, parking, or loading areas are not present, containers shall be located so as to minimize their visibility from streets or adjacent residential areas.
- (3) Nothing in these standards shall limit the placement of more than one container on a lot or site, provided compliance with all other applicable standards is maintained.
- (4) Storage containers may not exceed one hundred sixty (160) square feet in size or be taller than eight (8) feet.

- (b) In business districts, containers shall be located to the rear of the principal structure.
- (d) **Duration**
 - (1) Containers shall not be located on an individual residential parcel or site for more than 30 consecutive days per site per occurrence. This may be extended for a maximum period of 30 days by the Administrator for good cause shown.
 - (2) Storage containers may be placed on a residential site a maximum of two occurrences per year.
 - (3) A storage container placed on a construction site shall be allowed to remain until the lawful completion of the building permit.

60. PAINT BALL GAMING FACILITY

- (a) The minimum lot size shall be five (5) acres.
- (b) No buildings or structures, temporary or otherwise erected as part of the gaming area, shall be located within one hundred (100) feet of any property line or street right-of-way line. This area may be reduced to fifty (50) feet if a Type A Planting Yard, netting or berms are installed to restrict projectiles or participants from leaving the property.
- (c) The boundaries of the area shall be clearly identified by a fence, netting, trees or berms or combination thereof.
- (d) No part of the area shall be lighted.
- (e) Outdoor paintball gaming facilities shall not be located within five hundred (500) feet of an existing residentially developed lot.

61. PERSONAL SERVICES (BARBER, BEAUTY SHOPS, MANICURISTS, ETC.)

When operated as an accessory use or home occupation, the service shall be limited to one technician.

62. PET GROOMING

(SEE STANDARDS FOR ANIMAL CARE AND SERVICES, AND KENNELS, INDOOR OR OUTDOOR)

63. PLACE OF WORSHIP/RELIGIOUS INSTITUTION

Church facilities located on sites of three (3) acres or more shall have direct access to a collector or higher capacity street.

64. PUBLIC PARK OR PUBLIC RECREATION FACILITY

- (a) Overflow parking (in addition to required parking) must be designated on the site plan and kept available to handle all traffic from special events such as softball tournaments and outdoor concerts.
- (c) All parks greater than ten (10) acres shall have primary access to a collector or higher capacity street.

65. RECYCLING DROP-OFF STATION

- (a) All drop-off containers and storage bins shall be buffered by a Type C Planting Yard, as described in Figure 6.F.3.6. This requirement supersedes the requirements specified in Table 6.F.3.1 *Planting Yard Chart*.
- (b) The station shall be kept free of litter, debris, and residue at all times. Regular pick-up and disposal shall be scheduled, and this schedule shall be reviewed and approved by the Administrator.
- (c) Each station shall be allowed one on-premises freestanding sign no more than 48 inches high and 16 square feet in area, including all sides of the sign combined. The sign shall include the name and telephone number of a party responsible for management and maintenance of the station.

- (d) Drop-off containers and storage bins shall be located no closer than 50 feet from an existing residential use.
- (e) Excluding screening, drop-off containers and storage bins shall occupy no more than 500 square feet.
- (f) The station shall not occupy or block access to parking spaces or aisles.

66. RECYCLING PROCESSING CENTER

- (a) Facility shall not be within a five hundred (500) foot radius of any RR, RS, or OI zoned property.
- (b) No outside storage of materials shall be permitted.
- (c) The facility shall be operated in a fully enclosed building, except that loading to a single commercial transport trailer may take place outside the building provided that no materials remain within the loading area for more than 24 hours.
- (d) Unpaved areas shall be maintained so as to prevent dust from adversely impacting adjacent properties.

67. REPAIR AND SERVICE SHOP, LARGE AND SMALL APPLIANCES

No outdoor storage of appliances, equipment or parts shall be permitted.

68. RESIDENTIAL COMPOUND

- (a) A residential compound tract or parcel shall have a density no greater than one acre per principal dwelling. Dwellings within a residential compound may be clustered so long as the County Health department is satisfied with septic repair area.
- (b) Each principal dwelling shall have adequate and legally-enforceable rights to access a public street via easement or private street.
- (c) No residential compound for which a development permit has been issued may be further subdivided, this shall be denoted on all plats and plans for the compound.

69. RESTAURANT, NO DRIVE-THROUGH

- (a) Up to three thousand (3,000) square feet of gross indoor floor area may be permitted.
- (b) No outside storage of materials shall be permitted.

70. RESTAURANT WITH OUTDOOR SEATING

Restaurants having outdoor seating for dining or listening to music or entertainment shall comply with the following standards.

- (a) The outdoor seating area shall be located no closer than 100 feet from any residential zoning district.
- (b) The outdoor portions of the restaurant shall not operate after 10:00 p.m.
- (c) The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.

71. RESTAURANT WITH DRIVE-THROUGH

- (a) At the discretion of the Administrator, a traffic study addressing both on-site and off-site traffic and circulation impacts may be required as part of the permit application.
- (b) The drive-through business shall maintain a minimum 100' street frontage and be located on an arterial street.
- (c) When a drive-through business adjoins any lot in a residential, office, or any mixed-use zones, a minimum 6' high masonry wall shall be erected and maintained along such property line, provided that such wall shall be only 3' high from the setback line of the adjoining property to the front property line.
- (d) Landscape Setbacks

- (1) A landscape planter with a minimum 15' width shall be provided along all street frontages.
- (2) A landscape planter with a minimum 5' width shall be provided along interior property lines.
- (e) Restaurants shall maintain drive-through lanes that are a minimum of 72' long to provide on-site capacity for a minimum of four vehicles, as measured from the forward most drive-through window to the entrance to the queuing space. Each drive-through lane shall be a minimum 12' width. The lane shall be independent of any on-site parking, parking maneuvering areas, public streets, alleys, or traffic ways.

Additional Requirements

 - (1) Drive-through windows and drive in stations are not allowed on the front building elevation directly facing a street frontage.
 - (2) Drive-through lanes shall be designed as to be screened from view from the street through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural or natural features used to reduce their visual presence.
 - (3) A landscape planter 5' wide shall be installed between the drive-through lane and parking lot maneuvering area when adjacent to one another, as determined necessary on a case-by-case basis and as determined by the Administrator.
- (f) The following additional findings are required in approving a discretionary permit for a drive-through business.
 - (1) The use will not substantially increase vehicular traffic on streets in a residential zone.
 - (2) The use will not substantially lessen the usability of adjacent or nearby business-zoned property and use by interfering with pedestrian traffic.
 - (3) The use will not create increased traffic hazards to pedestrians.
 - (4) The site will be adequate in size and shape to accommodate the intended use and to accommodate all yards, walls, parking, landscaping, and other required improvements.
 - (5) The use will not substantially lessen the usability and suitability of adjacent or nearby residential zone property for residential use.

72. RURAL FAMILY OCCUPATION

- (a) It must be located on a tract of two (2) acres or more. A portion of the tract that measures forty thousand (40,000) square feet with one hundred and fifty (150) feet of width must be designated and reserved as exclusively residential.
- (b) The total floor area of all buildings occupied by a rural family occupation shall not exceed five thousand (5,000) square feet. The total land area that may be used is fifteen thousand (15,000) square feet.
- (c) All operations shall observe a one hundred (100) foot setback from all property lines.
- (d) All operations shall be located behind the rear line of the building occupied as the principal residence.
- (e) All operations, including buildings, outside storage areas, and parking shall be treated as a separate use and subject to the landscaping provisions of this Ordinance.
- (f) The Guilford County Environmental Health Division shall evaluate each request to determine the occupation's impact on the surrounding area with respect to excessive noise, dust, air emissions, odors and surface or groundwater discharge. The rural family occupation shall mitigate the impact of these and other environmental concerns. A written evaluation of these potential impacts is required by the Environmental Health Division prior to the consideration of any request.
- (g) **Operation**
 - (1) The defining occupation must be that of the residing property owner.
 - (2) No more than five (5) persons shall be employed other than those residing on the property.

- (3) There shall be no more than two (2) commercial vehicles operating in and out of the property.
- (4) The occupation shall not be operated between the hours of 9:00 p.m. to 6:00 a.m.
- (5) Permitted uses shall be limited to those products assembled or manufactured on-site for resale elsewhere, services sold or provided on premises, or stock-in-trade clearly incidental to such services. Commercial retail or wholesale operations which bring to the site goods specifically for the purpose of resale shall be prohibited.

73. SATELLITE DISH (ACCESSORY USE)

Detached satellite dishes eighteen (18) inches in diameter or less shall not exceed six (6) feet in height and shall not be located within fifteen (15) feet of any public or private street right-of-way or private lane.

74. SHELTER, TEMPORARY

- (a) Temporary shelter shall be in place for no more than six months.
- (b) A site plan must be submitted showing proposed lighting, layout for tent or other temporary structures, pedestrian circulation, temporary fencing and parking area with adequate parking capacity, all provided in a safe and convenient location.
- (c) The site may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:
 - (1) a central cooking and dining room(s);
 - (2) a recreation room;
 - (3) a counseling center; and/or;
 - (4) childcare facilities.
- (d) Any external lighting shall be in accordance with the lighting standards of Article 6: *General Development Standards*.
- (f) There shall be a minimum occupancy density of two hundred (200) gross square feet per person.

75. SHOOTING RANGE, INDOOR

The facility shall be designed to absorb sound to the maximum extent feasible and at a minimum, so that the operation does not cause unreasonably loud, annoying or disturbing noise per the definition of the Town's public nuisance ordinance.

76. SHOOTING RANGE, OUTDOOR

- (a) No outdoor shooting range shall be allowed within a required setback. The backstop or target area shall be located not less than five hundred (500) feet from a road right-of-way and not less than fifteen hundred (1,500) feet from a residence located to the rear and/or side of the backstop.
- (b) **Backstop Design**
 - (1) For shotgun and pistol ranges, backstops shall be constructed of a material that will allow fired rounds to penetrate and not pass through. It shall be maintained at a height of four (4) feet above the target.
 - (2) Rifle ranges shall be designed to accommodate rifle fire located so that the target area is positioned at the foot of an upward inclined slope of ground, whether natural or artificially created, rising at least twenty-five (25) feet in fifty (50) feet horizontally (1:2 slope) above the elevation of the target.
 - (3) As an alternative to earthen materials and/or rising terrain behind the backstop, engineered materials may be used if the resulting backstop meets minimum height requirements of paragraphs

(1) and/or (2) above, as applicable, and provided the materials do not permit fired rounds to pass through.

- (c) The shooting range shall be controlled to prevent unregulated entrance to firing area.
- (d) Security fencing to prevent individual crossing of the property downrange.
- (e) An off-street parking area adequate in size to store two (2) cars for each firing stand shall be provided.
- (f) Private shooting ranges shall be regulated by the Town's adopted Discharge of Firearms ordinance.

77. **SHORT-TERM RENTAL (STR)**

- (a) A Short-Term Rental (STR) is either of the Whole House or Homestay type. The Whole House Short-Term Rental type permits the rental of the entire dwelling for a period no longer than 30 days. The Homestay Short-Term Rental type requires that the full-time resident must stay at the dwelling during rentals. This ordinance prohibits Whole House Short-Term Rentals. A Special-Use Permit issued by the Board of Adjustment is necessary to operate an STR
- (b) The STR operation shall be managed and carried on by a full-time resident of the property who shall be present and residing in the home when the lodgers are present. Present and residing means the full-time resident shall not be staying overnight outside of the home for reasons such as vacation, visiting with friends or family, or traveling out of town for business or personal reasons. Temporary absences related to normal residential activity such as shopping, working, attending class, etc. are permitted. A minimum of two documents establishing proof of residency shall be supplied from an approved list of documents.
- (c) STR's are allowed in ADU's if the unit has been properly permitted for occupancy by the County.
- (d) No activities other than lodging shall be provided.
- (e) No additional off-street parking is required for a STR.
- (f) No signage shall be allowed for an STR.
- (g) The length of stay of guests shall not exceed 30 days.
- (h) Exterior lighting shall be residential in nature and shall comply with the lighting requirements of this UDO.
- (i) The STR owner shall or operator shall maintain liability insurance on the property, which covers the STR use and STR guests.
- (j) The dwelling and the STR must comply with all current and applicable building codes.
- (k) The STR must be inspected annually for compliance with zoning and development requirements of this UDO.

78. **SOLAR ENERGY SYSTEMS (ACCESSORY USE)**

- (a) Active solar systems must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located. Placement of such systems forward of the front building façade is to be avoided unless no alternative placement is technically feasible for the operation of the system.
- (b) Active solar systems shall be designed to be visually integrated, to the reasonable extent possible, with the design of the lot layout and principal building.
- (c) Plan applications for solar systems shall be accompanied by to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mount system, including the property lines.

- (d) All solar systems shall require plan approval by the Administrator. Plan approval does not indicate compliance with building or electrical codes.
- (e) Active solar systems must meet all requirements as recommended by the manufacturer: Electric solar system components must have a UL listing and solar hot water systems must have an SRCC rating. *(Solar Rating & Certification Corporation (SRCC) certifies solar heating and cooling requirements of International and Uniform Codes and Standards.)*
- (f) All active solar systems and solar thermal systems shall meet the requirements of the state building code with regard to structural elements, HVAC, electrical, plumbing-and related requirements.
- (g) No grid-intertie photovoltaic system shall be installed until evidence has been given to the Administrator that the owner has submitted notification to the utility company of the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

79. SOLAR FARM (PRINCIPAL USE)

- (a) Active solar systems as a principal use must meet the minimum setbacks for the zoning district associated with the lot on which the system is located.
- (b) Solar collectors and associated outside storage shall be completely screened with a vegetative buffer from view from all streets and adjacent residential uses. Required screening shall be at a Type B Planting Yard Rate, except understory-trees may be substituted for canopy tree requirements.
- (c) A solar farm's maximum height is twenty-five (25) feet, as measured from grade at the base of the structure to the apex of the structure. This height may be increased up to the building height limit of the zoning district in which the use is located, provided that:
 - (1) the use meets the screening requirements; and,
 - (2) all setbacks are increased to match the height of the structure, if greater than the minimum setbacks for the district.
- (e) Driveway access shall be provided to accommodate parking for maintenance vehicles.

80. SPECIAL EVENTS FACILITY

- (a) The minimum area required shall be five (5) acres in AG Districts and no minimum in other allowed districts.
- (b) The building that houses the primary event center shall be called the primary structure, and it shall be no larger than twenty thousand (20,000) square feet. All other buildings on the site shall conform to Table 4.D.2.3 *Accessory Uses and Structures*, and the minimum setback shall be twenty (20) feet from the side or rear property line. All structures associated with the facility shall be constructed as to blend in with the surrounding architecture and character of the community where located.
- (c) No such facility shall locate within four hundred (400) feet of a place of religious assembly, elementary, middle, or secondary school.
- (d) **Operation**
 - (1) In AG districts, outdoor event areas may not be located within two hundred fifty (250) feet of adjacent residentially zoned or used property.
 - (2) An event held outside and within one thousand (1,000) feet of any residence shall cease operation by 11:30 p.m. Noise shall be controlled so that no adjoining property owner or occupant is unduly disturbed by the event.
 - (3) The use must follow State law for alcohol sales and/or consumption.
 - (4) No pyrotechnics or spotlights shall be allowed.

- (e) Special events facilities must provide direct vehicular access to a collector or thoroughfare street. The Administrator may waive this requirement for facilities created by converting existing buildings originally designed for residential occupancy, such as mansions or farms, provided the maximum distance from a collector, or thoroughfare street does not exceed sixteen hundred (1,600) feet (measured along the roadway from the end of the driveway to the closest point of the intersection).
- (f) **Parking**
 - (1) All required parking must be provided on-site.
 - (2) Parking areas associated with the use shall locate a minimum of thirty (30) feet from the property line or right-of-way.
 - (3) There shall be at least one (1) parking space per four (4) persons at maximum occupancy.
 - (4) Parking surfaces are not required to be paved, except for handicapped spaces.
 - (5) Parking areas must have clearly delineated or marked spaces (line, curb, stop, etc.).
- (g) Signs are limited to identification signs and one development entrance sign. Signs can be lighted only during the active event period. All lighted signs must meet Ordinance standards.
- (h) Unless the property is zoned for restaurant use, all food must be prepared off-site, but may be assembled in a Guilford County Public Health Department approved “catering” or “warming” kitchen.
- (i) A single-family dwelling unit may be allowed on the site for use by the property owner or a caretaker. If the use is associated with a bed-and-breakfast/tourist home, the site must meet approval for both uses.

81. SWIMMING POOLS (ACCESSORY USE)

- (a) A pool shall be located to comply with the minimum setback requirement for accessory structures in the zoning district. A pool that is not an integral part of the principal building shall be located a minimum of ten (10) feet from the principal building.
- (b) An outdoor swimming pool shall be protected by a fence or equal enclosure in accordance with the NC Commission for Public Health’s regulation entitled 15A NCAC 18A.2528: Fences. These requirements include, but are not limited to, a fence four (4) feet in height or enclosure equipped with a self-closing and positive self-latching gate using hardware for permanent locking.

82. TEMPORARY USE AND EVENT STANDARDS

(a) General

- (1) The nature and duration of temporary uses and events shall be described according to the following categories.
 - a. Single-day event/structure/use, such as: 1) arts or craft shows; 2) beverage, food, or snack wagons; 3) concerts or stage shows; or, 4) outdoor retail sales.
 - b. Week-long event/use (lasting no more than seven days), such as: 1) carnivals/fairs; or, 2) exterior religious events.
 - c. An event/use lasting 30–45 days, such as: 1) seasonal sales; 2) agricultural seasonal sales; or, 3) outdoor storage containers.
 - d. An event/use lasting for the duration or completion of a project, such as: 1) construction offices or equipment sheds on a construction site; or, 2) real estate sales and/or an indoor rental office.
- (2) The Administrator may attach any conditions to a temporary use permit needed to protect public health, safety, and welfare.

- (3) Conditions imposed for all events open to the public shall be assessed by duration, intensity, and impact on surrounding land uses.
 - (4) Applicant is required to submit evidence of adequate parking, traffic control, rest room facilities, garbage disposal, or other needed services appropriate to the level of participation.
 - (5) A site plan must be submitted showing the proposed temporary use. Detailed information to be provided shall include property lines, proposed location, size and type of mobile units, tents, canopies, stalls, booths, amusement rides, food and beverage temporary fencing, or other structures, driveway access, parking, circulation, trash location, portable toilet and other services required for the provision of the use. Plans shall be submitted for any proposed lighting or signage. Detailed information shall be provided regarding any proposed music or audio equipment.
 - (6) Parking for a temporary use shall not conflict with required parking for an existing permanent use.
 - (7) A temporary use shall not interfere with any access, entrance, driveway, emergency exit, internal circulation, or fire lane.
 - (8) Use of any public rights-of-way or any easements is not permitted for any activity, operation, use, structure, or any portion of the preceding.
 - (9) Structures, buildings, booths, canopies, stalls, mobile units, or other temporary devices shall meet all setbacks of the applicable zoning district.
 - (10) All products, materials, temporary structures, signs, fencing, garbage, and other evidence of the operation must be completely removed from the site upon expiration of the permit.
 - (11) Temporary and mobile structures shall be used only in connection with temporary uses and events.
 - (12) Temporary and mobile structures shall be capable of being removed immediately in an emergency or hazardous condition.
 - (13) For seasonal sales lots, only incidental sales of closely related items shall be allowed in conjunction with the temporary use (e.g., wreathes and hot chocolate with Christmas trees, gourds and corn stalks with pumpkins). Products manufactured off-site for retail sale shall not be permitted.
 - (14) Detailed information shall be provided regarding any proposed music or audio equipment, as well as a complete lighting plan for the proposed operation.
 - (15) The applicant shall provide evidence of all applicable and required approvals from:
 - a. Guilford County Fire Marshall;
 - b. Guilford County Health;
 - c. NC Department of Agriculture;
 - d. ABC Board; and,
 - e. other County or State agencies, as required by the Administrator.
- (b) **Permits for the Following Uses and Events Shall be Limited to Specific Time Durations**
- (1) Beverage, Food, or Snack Wagon: may be approved for up to one year with permit renewal required annually.
 - (2) Carnivals or fairs are permitted for a period not to exceed 21 days, subject to Town Council approval.
 - (3) Christmas Tree Sales, Pumpkin Sales, and Corn Mazes

- a. Christmas tree sales lots shall be allowed from November 15 to New Year's Day. Set-up of a seasonal tree sales lot may begin no earlier than November 13. All products, materials, temporary structures, signs, fencing, and other evidence of the operation must be completely removed from the site no later than New Year's Day.
 - b. Pumpkin sales lots and corn mazes shall be allowed only during the months of September and October.
- (4) Contractor's Office and Equipment Sheds are permitted in any district for a period covering construction phase of the project not to exceed one year, provided that such office be placed on the property to which it is appurtenant.
- (5) Produce Stands and Fresh Foods Sellers:
 - a. The use may be approved for up to six months with permit renewal required at the beginning of each new six-month period.
 - b. The following products may be sold: fresh vegetables and produce; unprocessed foodstuffs; home-processed food products, such as jams, jellies, pickles, sauces, and baked goods; and homemade handicrafts.
 - c. For produce stands, at least 75% of all products sold must be grown or produced on the premises.
- (6) Real Estate Sales and/or Rental Offices are permitted in any district for a period covering sales or the rental phase of the project not to exceed one year, provided that such office is placed on the property to which it is appurtenant. This time period may be extended by the Administrator for good cause shown.
- (7) Religious Event, Outdoor
 - The event may be permitted for a period not to exceed 30 days.
- (c) **Permit for Temporary Uses Not Listed**

The Administrator may issue a permit for a temporary use not listed, provided that:

 - (1) the use is clearly of a temporary nature;
 - (2) conditions to mitigate negative impacts are met;
 - (3) all conditions of this section are met;
 - (4) the use is in keeping with the requirements and intent of this Ordinance; and,
 - (5) the Administrator refers to the definition for Temporary Events in Article 11: *Definitions* to determine the appropriate duration for the event permit.
- (d) **Conditions for Permit Renewal**

Applicants violating a temporary use permit shall not be eligible for renewal or new occurrences. Temporary permits may be considered for one limited renewal, provided that the Administrator finds that the use:

 - (1) continues to function clearly as a temporary use;
 - (2) has not shown itself to be a hazard to safe traffic movement;
 - (3) has not shown itself to be a nuisance to surrounding uses; and,
 - (4) is functioning in accordance with all requirements of this Ordinance and other applicable laws.

83. TEMPORARY HEALTHCARE STRUCTURES

- (a) THC structures shall abide by all laws of G.S. 160A-383.5.
- (b) One THC structure may be permitted as an accessory use on any single-family residential zoned lot and must meet all setbacks for an accessory building.
- (c) The structure must not be occupied by any more than one person and the Town may require proof of guardianship, care-giver status, mental or physical impairment, and/or relative relationship.
- (d) Such structures shall be removed no later than sixty (60) days following the termination of care of the mentally or physically impaired person listed on the request for such a structure.
- (e) Building may not have a permanent foundation but must meet all applicable building code requirements.

84. TOBACCO RELATED USES (INCLUDES ELECTRONIC CIGARETTE/VAPE RELATED USES)

- (a) No Tobacco Related Use shall be located within ½ mile in any direction from any other Tobacco Related Use. No lot containing a Tobacco Related Use shall be located within ¼ mile in any direction for any residentially zoned property, church or place of worship, school, or public park or playground. This required separation shall apply whether the above uses are principal or accessory uses. All measurements in this Section shall be from the other building walls of the proposed use to the nearest property line of the above specified uses, and such measurement shall be in a straight line without regard to intervening structures.
- (b) Pursuant to NCGS 130-498, a Tobacco Related Use that begins operation after July 1, 2009, may only allow smoking if it is located in a freestanding structure occupied solely by the Tobacco Related Use and smoke from the use does not migrate into an enclosed area where smoking is prohibited.
- (c) Consistent with NCGS 14-313, no person or entity engaged in Tobacco Related Uses shall allow, permit or condone any person under the age of eighteen (18) to be upon the premises while patrons are engaged in Tobacco Related Uses.
- (d) Signage shall meet all the requirements of Article 6.J *Sign Regulations* and the following requirements. No signs shall be posted on the windows of the property which are visible from the exterior of the development. No neon or other effects which simulate the appearance on neon, nor any flashing, chasing, undulated, or other variable lighting effects shall be used in connection with any use hereunder where such lighting effect would be visible from the exterior of the establishment. All rules of the Tobacco Related Uses shall be displayed prominently within the establishment.
- (e) Parking shall meet all the requirement of Article 6.C *Off-Street Parking, Loading and Circulation Areas* and the following requirements:
 - (1) The minimum and maximum number of parking spaces required for Tobacco Shop, Retail shall be the same as for Retail listed in Table 6.C.4 *Off-Street Parking Standards*;
 - (2) Parking for Tobacco Shop, Lounge shall be provided at the maximum rate of one (1) space per full-time employee plus one (1) space per three (3) persons of maximum capacity of North Carolina Building or Fire Code rating, and a minimum of one (1) space per full-time employee plus three-quarters (3/4) space per three (3) persons of maximum capacity per the North Carolina Building or Fire Code rating.

85. TRUCK STOP

- (a) The maximum area for a truck stop shall be for (4) acres.
- (b) A truck stop shall meet the lighting regulations of this Ordinance.
- (c) A fence with a minimum height of six (6) feet shall be provided adjacent to residentially zoned property.

- (d) Ordinance watershed and floodplain regulations apply.
- (e) Trucks stops shall not be allowed within fifteen hundred (1,500) feet of existing residentially zoned property.

86. TURKEY SHOOT

(a) Setbacks

- (1) No turkey shoot shall be allowed within a required setback.
- (2) All turkey shoots shall be established with the line of fire perpendicular to and away from the road right-of-way. The line of fire is a line which passes through the firing point and bisects the target. The back stop or target area shall be located not less than five hundred (500) feet from the road right-of-way.
- (3) Sites adjacent to more than one road right-of-way must designate the higher classified road as the front and set the line of fire perpendicular thereto. Any resultant line of fire parallel to a road must be a minimum distance of two (200) feet from and parallel to the road right-of-way.
- (4) All backstops shall be constructed a minimum of five hundred (500) feet from any residence to the rear and/or side of the backstop.

- (b) An off-street parking area adequate in size to store two (2) cars for every backstop shall be provided.

(c) Operation

- (1) Backstops shall be constructed of a material that will allow the shot to penetrate and not pass through. Its minimum thickness shall be two (2) feet and it shall be maintained at a height of four (4) feet above the target.
 - (2) Firearms used shall be limited to shotguns firing number eight (8) shot or smaller. No firearms may be used which have been altered from manufacturer's specifications.
 - (3) Operators of the turkey shoot shall be responsible for maintaining adequate fire protection by notifying the local fire department as to the dates and times of the turkey shoot.
 - (4) Turkey shoots shall be limited to Thursdays, Fridays, and Saturdays. The event shall not be in operation later than 9:00 PM on Thursdays, and 10:00 PM on Fridays and Saturdays.
 - (5) No alcohol will be permitted on site during the event.
 - (6) Provisions for sanitation and refuse disposal must be made in accordance with health standards.
- (d) The Board of Adjustment may issue a Special Use Permit (SUP) valid for an event period not to exceed ninety (90) days in a given year.

87. UTILITIES, MINOR

Examples of minor utility uses are transformer stations, telephone exchanges, repeater stations, pressure regulator stations, pump and lift stations, and similar structures.

- (a) All buildings shall be considered accessory buildings or structures in terms of dimensional requirements.
- (b) Equipment producing noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.
- (c) Security fencing shall be provided around the entire facility with a minimum fence height of six (6) feet.
- (d) A Type 1 Landscape Buffer may be required between the security fence and adjoining properties and streets.

- (e) If the facility has no outside storage or placement of materials or equipment the Land Use Classification (LUC) shall be considered a one (1), otherwise it shall be considered a four (4).
- 88. VETERINARY SERVICE, DOMESTIC ANIMALS, INDOOR** Pens and runs located outdoors are prohibited.
- 89. VETERINARY SERVICE, DOMESTIC ANIMALS, OUTDOOR** A Special Use permit (SUP) is required.
- 90. WAREHOUSE, GENERAL STORAGE/ENCLOSED**
- (a) A maximum of ten thousand (10,000) square feet of gross floor area shall be permitted for warehouse or wholesaling per establishment per lot.
 - (b) No outdoor storage of warehousing or wholesaling items is permitted.
 - (c) No storage of hazardous, flammable, or explosive materials is permitted.
 - (d) The Land Use Classification is “warehousing or wholesaling uses.”
- 91. WAREHOUSE, SELF-SERVICE STORAGE**
- (a) The minimum lot size shall be two (2) acres and the maximum lot size shall be five (5) acres.
 - (b) The total ground area covered by buildings shall not exceed fifty percent (50%) of the site.
 - (c) Maximum height of building(s) shall be twenty (20) feet.
 - (d) **Storage**
 - (1) No outside storage shall be permitted within view of a roadway corridor.
 - (2) No storage of hazardous, flammable, toxic or explosive materials is permitted.
 - (e) No business activity other than the rental of storage units and outdoor storage spaces for oversized vehicles and boats shall be conducted on the premises.
- 92. WHOLESALE SALES, ALL USES**
- (a) A maximum of ten thousand (10,000) square feet of gross floor area intended for wholesale trade shall be permitted per establishment
 - (b) No outside storage shall be permitted.
- 93. WINERY**
- (a) These standards apply only when the winery includes events or a tasting room:
 - (1) For winery purposes, an event is an activity such as weddings, receptions, concerts, meetings, retreats, and other similar gatherings of more than 150 persons. A winery wishing to include events must have a minimum of twenty (20) percent of the winery’s land area cultivated in crops used in wine production.
 - (2) A tasting room is a facility or portion of a facility supporting a winery where the public may sample products produced by the winery and which has ancillary wine-related retail sales.
 - (b) A winery with a tasting room and/or events shall adhere to the following concerning access and parking:
 - (1) There shall be a minimum twenty-four (24) foot approach to the property from a public road or approved private road. If the driveway access is connected to a paved public or private road, the driveway must be paved for a minimum distance of twenty (20) feet from the edge of the connecting road.
 - (2) There shall be off-street parking in sufficient numbers to satisfy the maximum demand likely. The minimum number of spaces shall be ten (10). The maximum number shall be calculated by dividing the maximum building capacity of the tasting room and other public gathering spaces by two (2).

- (c) The cumulative building area for tasting rooms and events shall be as follows:

<u>Parcel Size</u>	<u>Building Square Footage</u>
Less than 5 acres	Less than 5,000 square feet
5 to 20 acres	Less than 9,000 square feet
More than 20 acres	Less than 12,000 square feet

- (d) Food service is not to include restaurants, unless otherwise permitted in the zoning district, but may include the following:
 - (1) service of pre-packaged food;
 - (2) foods customary with wine tasting (e.g., cheese, crackers, etc.); and/or,
 - (3) catered food service for events.
- (e) Retail sales are permitted as follows:
 - (1) sales directly related to the winery, such as sales of wine and wine related merchandise; and/or,
 - (2) ancillary retail sales, such as trademark items, items which promote the region or the wine industry, or other regional value-added agricultural products (e.g., art, pre-packaged foods, cheese, etc.).

94. WIRELESS COMMUNICATION FACILITIES

- (a) All wireless communications facilities shall be subject to this section, except for commercial radio and TV, amateur radio, wireless communication facilities used by a governmental agency for its governmental functions, wireless communication facilities used exclusively by public educational institutions for its communication purposes, and devices necessary for the use of a subscription to a commercial wireless provider service such as wireless internet and satellite TV.
- (b) General provisions for all wireless communication facilities:
 - (1) Antennas must be attached to an existing pole or structure that has been in existence for at least one year and that otherwise meets applicable provisions of this section to be considered a co-location with the exception of antennas located on new utility poles/towers.
 - (2) A building permit is required for all facilities, new or co-locations, and accessory structures.
 - (3) A certification is required from a licensed engineer that the facilities will comply with all Federal Aviation Administration (FAA), Federal Communication Commission (FCC), and other applicable regulations.
 - (4) Monopole and lattice tower facilities shall be designed in a manner that will allow for the co-location of at least one additional antenna array on the facility.
 - (5) One parking space for the maintenance of the facility must be provided on site and the space shall be treated with materials which reduce the emission of dust.
 - (6) When the operation of the wireless communications facilities is discontinued for a period of six months or a special use permit expires, the facilities shall be removed, and the site shall be restored to its natural state and topography and vegetated consistent with the natural surroundings at the expense of the owner of the facility.
 - (7) No advertising is permitted anywhere upon or attached to the facilities with the exception of small, non-illuminated warning and identification signs.
 - (8) Long-term vehicle storage and other outdoor storage are prohibited.

- (9) All communications towers, poles, and co-location structures must be structurally engineered to show they are capable of supporting the proposed facilities and to meet requirements of NC State Building Codes.

(c) Design Standards

- (1) The color of wireless communication facilities shall be compatible with the surrounding environment. Muted colors, earth tones, and subdued hues, such as gray, shall be used. All associated structures such as equipment buildings, including the roofs, shall be painted with earth tone colors.
- (2) New facilities, other than flagpoles, utility poles, or other camouflaged facilities, shall be enclosed by a solid masonry wall 8 feet in height to prevent trespass.
- (3) All permanent generators associated with facilities shall be located behind an 8' high, solid masonry wall.
- (4) Ground-mounted equipment shall be located behind an 8' high, solid masonry wall.
- (5) Lighting on any new facility is prohibited unless required by the FAA or by other applicable state or federal requirements. Motion-detector security lighting may be approved if the lights are fully shielded. Any outdoor lighting requires a separate lighting permit in accordance with the standards of Article 6.H *Lighting Regulation*.
- (6) Stealth Design: New communication towers located on a parcel adjacent to residential zones shall be of a stealth design only. A stealth facility shall be designed and constructed in a scale substantially in conformity with and/or architecturally integrated with surrounding building designs or natural settings to minimize the adverse visual impacts and ensure the facility is compatible with the surrounding environment.

Stealth design approaches include “monopines” (antennas/structures designed to mimic the look of a tree to blend with the environment) and concealing antennas and equipment within church steeples, clock towers, bell towers, roof features, etc.

(7) Design Standards for a Monopine Tower

a. Setback requirements

- i. The facility is required to meet setback requirements of primary buildings or structures of the zone in which it is located, unless otherwise specified herein.
- ii. If a facility exceeds the height requirements of the zone in which it is located, it shall be set back from the property line that abuts land located in a rural or residential zone by 1' for every 1' in height of the facilities.
- iii. If a facility exceeds the height requirements of the zone, it shall be set back from the property line that abuts land located in zones other than rural or residential by 1' for every 1' in height above the maximum height permitted in the zone.

b. Other requirements for a Monopine tower facilities

- i. The facility shall not exceed 90' in height.
- ii. Antennas shall be mounted within the foliage of the monopine and all branches at the height of the antennas shall extend beyond the antenna panels and all mounting hardware.
- iii. All monopine “branches” shall reasonably resemble a natural tree and be arranged naturally with the widest branches at the lower portion of the monopine tapering to the shortest branches at the top. Branches shall have a density of 2.5 branches for each 1'

of pole measured vertically and shall begin at no greater than 12' above finished grade and continue to the top of the pole.

- iv. Antennas shall have camouflaged foliage covers and be painted a color to match the appearance of the surrounding pine trees.
- v. The "trunk" shall be constructed to incorporate full bark cladding starting at the base (at grade) to the top of the monopine. There shall be no unpainted metal on the monopine facility.
- vi. The diameter of the pole structure shall not exceed 36" at the base and shall taper to no greater than 28" at the top of the monopine.
- vii. All cables shall be concealed within the pole structure and no climbing pegs are permitted on the structure.

(8) Design Standards for Concealment Towers

- a. All antennas, mounting hardware, and cables shall be completely concealed within the structure.
- b. Equipment cabinets, service panels, and service connections shall be screened by a solid wall, painted to match the structure.

(9) Facilities Not Requiring a Special Use Permit

Wireless telecommunication facilities with the following characteristics shall not be required to obtain a special use permit, but must nonetheless meet all other applicable requirements of this section, as well as submitting a site plan for approval by the Administrator:

- a. building-mounted antennas on non-residential structures where the equipment does not extend beyond 12" from the face of the building and the equipment is painted to match the building;
- b. roof-mounted equipment on non-residential buildings where the equipment is 10' or less in height and is fully screened from view;
- c. co-location on existing communication poles or towers where the antenna array width is 4' or less or the width of the antenna array does not exceed the width of the largest existing array on the pole or tower;
- d. co-location on existing school and park ball field light poles or towers that add no more than 12' in height to the pole or tower and the antenna array width is 4' or less;
- e. co-location on existing electrical utility poles with a minimum of 69 kilovolts that add no more than 12' in height to the pole and the antenna array width is 4' or less;
- f. co-location on existing electrical utility lattice towers with a minimum of 69 kilovolts that extend no more than 3' from the tower;
- g. co-location on existing flagpoles (stealth) that are no more than 16" in diameter, and all pole-mounted equipment is located inside the pole; or,
- h. stealth-designed facilities in non-residential zones.

(10) Site Plan Submittal Requirements when Special Use Permit is not Required

The following information is required:

- a. legal description and parcel number of the subject property;
- b. drawings of equipment and facilities; and,

- c. a scaled site plan with sufficient information to show that the facility meets all design criteria and other conditions. The site plan shall also detail:
 - i. access;
 - ii. all appurtenances;
 - iii. antenna diagrams, including the width of the antenna arrays;
 - iv. elevations;
 - v. equipment area;
 - vi. parking area;
 - vii. screen wall;
 - viii. setbacks;
 - xi. surrounding zoning; and,
 - x. any other information deemed necessary by the Town.

(11) Site Plan Requirements when Special Use Permit required

The following information is required:

- a. a scaled site plan along with all other information listed in the preceding section;
- b. a map showing all other wireless communications monopoles or towers, regardless of ownership, within two miles of the proposed site;
- c. a written narrative describing any neighborhood opposition, either written or verbal, received by the applicant;
- d. a description of possibilities for camouflage that were explored and why the proposed option was chosen;
- e. a description of alternative sites that were explored;
- f. a description of the possibility for co-location on existing structures that were explored;
- g. a description of possibilities for using a greater number of shorter structures in place of the proposed facility;
- h. before and after photo simulations showing the tower and the surrounding area;
- i. descriptions of the proposed colors for the facility;
- j. information on provisions for removal of the monopole or tower after it is no longer used for its primary purpose;
- k. information on the willingness of the landowner and service provider to allow other service providers to co-locate; and,
- l. a description of potential gaps that could impede the provision of services if the structure is not approved.