

## SECTION 7. PERMISSIBLE USES AND STANDARDS

**7.1. TABLES OF PERMISSIBLE USES (TRADITIONAL AND MIXED-USE)**

Table 7.1, Table of Permissible Uses, lists principle uses and indicates where a principle use is permitted by right (P), special use permit (S), or prohibited (blank) in a particular zoning district. Uses may also have use-specific standards defined in Section 7.2 and are subject to any district standards defined in this UDO.

Table 7.1 Table of Permissible Uses

TABLE 7.1. - TABLE OF PERMISSIBLE USES																		
"P" = Permitted, "S" = Special Use Permit Required, "X" = Prohibited																		
Use Type	Traditional Districts												Mixed-Use Districts				REFERENCE	
	RR	RLD	RMD	RHD	OM	NB	GB	GI	HI	PUD	PCD	DC-MX	DG-MX	CC-MX1	CC-MX2	RC-MX		MD-MX
<b>Residential Uses</b>																		
Single Family Detached	P	P	P	X	P	X	X	X	X	P	X	X	X	X	X	X	X	7.2.4.A
Townhouse/Attached Single Family	X	X	P	P	S	X	X	X	X	P	X	X	P	P	P	X	S	7.2.4.B
Duplex/Triplex/Quadplex	X	X	S	P	S	X	X	X	X	P	X	X	P	X	X	X	X	7.2.4.C
Multifamily	X	X	X	P	X	X	P	X	X	P	P	P	P	P	P	P	S	7.2.4.D
Upperstory Residential	X	X	X	S	X	X	X	X	X	P	X	P	P	P	P	P	P	7.2.4.E
Manufactured Home	X	S	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	7.2.4.F
Residential Care (ALF, ILF, CC)	X	X	X	P	P	P	P	X	X	P	P	X	X	P	P	X	P	7.2.4.G
Family Care Home	P	P	P	P	P	X	X	X	X	P	P	X	X	X	X	X	X	7.2.4.H
Board House/Rooming House	X	X	X	X	S	X	X	X	X	P	X	X	X	X	X	X	X	7.2.4.I

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Student Housing	X	X	X	X	S	X	X	X	X	X	X	X	X	X	X	X	S	7.2.4.J
Group Homes – 24 Hour Service, Less Than 6 Persons (Not Within One-Half Mile Radius From Existing MH Residence)	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	7.2.4.K
Group Homes – 24 Hour Service, 6 Persons or More (Not Within One-Half Mile Radius From Existing MH Residence)	S	S	S	S	X	X	X	X	X	X	X	X	X	X	X	X	X	7.2.4.L

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<b>Public and Institutional Uses</b>																		
Schools (Elementary/Middle)	P	P	P	P	P	P	P	X	X	P	P	X	P	P	P	P	P	7.2.5.A
Schools (High/Senior)	P	P	P	P	P	P	P	X	X	P	P	P	P	P	P	P	P	7.2.5.B
University, College, and Vocational School	X	S	S	P	X	X	P	P	X	X	P	S	P	P	P	P	P	7.2.5.C
Civic and Private Club, Minor (Less Than 15,000 SF or 150 Person Membership)	X	X	X	X	P	P	P	X	X	X	P	P	P	P	P	P	X	7.2.5.D
Civic and Private Club, Major (Greater Than 15,000 SF or 150 Person Membership)	X	X	X	X	S	S	S	X	X	X	P	X	P	P	P	P	X	7.2.5.E
Correctional Facility	S	S	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	7.2.5.F
Essential Services (Excluding Regional Utility Facilities)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	7.2.5.G
Regional Utility Facility	S	S	S	S	S	P	P	P	P	P	P	S	S	S	S	S	S	7.2.5.H
Open Space/Parks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	7.2.5.I
Religious Institutions	P	P	P	P	P	P	P	X	X	P	P	X	P	P	P	X	X	7.2.5.J

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<b>Commercial Uses</b>																		
General Retail Sales, Less Than 10,000 SF	X	X	X	S	S	P	P	P	X	P	P	P	P	P	P	P	P	7.2.6.A
General Retail Sales, 10,000 SF to 25,000 SF	X	X	X	S	X	P	P	S	X	P	P	P	X	P	P	P	P	7.2.6.B
General Retail Sales, 25,000 SF to 100,000 SF	X	X	X	X	X	S	P	X	X	X	P	X	X	P	X	P	X	7.2.6.C
General Retail Sales, 100,000 SF or Greater	X	X	X	X	X	X	S	X	X	X	P	X	X	X	X	P	X	7.2.6.D
Personal Services	X	X	X	X	S	P	P	P	X	P	P	P	P	P	P	P	P	7.2.6.E
Lodging – Hotel and Motel	X	X	X	X	X	S	P	X	X	X	P	P	X	P	P	P	P	7.2.6.F
Lodging – Bed and Breakfast	S	S	S	S	P	X	X	X	X	X	X	P	P	X	X	X	X	7.2.6.G
Tattoo and Piercing Establishment	X	X	X	X	X	S	P	X	X	X	X	X	X	X	X	X	X	7.2.6.H
Fortune Telling	X	X	X	X	X	S	S	X	X	X	X	X	X	X	X	X	X	7.2.6.I
Indoor Recreation	X	X	X	X	X	S	P	S	X	X	P	P	S	P	P	P	X	7.2.6.J
Outdoor Recreation	X	X	X	X	X	X	S	S	X	X	P	X	X	X	X	X	X	7.2.6.K

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Restaurant	X	X	X	X	S	P	P	X	X	P	P	P	P	P	P	P	P	7.2.6.L
Restaurant with Drive-Through	X	X	X	X	X	S	P	S	X	P	P	X	X	P	P	P	P	7.2.6.M
Bar/Tavern/Nightclub	X	X	X	X	X	S	S	S	X	X	P	P	S	S	S	P	S	7.2.6.N
Microbrewery/Winery/ Distillery	X	X	X	X	X	X	P	P	X	P	P	P	P	P	P	P	X	7.2.6.O
Car, Boat, Other Vehicle Sales and Rental	X	X	X	X	X	X	P	S	X	X	P	X	X	X	X	X	X	7.2.6.P
Minor Vehicle Service	X	X	X	X	X	S	P	P	X	X	P	X	X	P	P	X	X	7.2.6.Q
Major Vehicle Service	X	X	X	X	X	X	P	P	P	X	X	X	X	X	X	X	X	7.2.6.R
Convenience Store with Fuel Pumps	X	X	X	X	X	S	P	P	X	X	P	X	P	P	P	P	P	7.2.6.S
Car Wash	X	X	X	X	X	S	P	X	X	X	P	X	X	P	P	P	X	7.2.6.T
Funeral Home	X	X	X	X	P	P	P	X	X	X	P	P	P	P	P	X	X	7.2.6.U
Laundromat with Onsite Cleaning	X	X	X	X	S	P	P	P	X	X	P	X	P	P	P	P	X	7.2.6.V
Electronic Gaming Operations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	7.2.6.W
Day Care Center/Adult Care	S	S	S	S	S	P	P	X	X	X	P	X	X	P	P	X	P	7.2.6.X
Commercial Parking	X	X	X	X	S	P	P	P	X	X	P	P	P	P	P	P	P	7.2.6.Y
Commercial Parking Lot – Trucks, Trailers, Delivery Vehicles	X	X	X	X	X	X	S	P	P	X	P	X	X	X	X	X	X	7.2.6.Z
Event Center/Convention Center	X	X	X	X	X	X	P	X	X	X	P	X	S	S	S	S	X	7.2.6.AA

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<b>Office/Medical Uses</b>																		
Professional Office	X	X	X	X	P	P	P	P	X	P	P	P	P	P	P	P	P	7.2.7.A
Personal & Financial Services without Drive-Through	X	X	X	X	P	P	P	P	X	P	P	P	P	P	P	P	P	7.2.7.B
Personal & Financial Services with Drive-Through	X	X	X	X	P	P	P	P	X	X	P	P	P	P	P	P	P	7.2.7.C
Hospital	X	X	X	X	P	X	P	X	X	X	P	X	X	X	X	X	P	7.2.7.D
Medical/Dental Office	X	X	X	X	P	P	P	X	X	P	P	P	P	P	P	P	P	7.2.7.E
Rehabilitative Clinic	X	X	X	X	S	X	X	X	X	X	X	X	X	X	X	X	X	7.2.7.F
Animal Hospital/Veterinarian	X	X	X	X	P	S	P	X	X	X	P	P	P	P	P	P	P	7.2.7.G

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<b>Industrial Uses</b>																		
Light Industrial & Manufacturing	X	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X	X	7.2.8.A
Warehouse Distribution/Logistics	X	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X	X	7.2.8.B
Wholesale Trade	X	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X	X	7.2.8.C
Heavy Industrial	X	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X	X	7.2.8.D
Recycling and Waste Related Services	X	X	X	X	X	X	X	S	P	X	X	X	X	X	X	X	X	7.2.8.E
Laundry or Dry Cleaning Plant	X	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X	X	7.2.8.F
Mini-Warehouse/Self Storage	X	X	X	X	X	S	P	P	P	X	P	X	X	X	X	X	X	7.2.8.G
Warehouse & Storage	X	X	X	X	X	X	S	P	P	X	P	X	X	X	X	X	X	7.2.8.H
Outdoor Storage	X	X	X	X	X	X	S	P	P	X	X	X	X	X	X	X	X	7.2.8.I
Mining	S	S	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	7.2.8.J
Land Debris Storage	X	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X	X	7.2.8.K



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<b>Other Uses</b>																		
Animal Shelter/Kennel	S	S	X	X	X	X	S	P	X	X	X	X	X	X	X	X	X	7.2.9.A
Adult Oriented Business (Adult Establishment)	X	X	X	X	X	X	X	S	X	X	X	X	X	X	X	X	X	7.2.9.B
Agricultural Activities	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	7.2.9.C
Market & Produce Stands	S	S	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	7.2.9.D
Wireless Communication, Small Wireless Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 9
Wireless Communication, Limited Support Structure	P	P	P	P	P	P	P	P	P	P	P	X	X	P	P	P	P	Sec. 9
Wireless Communication, Minor Support Structure	S	S	S	S	S	S	P	P	P	X	P	X	X	P	P	P	p	Sec. 9
Wireless Communication, Major Support Structure	X	X	X	X	X	X	X	S	S	X	X	X	X	X	X	X	X	Sec. 9
Solar Farms	S	S	X	X	X	X	X	S	S	X	X	X	X	X	X	X	X	7.2.9.E
Airport	See Sec.6.5.																7.2.9.F	
Rooftop Uses	X	X	X	X	X	X	S	X	X	X	X	S	S	X	X	X	P	7.2.9.G

## 7.2. PERMISSIBLE USE DEFINITIONS AND STANDARDS

### 7.2.1. PERMISSIBLE USE CATEGORIES

- A. **Grouping of Uses.** Uses have been grouped into residential, public, and institutional, commercial, office/medical, industrial, and other. To regulate use, categories of uses (“use categories”) have been established. Use categories provide a systematic basis for assigning land uses to appropriate categories or zoning districts with other similar or compatible uses. Use categories classify land uses and activities based on common functional, product or physical characteristics. Characteristics include the type and amount of activity, the characteristics of customers or residents, how goods or services are sold or delivered, and certain site factors.

### 7.2.2. USE DETERMINATION

A. **Definitions.**

1. For the purpose of this Section, certain terms or words used in this Section shall be interpreted as follows:
  - a. The word "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.
  - b. The word "shall" is mandatory; the word "may" is permissive.
  - c. The words "used or occupied" include the words "intended, designed or arranged to be used or occupied."
  - d. The word "lot" includes the words "plot," "parcel" and "tract."
  - e. The word "structure" means anything constructed or erected, exceeding six (6) inches height, the use of which requires more or less a permanent location on land, or an addition to something having a permanent attachment to land.
  - f. The word "land" includes the words "water," "marsh" and "swamp."
2. Any word not specifically defined herein (also see Section 11 Definition of Terms) shall be interpreted as meaning its most commonly used definition.
  - a. The names of the use categories start with capital letters throughout this UDO.
  - b. The following use categories are defined in this division:

- i. Residential
- ii. Public and Institutional
- iii. Commercial
- iv. Office/Medical
- v. Industrial
- vi. Other

### 7.2.3. CLASSIFICATION OF USES.

#### A. Considerations.

1. Uses are assigned to the category whose description most closely describes the nature of the primary use. The characteristics subsection of each use category describes the characteristics of each use category. Developments may have more than one (1) primary use. Developments may also have one (1) or more accessory uses. Developments with more than one (1) primary use are addressed in subsection (b) below. Accessory uses are addressed in subsection (c) below.
2. The following items are considered to determine what use category the use is in, and whether the activities constitute primary uses or accessory uses:
  - a. The description of the activities in relationship to the characteristics of each use category;
  - b. The relative amount of site or floor space and equipment devoted to the activity;
  - c. Relative amounts of sales from each activity;
  - d. The customer type for each activity;
  - e. The relative number of employees in each activity;
  - f. Hours of operation;
  - g. Building and site arrangement;
  - h. Vehicles used with the activity;
  - i. The relative number of vehicle trips generated by the activity;
  - j. Signs;
  - k. How the use advertises itself; and
  - l. Whether the activity would be likely to be found independent of the other activities on the site.

- B. **Developments with Multiple Primary Uses.** When all the primary uses of a development fall within one (1) use category, then the development is assigned to that use category. For example, a development that contains a retail bakery and a cafe would be classified in the retail sales and service category because all of the primary uses are in that category. When the primary uses of a development fall within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.
- C. **Accessory Uses.** Accessory uses are allowed by right in conjunction with the primary use unless stated otherwise in the regulations. Unless otherwise stated, accessory uses are subject to the same regulations as the primary use.
- D. **Examples.** Examples are listed for each definition. Examples are intended to provide a base for consideration of a similar use (if a similar use is not listed).
- E. **Unlisted Uses.** Uses Not Included are listed to exclude uses which may be commonly confused with another use. For uses not listed in Table 7.1, Table of Permissible Uses, not listed as a part of a use category or use type, and not listed as a prohibited use, the Director shall determine which use category or use type to which the use belongs in accordance with the following.
- a. The Director shall determine whether an unlisted use is similar to a use identified in Table 7.1, Table of Permissible Uses, based on consistency with the City's adopted policy guidance and the following standards:
    - i. The function, product, or physical characteristics of the use;
    - ii. The impact on adjacent lands created by the use;
    - iii. The type, size, and nature of buildings and structures associated with the use;
    - iv. The type of sales (retail, wholesale), and the size and type of items sold and displayed on the premises;
    - v. The types of items stored (such as vehicles, inventory, merchandise, chemicals, construction materials, scrap and junk, and raw materials including liquids and powders);
    - vi. The volume and type of vehicle traffic generated by the use, and the parking demands of the use;

- vii. Any processing associated with the use, including assembly, manufacturing, warehousing, shipping, distribution, and whether it occurs inside or outside a building;
  - viii. Any dangerous, hazardous, toxic, or explosive materials associated with the use;
  - ix. The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation, and fumes; and
  - x. Any prior determinations made by the Director or decisions made by City Council or appointed City boards.
- b. The Director's decision and explanation shall be made in writing, shall state the determination is final and subject to appeal as provided in Section 3 Administration, and shall be delivered by personal service, electronic mail, or by first class mail to the applicable parties. A written determination shall be binding on subsequent decisions by the Director or other administrative officials in applying the same provision of this Ordinance or the Official Zoning Map in the same circumstance, unless the determination is modified in accordance with this section, or the text of this Ordinance is amended. The Director shall maintain a record of written determinations that shall be available in the Planning and Development Department for public inspection, on reasonable request, during normal business hours.
- c. After the Director determines the use category or use type in which the unlisted use is best classified, then the unlisted use shall be subject to all applicable requirements of that use category or use type. The Director shall also determine whether the unlisted use is likely to be common or recur frequently, and whether its omission is likely to lead to uncertainty and confusion. On determining that the unlisted use is likely to be common and would lead to confusion if unlisted, the Director shall initiate an application for a text amendment. Until final action is taken on the text amendment, the Director's decision shall be binding. If the Director determines that the unlisted use is of an unusual or transitory nature, and unlikely to recur frequently, the determination shall be binding without further action or amendment of this Ordinance.

- d. An appeal of the Director's determination with regard to an unlisted use may be made in accordance with Section 3.4.11: Appeals.
- F. **Use Standards.** Use standards for a particular use may be found in the information in the following sections.

#### 7.2.4. RESIDENTIAL USES

##### A. **Single Family Detached**

1. **Characteristics.** A building containing only one (1) dwelling unit, to be occupied by one (1) family. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.
2. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers, and docks, and accessory structures such as a garage or shed. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
3. **Examples.** Examples include single family homes and modular homes on a variety of lot sizes and types.
4. **Uses Not Included.**
  - a. Lodging where tenancy is arranged for one (1) week or less is considered a form of transient lodging (see commercial categories).
5. **Use Standards**
  - a. All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.

##### B. **Townhouse/Attached Single Family**

1. **Characteristics.** A building that may be attached or semi attached, consisting of dwelling units, each dwelling unit typically owned by separate ownership. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.

2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed. Home occupations may also be permitted as an accessory use including family adult care, up to six (6) residents.
3. Examples. Examples include townhouses, villas, or attached single family.
4. Uses Not Included.
  - a. Lodging where tenancy is arranged for one (1) week or less is considered a form of transient lodging (see commercial categories).
5. Use Standards.
  - a. All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.

### C. Duplex/Triplex/Quadplex

1. Characteristics. A building containing up to four dwelling units, usually under single ownership, consolidated into a single structure. A duplex/triplex/quadplex is typically on a single lot and contains common walls. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
3. Examples. Examples include multiple family homes on a variety of lot sizes and types, such as a duplexes, triplexes, and quadplexes.
4. Uses Not Included.
  - a. Lodging where tenancy is arranged for one (1) week or less are considered to be a form of transient lodging (see commercial categories).
5. Use Standards
  - a. Development consisting of only duplex(es) are not permitted on lots greater than three (3) acres.
  - b. Lot width must be 1.5x the required minimum width of the base zoning district requirement for any duplex/triplex/quadplex.

- c. Lot size must be 1.5x the required minimum lot size of the base zoning district requirement for any duplex/triplex/quadplex.
- d. All accessory uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.
- e. Duplexes on corner lots shall be designed in a way that each unit fronts on a different street.
- f. Each unit in the duplex shall have a separate entrance and separate drive.
- g. Duplexes in the South Monroe Historic District shall only be allowed on corner lots.

#### **D. Multifamily**

1. **Characteristics.** Multifamily dwelling units are characterized by a building that contains more than four dwelling units. This definition includes condominiums or multifamily apartments. Tenancy is arranged for periods longer than one (1) week. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the commercial categories). Condominiums, apartment complexes that have accessory services such as food service, dining rooms, and housekeeping are included as multifamily dwellings.
2. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants and guests, piers and docks, and accessory structures such as a garage or shed.
3. **Examples.** Uses include living in apartments, condominiums, retirement center, and apartments.
4. **Uses Not Included.**
  - a. Lodging where tenancy is arranged for one (1) week or less are considered to be a form of transient lodging (see the commercial categories).
5. **Use Standards.**
  - a. All multi-family developments shall be required to provide bulk waste containers such as dumpsters or trash compactors.
  - b. All multi-family developments with fifty (50) or more units shall be required to provide a bulk trash compactor. All developments shall provide recycling service and containers.



**E. Upperstory Residential**

1. **Characteristics.** Upperstory residential units are characterized by a building that contains a separate use on the bottom floor, and dwelling units on the floors above. This definition includes condominiums and multifamily apartments that feature a separate use on the bottom floor. Tenancy is arranged for periods longer than one (1) week. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered to be a form of transient lodging (see the commercial categories).
2. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of autos for the occupants, piers and docks. Home occupations may also be permitted as an accessory use including family adult care, up to 6 residents. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
3. **Examples.** Uses include mixed-use buildings featuring a separate use on the bottom floor, with residential above. May include apartments and condominiums.
4. **Uses Not Included.**
  - a. Lodging where tenancy is arranged for one (1) week or less are considered to be a form of transient lodging (see the commercial categories).

**F. Manufactured Home**

1. **Characteristics.** Manufactured homes are built on an integral chassis, with or without permanent foundation, and are used as a dwelling unit. Manufactured homes are subject to any State standards for safety and occupancy.
2. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed. Home occupations may also be permitted as an accessory use including family adult care, up to six (6) residents. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
3. **Examples.** Examples include any type of park model or travel trailer designed as a dwelling unit, built on an integral chassis, with or without permanent

foundation. This term includes mobile homes, park trailers, travel trailers and similar transportable structures intended to be improved property.

#### **G. Residential Care (ALF, ILF, CCF)**

1. **Characteristics.** ALF (Assisted Living Facility), ILF (Independent Living Facilities), CCF (Convalescent Care Facilities) provide residential facilities with on-site 24-hour medical care for seniors. This use category describes building or buildings, section or distinct part of a building, private home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one (1) or more personal services for a period exceeding 24 hours to one (1) or more adults who are not relatives of the owner or administrator. This includes nursing homes.
2. **Accessory Uses.** Accessory uses commonly found are recreational activities, cafeteria, café, dining hall, hobbies, parking of the occupants' vehicles, facilities for staff.
3. **Examples.** Uses include living in nursing homes, skilled nursing facilities, assisted living facilities, convalescent care facilities, and other senior living facilities.
4. **Uses Not Included.**
  - a. Lodging where tenancy is arranged for one (1) week or less are considered to be a form of transient lodging (see commercial categories).
5. **Use Standards.**
  - a. Residential care facilities are permitted a number of rooming units equal to two (2) times the density of the applicable district. For example, if ten (10) units per acre are allowed, the residential care facility may have twenty (20) rooming units.
  - b. Structures shall demonstrate a pedestrian circulation plan, including internal walkways, and shall include provisions for alternative transportation options for residents of the facility.
  - c. Residential care facilities shall be designed and used to serve its residents and their guests only.

#### **H. Family Care Home**

1. **Characteristics.** As defined in G.S. 131D-2.1(9) and G.S. 160D-907, a family care home is an adult care home having two (2) to six (6) residents with support and supervisory personnel that provides room and board, personal care, and

habilitation services in a family environment for persons with disabilities. A person with a disability is a person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments, but not including mentally ill persons who are dangerous to others as defined in G.S. 122C-3(11)b. In accordance with G.S. 131D-2.1(9), the structure of a family care home may be no more than two (2) stories high, and none of the aged or physically disabled persons being served there may be housed in the upper story without provision for two (2) direct exterior ground-level accesses to the upper story. Family care homes may not be within one-half (1/2) mile radius from another existing family care home.

2. Accessory Uses. Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles.
  3. Examples. Uses include a dwelling unit designed to provide room, board, and care for six or fewer persons in a family environment.
  4. Uses Not Included. Halfway houses or facilities designed to care for those who may be a harm to themselves or others (see Social Services).
- I. Board House/Rooming House**
1. Characteristics. A facility with lodging for one (1) or more persons in a group that does not constitute a single housekeeping unit.
  2. Accessory Uses. Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles.
  3. Examples. Uses include a boarding house, rooming house, fraternity or sorority.
  4. Uses Not Included.
    - a. Rehabilitation of adults or juvenile offenders sentenced by a court (see correctional facility).
    - b. Short term rentals, including Airbnb, VRBO, etc.
  5. Use Standards.
    - a. Total number of individuals occupying a board house/rooming house shall not exceed six (6).
    - b. No exterior advertising of the board house/rooming house except a one (1) unlit sign not to exceed two (2) square feet in area.

**J. Student Housing**

1. Characteristics. A multifamily facility intended for the exclusive use of students or employees of a school or medical campus.
  2. Accessory Uses. Accessory uses commonly found are private recreational facilities and parking of the occupants' vehicles.
  3. Examples. Uses include a dormitory or exclusive-use multifamily apartments.
- K. Group Homes – 24 Hour Service, Less Than 6 Persons**
1. Characteristics. A mental health facility providing twenty-four (24) hour services for less than six (6) unrelated persons who are at risk, including battered individuals, pregnant women and their children, runaway children, temporarily or permanently disabled mentally, emotionally or physically persons, persons recovering from drug or alcohol abuse and all other persons who possess a disability that are protected by the provisions of either the Americans with Disabilities Act or State law, along with family members and support and supervisory personnel. The use also includes facilities licensed under Chapter 122C of the North Carolina General Statutes that provide residential services.
  2. Accessory Uses. Accessory uses commonly found with residential uses including open space, playgrounds, outdoor areas, parking of occupant's vehicles.
  3. Use Standards.
    - a. A resident manager must permanently reside on the premise.
    - b. The State licensed group home must have all appropriated licensure by federal or State government.
- L. Group Homes – 24 Hour Service, 6 Persons or More**
1. Characteristics. A mental health facility providing twenty-four (24) hour services for six (6) or more unrelated persons who are at risk, including battered individuals, pregnant women and their children, runaway children, temporarily or permanently disabled mentally, emotionally or physically persons, persons recovering from drug or alcohol abuse and all other persons who possess a disability that are protected by the provisions of either the Americans with Disabilities Act or State law, along with family members and support and supervisory personnel. This use also includes facilities licensed under Chapter 122C of the North Carolina General Statutes that provide residential services.
  2. Accessory Uses. Accessory uses commonly found with residential uses including open space, playgrounds, outdoor areas, parking of occupant's vehicles.

3. Use Standards.
  - a. A resident manager must permanently reside on the premise.
  - b. The State licensed group home must have all appropriated licensure by federal or State government.

#### 7.2.5. PUBLIC AND INSTITUTIONAL USES

##### **A. Schools (Elementary/Middle)**

1. Characteristics. This category includes public and private schools at the primary, kindergarten, elementary, middle, or junior high level, that provide state mandated basic education. Students are not expected to be of driving age.
2. Accessory Uses. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school daycare.
3. Examples. Examples include public and private daytime schools, boarding schools and military academies.
4. Uses Not Included.
  - a. Preschools are classified as daycare uses.
5. Use Standards.
  - a. Must meet the curricular teaching certification of instruction approved by the State Board of Education.
  - b. All mobile classrooms shall be located in rear yards. The Director may approve the placement in side or front yards if placement in the rear cannot be accommodated.

##### **B. Schools (High/Senior)**

1. Characteristics. This category includes public and private schools at high school or senior level, that provide state mandated basic education. Some students are expected to be of driving age and use their own vehicle to come to and from the school.
2. Accessory Uses. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school daycare.
3. Examples. Examples include public and private daytime schools, high schools, boarding schools and military academies.
5. Use Standards.

- a. Must meet the curricular teaching certification of instruction approved by the State Board of Education.
- b. All mobile classrooms shall be located in rear yards. The Director may approve the placement inside or front yards if placement in the rear cannot be accommodated.

**C. University, College, and Vocational Schools**

1. Characteristics. Universities, colleges, or vocational schools are higher learning establishments that provide post public school (including associate, bachelor, graduate, doctoral), vocational, and technical degrees and skills.
2. Accessory Uses. Accessory uses may include associated offices, parking, cafeteria, facilities such as a cafeteria, fitness facility, on and off campus dormitories owned and operated by the school, and on campus.
3. Examples. Examples include a trade school, secondary education, career center, vocational college, college, university, satellite campus or satellite branch of a university, college, or vocational school.
4. Use Standards.
  - a. All activities associated with a vocational school (or trade school) that cause excess noise or nuisance shall be within a completely enclosed building.
  - b. University, college, or vocational schools may occur in existing buildings suitable for commercial activity, such as a shopping center.

**D. Civic and Private Clubs, Minor - Less Than 15,000 SF or 150 Person Membership**

1. Characteristics. Smaller scale civic uses, including public or nonprofit nature generally providing a local service to people of the community. Also includes private club uses including facilities used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and constitution and by-laws. Facilities may contain one (1) or more buildings and structures operated only for the benefit of its members and their guests.
2. Accessory Uses. Accessory uses may include offices, meeting areas, food preparation areas, parking, and cafes.

3. Examples. Libraries, museums, non-profit or public community centers, public amenity centers, and private clubs such as fraternal organizations and orders.
4. Uses Not Included.
  - a. Commercial museums, classified as general retail.
  - b. Parks, classified as open space/parks.
  - c. Event centers or convention centers catering to outside groups or audiences.
  - d. Health and fitness facilities (i.e. commercial gym, see indoor recreation).

**E. Civic and Private Clubs, Major – Greater Than 15,000 SF or 150 Person Membership**

1. Characteristics. Larger scale civic uses, including public or nonprofit nature generally providing a local service to people of the community. Also includes private club uses including facilities used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and constitution and by-laws. Facilities may contain one (1) or more buildings and structures operated only for the benefit of its members and their guests.
2. Accessory Uses. Accessory uses may include offices, meeting areas, food preparation areas, parking, and cafes.
3. Examples. Libraries, museums, non-profit or public community centers, public amenity centers, and private clubs such as fraternal organizations and orders.
4. Uses Not Included.
  - a. Commercial museums, classified as general retail.
  - b. Parks, classified as open space/parks.
  - c. Event centers or convention centers catering to outside groups or audiences.
  - d. Health and fitness facilities (i.e. commercial gym, see indoor recreation).

**F. Correctional Facility**

1. Characteristics. A private or government establishment primarily engaged in managing and operating correctional institutions. This establishment is designed for the confinement, correction, and rehabilitation of adult or juvenile offenders sentenced by a court.

2. Accessory Uses. Accessory uses include offices, meeting rooms, cafeteria facilities designed for the use of workers or inmates.
3. Examples. Examples may include a correctional institution, penitentiary, detention center, prison, and a jail.

#### **G. Essential Services and Public Utilities (Excluding Regional Utility Services)**

1. Characteristics. Public or private infrastructure serving a limited area possibly having limited on-site personnel. Basic utilities are infrastructure services that need to be located in or near the area where the service is provided. Services may be public or privately provided. All public safety facilities (i.e. fire and police stations) are essential services.
2. Accessory Uses. Accessory uses may include parking; control, monitoring, data, or transmission equipment; and holding cells within a police station.
3. Examples. Examples include water and sewer pump stations; electrical substations; telephone exchanges; bus stops or turn arounds, post office, public safety facilities including fire and police stations, and emergency communication broadcast facilities.
4. Uses Not Included.
  - a. Utility offices where employees and customers are generally present are classified as offices.
  - b. Bus and light rail barns are classified as regional utility facility.

#### **H. Regional Utility Facility**

1. Characteristics. Public or private infrastructure serving a regional area. Regional utility uses may have regular employees at the site. Services may be public or privately provided. Because of the intensity of use, these uses must have a special use permit.
2. Accessory Uses. Accessory uses may include parking; control, monitoring, data, or transmission equipment; and holding cells within a police station.
3. Examples. Examples include water towers and reservoirs; regional stormwater retention and detention facilities, transit centers, park-and-ride facilities for mass transit, other intense regional uses which should go through the special use permit process in residential districts to help mitigate any incompatibilities.

#### **I. Open Space/Parks**



1. Characteristics. Open space and parks are uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures.
2. Accessory Uses. Accessory uses may include clubhouses, maintenance facilities, concessions, caretaker's quarters, covered pavilions and parking.
3. Examples. Examples include parks, public squares, plazas, recreational trails, botanical gardens, boat launching areas, and nature preserves.

#### **K. Religious Institutions**

1. Characteristics. Religious institutions are intended to primarily provide meeting areas for religious activities.
2. Accessory Uses. Accessory uses include Sunday school facilities, parking, kitchens/cafeterias, recreation areas, offices, meeting rooms, and caretaker's housing.
3. Examples. Examples include churches, temples, synagogues, and mosques.

### **7.2.6. COMMERCIAL USES**

#### **A. General Retail Sales, Less Than 10,000 Square Feet**

1. Characteristics. General retail and services establishments are involved in the sale, lease or rent of new or used products and services at the neighborhood level. Generally, general retail less than 10,000 square feet is localized retail meant to serve the needs of an immediate area.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Establishments selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary, and videos; food sales, photographic studios; and photocopy and blueprint services.
4. Uses Not Included.
  - a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as light industrial and manufacturing.

- b. Sales of landscape materials, including bark chips and compost, is classified as light industrial and manufacturing.
- c. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial and manufacturing.

**B. General Retail Sales, 10,000 to 25,000 Square Feet**

1. Characteristics. General retail and services establishments are involved in the sale, lease or rent of new or used products and services at the neighborhood level. Generally, general retail less than 25,000 square feet is neighborhood level retail meant to serve the needs of a neighborhood area.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary, and videos; food sales, photographic studios; photocopy and blueprint services
4. Uses Not Included.
  - a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as light industrial and manufacturing.
  - b. Sales of landscape materials, including bark chips and compost, is classified as light industrial and manufacturing.
  - c. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial and manufacturing.

**C. General Retail Sales, 25,000 to 100,000 Square Feet**

1. Characteristics. General retail and services establishments are involved in the sale, lease or rent of new or used products and services at the neighborhood level. Generally, general retail of 25,001 to 100,000 feet is community level retail meant to serve the needs of several neighborhoods.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.

3. Examples. Stores selling, leasing, or renting consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary, and videos; food sales, photographic studios, and photocopy and blueprint services.
4. Uses Not Included.
  - a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as light industrial and manufacturing.
  - b. Sales of landscape materials, including bark chips and compost, is classified as light industrial and manufacturing.
  - c. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial and manufacturing.

#### **D. General Retail Sales, 100,000 or Greater Square Feet**

1. Characteristics. General retail and services establishments are involved in the sale, lease or rent of new or used products and services at the neighborhood level. Generally, retail of this magnitude features regional commercial retail options.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Large retail stores, shopping malls, and shopping plazas.
4. Uses Not Included.
  - a. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as light industrial and manufacturing.
  - b. Sales of landscape materials, including bark chips and compost, is classified as light industrial and manufacturing.
  - c. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial and manufacturing.

#### **E. Personal Services**

1. Characteristics. Establishments that cater to personal services for a community. May also provide personal services or entertainment or provide product repair or services for consumer and business goods.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Examples include barbers, hair salons, nail salons, tanning facilities, day spa, personal care services, animal grooming, product repair or services for consumer and business goods (i.e. computer repair shop, watch repair).

#### **F. Lodging - Hotel and Motel**

1. Characteristics. Transient accommodation units arranged for short term stays of less than thirty (30) days for rent or lease. This does not include patient transient accommodations, shelters for the homeless or short-term rentals.
2. Accessory Uses. Ancillary indoor storage, associated office, bar or tavern, food preparation and dining facility, laundry facility, meeting facility, off-street parking, restaurant, swimming pool, other recreational facility.
3. Examples. Examples include hotels and motels.
4. Uses Not Included.
  - a. Short term rentals.

#### **G. Lodging - Bed and Breakfast**

1. Characteristics. A transient accommodation that is a house (or portion of a house) where lodging rooms and meals are provided on a daily or weekly basis.
2. Accessory Uses. Ancillary indoor storage, associated office, food preparation and dining facility, off-street parking, restaurant, swimming pool, other recreational facility.
3. Uses Not Included.
  - a. Short term rentals.

#### **H. Tattoo and Piercing Establishment**

1. Characteristics. Any establishment in which tattooing or piercing is carried out.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office, limited retail sales of items relating to tattoos or piercings.

#### **I. Fortune Telling**

1. Characteristics. Any establishment which performs the act of predicting a person's future by using palmistry, a crystal ball, or similar methods.

2. Accessory Uses. Accessory uses may include ancillary indoor storage and associated office space.

#### **J. Indoor Recreation**

1. Characteristics. Commercial uses providing daily or regularly scheduled recreation-oriented activities in an indoor setting.
2. Accessory Uses. Accessory uses include ancillary indoor storage, associated office, concession, dining area or cafeteria, pro-shop and limited sales of goods related to on-site activities.
3. Examples. Examples include indoor entertainment activity such as a pool hall, bowling alley, health and fitness facilities, indoor sports facility, gymnastic facility, karate, indoor shooting range, dance studio, movie theater or indoor theater.

#### **K. Outdoor Recreation**

1. Characteristics. Uses which provide recreation-oriented activities predominately outdoors. May vary in size and feature generally commercial uses.
2. Accessory Uses. Accessory uses include ancillary indoor storage, associated office, concession, dining area or cafeteria, pro-shop and limited sales of goods related to on-site activities.
3. Examples. Examples include drive-in theater, campground, extreme sports facility such as paintball or BMX, shooting range, stadium, arena, and golf course.
4. Use Standards.
  - a. If the outdoor entertainment involves any projectiles, berms or backstops are required at the perimeter boundary of the activity to ensure safety to off-site areas.
  - b. No associated outdoor features shall be located between the front façade of the building and the street fronting the lot.
  - c. The use requested to be conducted shall not have adverse effects without mitigation techniques including (but not limited to) stormwater, dust, odor, smoke, vibration, lighting, or noise.

#### **L. Restaurant**

1. Characteristics. Establishments that prepare and sell food for on-premises consumption or off-premises consumption. Includes a customer service area consisting of tables, chairs, or customer counters.

2. Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking, valet parking facility, bar seating, and limited catering.
3. Examples. Examples include sit down restaurants such as a diner, café, or fine dining restaurants.
4. Uses Not Included.
  - a. Drive-throughs are classified in Restaurant with Drive-Through.

#### **M. Restaurant with Drive-Through**

1. Characteristics. Establishments that prepare and sell food for on-premises consumption or off-premises consumption including a drive-through. Includes a customer service area consisting of tables, chairs, or customer counters.
2. Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining, parking, valet parking facility, bar seating, limited catering.
3. Examples. Examples include fast food restaurants and any restaurant featuring a drive-through lane.
4. Use Standards.
  - a. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use or district.
  - b. Outdoor speakers associated with a drive-through shall be at least fifty (50) feet from any property line.
  - c. Menu boards shall be a maximum of thirty-two (32) square feet.
  - d. Drive-throughs shall comply with the standards of Section 8.4.5: Stacking Requirements.
  - e. Streetwalls are required at the boundaries of drive aisles along drive-through lanes. Streetwalls shall meet the requirements of Section 8.7.4.6: Pedestrian Considerations.

#### **N. Bar/Tavern/Nightclub**

1. Characteristics. Any business or commercial establishment which is devoted primarily to the retailing and on-premises consumption of alcoholic beverages (not made on-site) and which is licensed by the state to dispense or sell alcoholic beverages. May be subject to locational requirements.

2. Accessory Uses. Selling of food, ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking, valet parking facility.
3. Examples. Bars, taverns, cocktail lounges.

**O. Microbrewery/Winery/Distillery**

1. Characteristics. Any business or commercial establishment which is devoted primarily to the production of beer, malt beverages, wine or spirits for distribution, retail, or wholesale. May be subject to locational requirements.
2. Accessory Uses. Tasting room, selling of food, ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking, valet parking facility.
3. Examples. Bars, taverns, cocktail lounges.

**P. Car, Boat, Other Vehicle Sales & Rentals**

1. Characteristics. Establishments that are involved with the sale or lease of motor vehicles (including but not limited to cars and boats), renting of motor vehicles, and display of these motor vehicles.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office, showroom, vehicle fueling (for vehicles for sale or lease, not open to the general public), car wash (for vehicles for sale or lease, not open to the general public), and limited retail sales of items associated with motor vehicles.
3. Examples. Examples include but are not limited to car dealerships, boat dealerships, motor vehicle dealerships dealing in recreational vehicles, car rental establishments, moving vehicle rental establishments.
4. Use Standards.
  - a. Minimum lot size for car, boat, other vehicle sales and rental establishments shall be two (2) acres.
  - b. Vehicle display areas shall not be raised above general topography of the site.
  - c. Vehicle display areas with frontage along a street right-of-way shall include an additional ten (10) foot landscaped buffer. Vehicles shall not be displayed in any required buffer.

**Q. Minor Vehicle Service & Vehicle Part Sales**

1. Characteristics. Minor vehicle service establishments are involved with the body detailing, mechanical repairs, or the painting of automotive vehicles. These repairs should be minor in nature and any services rendered on site should be minor in nature as well.
2. Accessory Uses. Accessory uses may include limited sale of parts or vehicle accessories, towing, associated office, parking, repackaging of goods for on-site sale or use.
3. Examples. Examples of services to be rendered include quick service such as (but not limited to) lubrication, battery sales and installation, auto detailing, minor scratch and dent repair, tire alignment, and fluid replacement.
4. Use Standards.
  - a. No stockpiling of parts or salvaging of vehicle parts.
  - b. If located in the GB district or abutting a residential use, a landscape buffer with buffer intensity of 2 shall be provided.
  - c. No storage of impounded vehicles in front yard.
  - d. All storage of vehicles shall be fenced and prevented from view.
  - e. A minimum lot size of 20,000 square feet is required.

#### **R. Major Vehicle Service**

1. Characteristics. Facility dealing in more than minor vehicle service as defined. Major vehicle service includes an auto body shop, repair of motor vehicles components such as engines and transmission.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated office, ancillary indoor storage, towing, outdoor storage of vehicles.
3. Examples. Examples include auto collision repair shops and paint shops.
4. Use Standards.
  - a. If located in the GB district or abutting a residential use, a landscape buffer with buffer intensity of 2 shall be provided.
  - b. No stockpiling of parts or salvaging of vehicle parts.
  - c. No storage of impounded vehicles.
  - d. All storage of vehicles shall be fenced and prevented from view.
  - e. A minimum lot size of 20,000 square feet is required.

#### **S. Convenience Store with Fuel Pumps**



1. Characteristics. Convenience stores with fueling stations are involved in the retail sale of fuel for motor vehicles, and convenience items including but not limited to food, beverages, tobacco products, and other similar products as its primary sales.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, parking, and car wash.
3. Examples. Motor vehicle fuel stations with one (1) or more fuel pump selling fuel for motor vehicles and selling items which generally serve the day-to-day retail needs of travelers (e.g. gas station).
4. Uses Not Included.
  - a. General retail stores as defined above.
  - b. Sales of landscape materials, including bark chips and compost, is classified as light industrial.
  - c. Sales, rental, or leasing of heavy trucks and equipment is classified as light industrial.
5. Use Standards.
  - a. All car washing, waxing, machine powered drying shall be in an enclosed building. Hand washing and drying may be conducted outside of an enclosed building.

#### **T. Car Wash**

1. Characteristics. Car washes are involved with a commercial activity used primarily for the washing of motor vehicles, providing car washing and car cleaning services, either full or self- service. A car wash is a free-standing use and does not include fueling stations.
2. Accessory Uses. Accessory uses may include offices, parking, retail sales of items associated with the cleaning of motor vehicles.
3. Examples. Car Wash examples include full service, self-service facilities which may or may not include an automatic car wash.
4. Uses Not Included.
  - a. Vehicle service or motor vehicle repair is classified as Car, Boat, Other Vehicle Sales and Rentals (with accessory service).
5. Use Standards.

- a. All washing, waxing, machine powered drying shall be in an enclosed building. Hand washing and drying may be conducted outside of an enclosed building.

#### **U. Funeral Home**

1. Characteristics. A facility used for the preparation of the deceased and the display of the deceased, connected to human funeral services. The facility may include space and facilities for embalming and preparation of the dead for burial, performance of autopsies, the storage of caskets and funeral supplies.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office, parking, storage of funeral vehicles, crematorium meeting all related laws and regulations.

#### **V. Laundromat with Onsite Cleaning**

1. Characteristics. Laundromat with onsite cleaning establishments offer the renting of equipment, on-site, for the cleaning and washing of laundry to individual customers. May also provide limited dry-cleaning. Laundromat with onsite cleaning is intended to offer small scale facilities and not a wholesale or industrial level facility for mass cleaning of laundry.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office, parking.
3. Uses Not Included
  - a. Wholesale laundry cleaning facilities (see Laundry or Dry-Cleaning Plant under industrial uses).

#### **W. Electronic Gaming Operations**

1. Characteristics. Electronic gaming operations shall occur in an electronic gaming operation establishment and shall be a principal, not accessory, use.
2. Standards.
  - a. Shall not be located within four-hundred (400) feet (determined by straight line and not street distance) from any other electronic gaming operation as measured by horizontal distance from the closest building exterior walls of each.
  - b. No electronic gaming operation establishment shall be located within four-hundred (400) feet (determined by straight line and not street distance) of the closest boundary line of any residential zoning district, or

of any point on the closest property line of school, residence, public park, daycare or religious use as measured by a horizontal distance from closest point on the closest building exterior wall of the electronic gaming operation.

- c. No electronic gaming operations establishment shall exceed 3,000 square feet in size.
- d. No electronic machines and devices shall be used for sweepstakes games as defined in G.S. 14-306.4.
- e. All local, state, and federal laws shall be met.
- f. All electronic gaming operations must be approved by City Council.

#### **X. Daycare Center/Adult Care**

- 1. **Characteristics.** An establishment for the daycare of children or adults in a commercial use setting. May not be twenty-four (24) hour care (see Family Care Home). Child daycare centers shall comply with the standards in Article 7, Chapter 110, of the North Carolina General Statutes. All requirements, licenses and permits from the State shall be met.
- 2. **Accessory Uses.** Accessory uses may include ancillary indoor storage, associated office, parking, cafeteria.
- 3. **Use Standards.**
  - a. Areas dedicated for drop off and pick up must be included for any site plan or permit request for a daycare center/adult care.

#### **Y. Commercial Parking Lots & Structures**

- 1. **Characteristics.** Parking area or structure which is available to the public, but may also be used to accommodate employees, customers, and clients. No extended parking beyond overnight parking is permitted unless associated with transportation facilities such as an airport, rail, or bus terminal.
- 2. **Accessory Uses.** Valet parking.
- 3. **Examples.** Examples include a commercial parking lot and a parking garage.
- 4. **Uses Not Included.**
  - a. Outdoor storage of vehicles, boats, other vehicles, machinery, or equipment (see outdoor storage).
  - b. Trucks, trailers, delivery vehicle parking.
- 5. **Use Standards.**

- a. In an effort to promote mixed-use, a parking structure (such as a parking garage) may feature additional accessory uses such as first floor retail, or rooftop amenities such as a restaurant, if the underlying zone district allows for the accessory use as a permitted right.

## Z. **Commercial Parking Lot – Trucks, Trailers, Delivery Vehicles**

1. Characteristics. Parking area dedicated for the parking of vehicles (trucks, trailers, delivery vehicles, etc.) associated with deliveries and logistics. Parking may be provided for overnight and weekends.
2. Examples. Examples include parking lots dedicated for delivery vehicles for e-commerce facilities, interstate travel, etc.

## AA. **Event Center/Convention Center**

1. Characteristics. Venues or facilities used by a group of people for temporary events such as conferences, sports, weddings, event halls, concerts, or similar events.
2. Accessory Uses. Accessory uses include offices; meeting rooms; indoor restaurant; bar; lounge; cabanas; boat docks; parking; indoor or outdoor recreation such as: swimming pools, tennis courts, fitness center, sauna, and other similar facilities.
3. Examples. Examples may include a convention center, coordinate wedding and banquet halls, sports stadium, or concert hall.
4. Uses Not Included.
  - a. Any fraternal organization, community centers and private clubs (see civic and private club);
  - b. Halls or rooms available to rent from public safety facilities including fire and police stations.
5. Use Standards.
  - a. Landscape buffer with a buffer intensity of 3 shall be established along any side of the property abutting any residential use or public right-of-way.

## 7.2.7. OFFICE AND MEDICAL USES

### A. **Professional Office.**

1. **Characteristics.** A building, or portion of a building, wherein activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and, where in the case of professions such as dentists, physicians, lawyers or engineers, the facility where such professional services are rendered.
2. **Accessory Uses.** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. **Examples.** Examples include professional services such as lawyers, government offices, social service facilities, accountants, engineers, or architects; real estate agents; travel agencies, employment agencies, data processing; sales offices; and TV and radio studios.
4. **Uses Not Included.**
  - a. Offices that are part of and are located with a firm in another category are considered accessory to the firm's primary activity.
  - b. Contractors and others who perform services off-site are included in the office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

#### **B. Financial Services without Drive-Through**

1. **Characteristics.** Office uses are characterized by activities conducted in an office setting and generally focusing on personal or financial services. No drive-through.
2. **Accessory Uses.** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. **Examples.** Bank, financial institution, credit union.

#### **C. Financial Services with Drive-Through**

1. **Characteristics.** Office uses are characterized by activities conducted in an office setting and generally focusing on personal or financial services. Drive-throughs are permitted.
2. **Accessory Uses.** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

3. Examples. Bank, financial institution, credit union featuring a drive-through.
4. Use Standards.
  - a. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use or district.
  - b. Drive-throughs shall be designed to incorporate similar architectural features and building elements as the principal building.
  - c. A bypass lane is required to ensure free flow of traffic.
  - d. A minimum two (2) stacking spaces shall be provided for drive through windows.
  - e. Drive-through shall be designed so as not to obstruct the movement of pedestrians along sidewalks or between the building entrance and customer parking spaces.

#### **D. Hospital**

1. Characteristics. An establishment which primarily engages in providing medical treatment, including (but not limited to) diagnostic services, surgical services, as well as continuous nursing services. The facility may feature emergency room care and ambulatory care.
2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, pharmacy, or other amenities primarily for the use of employees.
3. Examples. Examples may include a hospital, freestanding emergency room with ambulatory care, detoxification centers.
4. Uses Not Included.
  - a. Medical office, private doctor office, dental office, urgent care (immediate care) facility without ambulatory care (classified as Medical/Dental Office).
5. Use Standards.
  - a. Drive up lanes for ambulances shall not be located within one-hundred (100) feet of a residential use.
  - b. Landscape buffer of buffer intensity 3 must be provided when abutting a residential use.
  - c. Emergency vehicle entrance shall not be located across the street from a residential use or residential zoning district.

**E. Medical/Dental Office.**

1. Characteristics. A facility engaged in the examination, diagnosis and treatment of medical chiropractic, ophthalmologic, dental, and pediatric or other health care patients; includes administrative and clerical operations of the practice; does not include overnight facilities for patients.
2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. Examples. Examples include medical and dental clinics, medical and dental labs, urgent care facilities without ambulatory care, outpatient facilities without ambulatory care; and blood-collection facilities.

**F. Rehabilitative Clinic**

1. Characteristics. A facility engaged in the care and treatment for psychiatric, alcohol and/or drug problems where patients are residents and require more than an overnight stay.
2. Accessory Uses. Accessory uses may include associated office, parking, cafeterias, health facilities, staff residences located on site for continuous care.
3. Uses Not Included.
  - a. Residential care facilities including assisted living facilities (see residential use).
4. Use Standards.
  - a. No structure shall be closer than fifty (50) feet to any residential district.

**G. Animal Hospital/Veterinarian**

1. Characteristics. A facility where animals are provided medical care. Animals may be boarded or stay overnight within a completely enclosed building.
2. Accessory Uses. Accessory uses may include parking, limited retail sales of animal goods, limited sale of medicine and prescriptions for animal use, associated office, ancillary indoor storage.
3. Examples. Vet clinic, private veterinarian practice, animal hospital.
4. Uses Not Included.
  - a. Animal boarding is classified as Animal Shelter/Kennel.
5. Use Standards.
  - a. All outdoor areas for animals must be fenced.

- b. Outdoor activity is permitted only during the day.

### 7.2.8. INDUSTRIAL USES

#### A. Light Industrial & Manufacturing

1. Characteristics. Any business or establishment which deals in light industrial uses including light manufacturing (such as clothing, assembly, repair), research and development, self-service storage, and wholesale trade.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with primary use.
3. Examples. Landscaping contractor, clothing manufacturing, publishing firm, woodworking shop, 3-D printing, warehouses, bottling, lawn or tree service, commercial packing for fruits and vegetables, trailer storage or freight facility, warehousing, sale or rental of machinery and heavy equipment.
4. Uses Not Included
  - a. Heavy industrial or noxious uses such as concrete manufacturing.
5. Use Standards.
  - a. Storage shall be in an enclosed building or a screened/fenced space, a minimum six (6) feet screen or fence is required.

#### B. Warehouse Distribution; Logistics

1. Characteristics. A firm or facility involved in the storage and/or movement of items for other firms. Typically storing and preparing transit goods, wares, merchandise, and/or commodities, whether for the owner or for others, generally delivered to other firms or the final customer.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated office, outdoor storage associated with primary use, parking.
3. Examples. Bulk storage, freight storage, outdoor storage yard, transfer and storage businesses, and commercial packing for food items.
4. Uses Not Included.
  - a. Warehouse storage, classified as Warehouse Storage – Indoor Only.



- b. Self-storage or mini-warehouses, classified as Self Storage/Mini-Warehouse.
5. Use Standards.
- a. Outdoor storage yards shall comply with the standards of Section 8.3.9.D. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.
  - b. Loading and unloading shall not be conducted in areas that abut a residential use or district.
  - c. Outdoor storage may not exceed the maximum fence height of eight (8) feet.

**C. Wholesale Trade**

- 1. Characteristics. Firms involved in the sale or rent of products to industrial or commercial businesses only. Not intended for private customers. Uses emphasize on-site sales or order taking. Firm may or may not be open to the general public. Sales to private customers and general public are not permitted.
- 2. Accessory Uses. Accessory uses may include (but are not limited to) accessory medical clinic, ancillary indoor storage, associated office, cafeteria, day care for employee use, parking, repackaging of goods, showroom, warehouse, residential unit for security purposes.
- 3. Examples. Sale of machinery, janitorial supplies, restaurant equipment supplies.
- 4. Use Standards.
  - a. Outdoor storage yards shall comply with the standards of Section 8.3.9.D. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

**D. Heavy Industrial Uses.**

- 1. Characteristics. Any business or establishment that involves dangerous, noxious, offensive uses. Uses may involve smoke, odor, release of unsafe particle matter, excessive noise or vibration, or threats to safety and general well-being of the public.
- 2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with primary use.

3. Examples. Salvage yards, junkyards, automobile graveyards, crematorium, slaughterhouse, concrete plant, outdoor storage as a primary use, commercial feed lot, lumberyard, primary metal manufacturing, towing yard for vehicles, pulp mill, rubber manufacturing, paper manufacturing or production.
4. Use Standards.
  - a. Buffers and protective yards must be provided.
  - b. All buildings shall be setback a minimum of fifty (50) feet from property line.
  - c. Outdoor storage yards shall comply with the standards of Section 8.3.9.D. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.
  - d. Building facades that are oriented toward an arterial or collector street shall provide architectural details to eliminate large blank wall areas.

#### **E. Recycling and Waste Related Services**

1. Characteristics. Any facility which deals in the recycling, disposal, or elimination of used materials or waste.
2. Accessory Uses may include (but are not limited to) associated office, outdoor storage associated with primary use, parking.
3. Examples. Landfill, recyclable material storage, recycling facility, solid or liquid waste transfer or composting.
4. Use Standards.
  - a. All buildings shall be setback a minimum of fifty (50) from property line.
  - b. Outdoor storage yards shall not be located closer than twenty-five (25) feet to any public street or property line.
  - c. Outdoor storage yards shall comply with the standards of Section 8.3.9.D.
  - d. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

#### **F. Laundry or Dry Cleaning Plant**

1. Characteristics. Larger, industrial scale laundry cleaning establishment for the wholesale cleaning and washing of laundry to wholesale customers. A laundry or dry cleaning plant is intended to offer a wholesale or industrial level facility for mass cleaning of laundry.

2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office, parking.
3. Uses Not Included
  - a. Laundromat with onsite cleaning (see commercial uses).

#### **G. Mini-Warehouse/Self-Storage**

1. Characteristics. A structure or premises where the principal use is storage space (storage units) which may be rented to private tenants, for personal property, usually on a short-term basis.
2. Accessory Uses. Accessory uses may include associated office and parking.
3. Use Standards.
  - a. All storage of items shall be within a fully enclosed building.

#### **H. Warehouse Storage**

1. Characteristics. A structure or premises where the principal use is the indoor storage of merchandise, products, goods, or materials in bulk, for a fee or charge.
2. Accessory Uses. Accessory uses may include associated office, parking, accessory outdoor storage associated with primary use, and accessory wholesale sales.
3. Uses Not Included.
  - a. No uses identified and classified under Heavy Industrial are permitted as indoor storage.

#### **I. Outdoor Storage**

1. Characteristics. A lot designated for the extended outdoor storage of cars, boats, other vehicles. This use is not to be confused with commercial parking, which excludes outdoor storage. Outdoor storage is for the extended storage of cars, boats, and other vehicles, machinery, and equipment or material.
2. Accessory Uses. Accessory uses may include associated office and parking.
3. Use Standards.
  - a. All outdoor storage shall be consistent with the standards defined in Section 8.3.9.D.

#### **J. Mining**

1. Characteristics. Uses that extract minerals, solids, liquids from the land.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site

repair facility, residential unit for security purposes, outdoor storage associated with primary use.

3. Examples. Mining, dredging or gas extraction, stockpiling of sand or gravel or stone.
4. Use Standards.
  - a. Buffers and protective yards must be provided.
  - b. Upon completion of any deposit of any material in any area, the area of deposit shall be covered with grass or other ground cover.

#### **K. Land Debris Storage.**

1. Characteristics. A non-temporary holding or disposal site for stumps, limbs, leaves, concrete, brick, or uncontaminated earth commonly associated with land development activities, construction, grading, or paving of land.
2. Accessory Uses. Accessory uses may include associated office, parking.
3. Use Standards.
  - a. All outdoor storage shall be consistent with the standards defined in Section 8.3.9.D.

### **7.2.9. OTHER USES**

#### **A. Animal Shelter/Kennel**

1. Characteristics. The use of land for the purpose of boarding animals. May include a pet resort which provides day care for pets in addition to grooming and training
2. Accessory Uses. Outdoor play areas for animals, office, indoor storage, limited retail sales of pet associated items.
3. Examples. Animal kennel or boarding facility, animal shelter.

#### **B. Adult Oriented Businesses (Adult Establishment)**

1. Characteristics. Any establishment featuring an activity that excludes juveniles and caters exclusively to adult oriented uses such as adult books, adult films, or adult novelty items. Includes any business or use contained in G.S. 14-202-10(b), excluding masseurs.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office.

3. Use Standards.
  - a. Adult oriented businesses shall conform with standards defined in Section 8.6 of this UDO.

#### C. **Agricultural Activities**

1. Characteristics. Characterized by uses that create or preserve areas intended primarily for the raising of animals and crops, conservation, and the secondary industries associated with agricultural production.
2. Accessory Uses. Accessory uses include housing for ranch or farm labor, scenic and sightseeing tours, sales of agricultural products, u-pick facilities, farm tours, hayrides, pony rides, on-site agriculturally related artistry, community agriculture.
3. Examples. Examples include animal raising, crop production, fish farm, bona fide farm, and stables.
4. Uses Not Included. Slaughterhouse, classified under heavy industrial.
5. Use Standards.
  - a. Sales shall be limited to one-hundred (100) square feet of gross floor area per acre of land.
  - b. Sales shall not occur on sites less than two (2) acres in size.
  - c. Structures intended for animal use or animal raising shall be at least one-hundred (100) feet from all property lines.

#### D. **Market and Produce Stands**

1. Characteristics. A stand alone, permanent market or stand intended for commercial purchasing of agricultural goods.
2. Examples. Examples include an open-air market, produce stand.
3. Uses Not Included.
  - a. A temporary farmers market, which may be approved through a temporary use permit.
4. Use Standards.
  - a. Sales shall be limited to five-hundred (500) square feet of gross floor area per acre of land.
  - b. Sales shall not occur on sites less than five (5) acres in size.

#### E. **Solar Farms.**

1. Characteristics. An area of land designated for the purpose of deploying solar power generating panels and devices to create electric energy.
2. Accessory Uses. Associated office, parking, outdoor storage of related equipment.
3. Uses Not Included.
  - a. Personal solar energy systems for private residential dwelling unit use.
4. Use Standards.
  - a. If existing in or abutting any residential district, solar farms shall require a buffer intensity of 5.
  - b. An additional one-hundred (100) conservation buffer should be provided and maintained.
  - c. In the industrial districts, solar farms shall require a buffer intensity of 3.

#### F. Airport

1. Characteristics. Facility which is used for aviation travel, regulated by the FAA. Within the City of Monroe, the Monroe Regional Airport is implemented through the Airport Overlay District.
2. Use Standards. Use standards are implemented through the Airport Overlay District.

#### G. Rooftop Uses.

1. Characteristics. Rooftop uses may be a range of activities or uses on the roof of structures.
2. Accessory Uses. Rooftop uses are an accessory use to the primary use of the building.
3. Examples. Examples may include rooftop patio space, restaurants, viewing areas.

### 7.3. TEMPORARY USES

- A. **Purpose.** This Section allows for the establishment of specific temporary uses of limited duration, provided that such uses do not negatively affect adjacent land, and provided that such temporary uses are discontinued upon the expiration of a set time period. These temporary uses shall not involve the construction of any permanent building or structure, such as grand opening events, tent sales, outdoor vehicle shows, special events, and food trucks and street vendors.

- B. **Applicability.** The standards in this Section are intended to allow for the short-term placement of activities, many of which would not be allowed on a permanent basis. The activities listed in this section require the issuance of a temporary use permit.
- C. **General Standards for Temporary Uses and Structures.** All temporary uses and structures shall comply with the following standards, unless otherwise specified in this UDO.
1. Temporary uses shall be in compliance with all applicable provisions of this UDO.
  2. Duration of temporary use shall be less than sixty (60) days, unless otherwise specified below, and a period of at least thirty (30) days shall intervene between the termination of one (1) period and the issuance of another temporary use permit for the same location.
  3. Any temporary use that shall exist beyond sixty (60) days, or special event exceeding twenty (20) days and three (3) consecutive weekends total, shall require the issuance of a Special Use Permit by the Board of Adjustment in accordance with Section 3.4.9: Special Use Permits.
  4. Temporary uses shall not violate the applicable conditions of approval that apply to a site or use on the site.
  5. Temporary uses shall feature hours of operation compatible with adjacent uses, shall not generate noise which may disrupt adjacent land uses, shall remove any litter generated at no expense to the City, and shall have parking accommodations arranged so not to disrupt the normal flow of traffic.
  6. Written permission of the property owner shall be required for any temporary use permit.
  7. The temporary use shall have all appropriate permits and licenses from the City and other agencies.
  8. No temporary use permit shall block fire lanes or pedestrian or vehicular access.
  9. Adequate parking shall be provided.
  10. Temporary uses shall not be located in required parking, landscaping, or vegetated areas.
  11. Evidence that adequate provisions for trash disposal and sanitary facilities shall be provided.
  12. The site of the temporary use shall be cleared of all debris at the end of the use.

13. There shall be adequate on-site restrooms facilities (as appropriate) for the temporary use.
14. All structures shall be cleared from the site within five (5) days after the use is terminated.
15. The Director may require the applicant post a bond to ensure compliance.
16. If the temporary use permit requires additional services or equipment on behalf of the City, the applicant shall be required to pay the City for the cost of these services or equipment.

**D. Standards for Specific Temporary Uses.**

**1. Produce Stands.**

- a. The produce stand operator must obtain a permit from the Zoning Administrator, which describes the type of sales involved, the location, and the duration of the sales operation;
- b. Fresh produce stands are permitted in the RLD, RMD, and GB districts;
- c. The owner of the property, if not the same as the outdoor seasonal fresh produce stand operator/owner, shall give written permission to the operator/owner;
- d. Fresh produce stands may operate at a site for up to one-hundred-eighty (180) days but only between May 1 and October 31;
- e. Attached signage is permitted at one (1) square foot per linear foot of the structure up to fifteen (15) square feet per street frontage;
- f. The use, including all sale items, parking, and maneuvering shall observe a setback of twenty (20) feet and shall not be located in the sight distance triangle;
- g. There shall be only one (1) produce stand or periodic retail sales event (either off-premise or on-premise) or produce sales event held at any one (1) time on a lot;
- h. The produce stand operator is responsible for the removal of all trash and spoiled product on a daily basis;
- i. Sufficient on-site parking shall be provided on gravel or paved surface area;
- j. A sketch plan shall be required of the site showing all structures to be used, access, parking, signage, and setbacks;



- k. No additional lighting shall be permitted;
  - l. Fresh produce stands shall not be permitted in infill neighborhoods; and
  - m. The entire produce stand including display areas shall be 1,500 square feet or less.
2. **Temporary Dwellings and Structures.** A temporary dwelling is permitted on a lot in a residential, business, industrial, or conditional district. A temporary dwelling may either be a dwelling that meets all applicable North Carolina Building Code requirements or a recreational vehicle, subject to the following standards:
- a. **Temporary Construction Dwelling**
    - i. One (1) temporary dwelling may be used to house occupants of the principal dwelling under construction or subject to repair or casualty damage.
    - ii. Temporary dwellings may be used on a construction site and occupied by persons having construction or security responsibilities over such construction site.
    - iii. Temporary dwellings shall be located on the same lot as the structure under construction.
    - iv. The temporary use permit shall not be issued until a site plan approved or a building permit is issued for a principal structure.
    - v. A temporary dwelling shall be removed within 30 days of issuance of a certificate of occupancy for the structure or removed immediately if the building permit expires or is revoked.
    - vi. A temporary dwelling shall be limited in duration to a maximum of one (1) year and may be renewed up to an additional six (6) months for a valid reason submitted and approved by the Director.
  - b. **Temporary Residential Development Sales Office or Model Home.**
    - i. The use of the office shall be for the initial sale or lease of properties or buildings within the residential development being sold or leased.

- ii. There shall be no signage for residential development sales office or model home on the premises in a residential zoning district, except for one (1) unlit ground announcement sign not to exceed six (6) square feet in area, and three-and-one-half (3.5) feet in height that is located on the sales office or model home lot.
- iii. For a developing residential subdivision, any phase containing a residential development sales office or model home shall contain a minimum of five (5) acres and be intended for a minimum of ten (10) residential properties.
- iv. The temporary residential development sales office or model home shall be converted into a dwelling or remove within thirty (30) days after all units are sold or leased.
- v. No sales office or model home shall be used for any other retail purpose.

**3. Portable On-Site Storage/Temporary Dumpster on Residential Property.**

- a. **Portable On-Site Storage.** A portable on-site storage unit is any container designed for the storage of personal property and for transport by commercial vehicle that is typically rented to owners or occupants of property for their temporary use. A portable on-site storage unit is not a building or structure and shall not use as an accessory structure on a permanent basis in a residential district.
  - i. Associated with a Building Permit. A portable on-site storage unit can be located on a residential property without a temporary use permit while the property is the job address listed on an active building permit issued by the Planning and Development Department.
  - ii. No Associated Building Permit. A portable on-site storage unit shall require a temporary use permit, according to Section 3.4.19: Temporary Use Permit, if it is located on a residential property for more than thirty (30) days.

- 1) No more than one (1) portable on-site storage unit shall be located on a single lot or parcel of land.
  - 2) A portable on-site storage unit may be located in a driveway, a designated parking area or behind a dwelling.
- b. **Temporary Dumpster.** A temporary dumpster is for the sole purpose of collecting and removing refuse generated from the same property of the dumpster location.
- i. Associated with a Building Permit. A temporary dumpster can be located anywhere on a residential property without a temporary use permit while the property is the job address listed on an active building permit issued by the Planning and Development Department.
  - ii. No Building Permit. A temporary dumpster shall require a temporary use permit according to Section 3.4.11: Appeals, if it is located on a residential property for more than ninety (90) days. Only one (1) dumpster shall be allowed per residence.
4. **Outdoor Sales.**
- a. **Seasonal Sales.** Outdoor seasonal sales are permitted on a lot in business, mixed-use, planned commerce development and conditional districts approved for commercial uses, subject to the following standards:
    - i. Seasonal sales shall be limited to seasonal agricultural products such as Christmas trees, pumpkins, and living plants.
    - ii. Outdoor seasonal sales shall be limited in duration to a maximum of sixty (60) continuous days from the date the temporary use permit is issued.
    - iii. All products, equipment and related materials shall be removed from the site within five (5) days following the sale.

- b. **Residential.** Garage or yard sales in residential districts shall not require a temporary use permit provided they comply with the following requirements:
  - i. No sales activities occur except in daylight hours and shall not exceed three (3) consecutive days.
  - ii. No display or storage of goods occurs outside except on the day of the sale.
  - iii. Yard sales shall be limited to three (3) days per quarter whether consecutive or not.
- c. **Non-Residential.** Temporary non-residential sales shall be permitted on a lot in business, mixed-use, planned commerce development and conditional districts approved for commercial uses.
  - i. The sale of merchandise, products, or material must be a permitted principal use in the zoning district where the sales are temporarily located.
  - ii. Shall be located outside of street rights-of-way, required site distance triangles, required landscape areas, vehicular circulation areas, or pedestrian areas.
  - iii. The maximum period of operation for temporary non-residential sales shall be from 8:00 am to 10:00 pm.
  - iv. Permitted temporary non-residential sales shall be limited in duration to a maximum of sixty (60) continuous days of the date the temporary use permit is issued.
  - v. All merchandise and related materials shall be removed from the site following the sale.
- 5. **Food Trucks.** Food trucks are defined as a licensed, motorized vehicle or mobile food unit licensed by the NC State Division of Motor Vehicles, designed, and equipped to serve food and beverages. Food trucks are permitted on lots in business, mixed-use, industrial, planned commerce development or conditional

district that maintains commercial or industrial uses subject to the following standards.

- a. To locate on a property in one (1) of the above zoning districts, the property must have a primary use. An example of a primary use would be a building with an active use or an improved stand-alone parking lot. An unimproved grass or dirt lot is not a primary use.
- b. Must be located on private property with written permission from the property owner.
- c. Allowed at permitted special events and on active construction sites.
- d. Not allowed fifty (50) feet from the main entrance of any restaurant or outdoor dining area.
- e. Not allowed less than five (5) feet from driveways, sidewalks, utility boxes, handicap ramps, building entrances or exits, or emergency call boxes.
- f. Not allowed within fifteen (15) feet from any fire hydrant.
- g. The minimum distance requirements are measured in a straight line from the closest point of the proposed food truck location to the closest point of the buffered object, or in the case of a restaurant, measured from the closest point of the restaurant's main entrance.
- h. Food truck vendors are responsible for the proper disposal of waste and trash associated with the operation. Vendors shall remove all waste and trash from their location at the end of each day or as needed to maintain the health and safety to the public. The vendor shall keep all areas within ten (10) feet of the truck clean of grease, trash, paper, cups or cans associated with the vending operation. No liquid waste or grease is to be disposed into the tree pits, storm drains or onto the sidewalks, streets or other public place. Under no circumstances shall grease be released into or disposed of in the City's sanitary sewer system.

- i. There shall be no audio amplifier or similar device to attract the attention of the public.
  - j. Advertising consisting of business name, logo, and items available for sale may be displayed onto the food truck. No other form of advertising is permitted.
  - k. Obtain all required permits from Union County Environmental Health.
- E. **Special Events.** A special event includes, but is not limited to arts and craft shows, cultural events, musical events, concerts and stage shows, celebrations, festivals, fairs, carnivals, circuses, or outdoor civic, religious or non-profit events.
- 1. No premise shall be the site of a special event exceeding a collective total of twenty (20) days or, three (3) individual weekends, or both, within any one (1) calendar year. In this context, a weekend shall constitute three (3) consecutive days.
    - a. A special event sponsored by the City, a county or the State shall be allowed to extend beyond the collective total of twenty (20) days or, three (3) individual weekends, or both within one (1) calendar year.
  - 2. A special event not exceeding the collective total of days and weekends shall receive a temporary use permit. Special events exceeding the collective total of days and weekends shall receive a Special Use Permit from the Board of Adjustment in accordance with Section 3.4.9: Special Use Permit.

#### 7.4. HOME OCCUPATION

- A. **Purpose and Intent.** The purpose of this Section is to allow the establishment of home occupations, provided that such home occupations are compatible with and do not negatively affect adjacent residential properties and uses. Furthermore, this section intends to:
- 1. Permit and regulate the conduct of home occupations as an accessory and secondary use to a dwelling unit;

2. Adequately protect existing residential neighborhoods from dust, odors, noise, traffic and/or other potentially adverse effects of home occupations; and
  3. Allow the residents of the community to use their homes as a work place and a source of livelihood, under certain specified standards, conditions, and criteria. Home occupations shall not involve the construction of any additional permanent building or structure.
- B. **Applicability.** The standards shall apply to an occupation carried on by the resident of a permitted dwelling unit, where the occupation is secondary to the use of the dwelling unit as a residence.
- C. **Standards.** Home Occupations are authorized if they comply with the following standards:
1. The home occupation shall be clearly incidental and subordinate to a dwelling's use for residential purposes by its occupants.
  2. A home occupation shall not be established prior to residential occupancy of the site by the operator of the home occupation.
  3. Home occupation shall not occupy more than twenty-five percent (25%) of the gross floor area of the dwelling unit.
  4. The person operating the home occupation shall reside in the dwelling unit.
  5. Home occupations shall not require internal or external structural alterations of the principal residence which may change the outside appearance of the principal residence or change the residential character of the property.
  6. Home occupations shall be limited to professional or business offices or studios.
  7. No more than two (2) customers, clients, or patrons shall come to the dwelling at any one (1) time nor more than five (5) in any one day.
  8. All home occupations shall be conducted within the principal structure. Activities and storage associated with a home occupation shall not take place in an accessory building, such as a detached garage.
  9. The home occupation shall not change the exterior appearance of the dwelling.
  10. No storage or warehousing of material, supplies, or equipment is allowed outdoors on the residence.
  11. Home occupations shall feature no exterior display or signage, no exterior storage of vehicles, equipment, including unlicensed equipment or materials, and not open lot storage.

12. Home occupations shall be engaged in only by the resident on the premises.
13. No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, or odors.
14. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than a required front yard.
15. A maximum of one (1) commercial vehicle with up to one (1) attached trailer for a home occupation may be parked or stored at the residence.

D. **Permitted Uses.** The following are examples, but not an exclusive list, of uses permitted as home occupations:

1. Personal offices
2. Beauty/barber parlors
3. Dressmaking, millinery, sewing or tailoring
4. Photography study (limited to one (1) client at a time)
5. Cake making or decorating
6. Artist or craftwork such as pottery, sculpting, or jewelry-making, with no sales permitted on the premises.
7. E-Commerce, computer internet usage for commerce, service, or consulting with no sales.
8. Teaching or tutoring, including musical instruments or dance, when limited to no more than five (5) pupils at a time. Any more than five (5) pupils requires a special use permit.
9. Day care limited to no more than five (5) children/adults.
10. Yoga instruction/massage therapy (limited to no more than one (1) client at a time); must provide license for massage therapy.
11. Other similar uses that keep the residential character of an area, as determined by the Director.

E. **Prohibited Uses.** The following uses shall be prohibited as home occupations:

1. On-site retail
2. Repair, service, and painting to include vehicles, lawn equipment and appliances
3. Catering or commercial bakeries
4. Tool, equipment or vehicle sales or rental



5. Veterinary clinic/hospitals, kennel or stable
6. Physicians, dentist, and chiropractors
7. Funeral parlor and undertaking
8. Food vendors, caterers, or restaurants
9. Other uses with similar impacts to the residential character of an area, as determined by the Director.

## 7.5. ACCESSORY USES AND ACCESSORY STRUCTURES

**A. General Accessory Use Standards.** Accessory uses and accessory structures shall comply with the following standards:

1. An accessory use or structure shall only be allowed when a principal use exists.
2. Accessory uses and structures shall:
  - a. Be accessory and clearly incidental and subordinate to permitted uses and structures;
  - b. Be located on the same lot as the permitted uses or structures, or on a contiguous lot in the same ownership;
  - c. Not involve operations or structures inconsistent with the character of the primary use or principal structure served; and
  - d. Not likely attract visitors in larger numbers than would normally be expected.
3. Accessory uses shall be consistent with all standards in the district for the principal use.
4. Accessory buildings or structures are not permitted in any recorded easement.
5. Accessory structures shall comply with maximum building coverage requirements.
6. Accessory structures shall have a similar or compatible appearance (i.e. materials, color, textures, and similar design features) to the principal structure.

7. Accessory structures are limited to a maximum thirty-five (35) feet in height or the height of the primary structure, whichever is lesser.
8. An accessory building sharing one (1) or more common walls with the principal building shall be considered part of the principal building for purposes of this ordinance and must meet all yard requirements applied to the principal building.
9. No accessory building (except a garage or carport) or recreational structure or use may extend in front of the rear line of a single or double unit dwelling.

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