



4178 FREEDOM WAY
HUBERT, NC

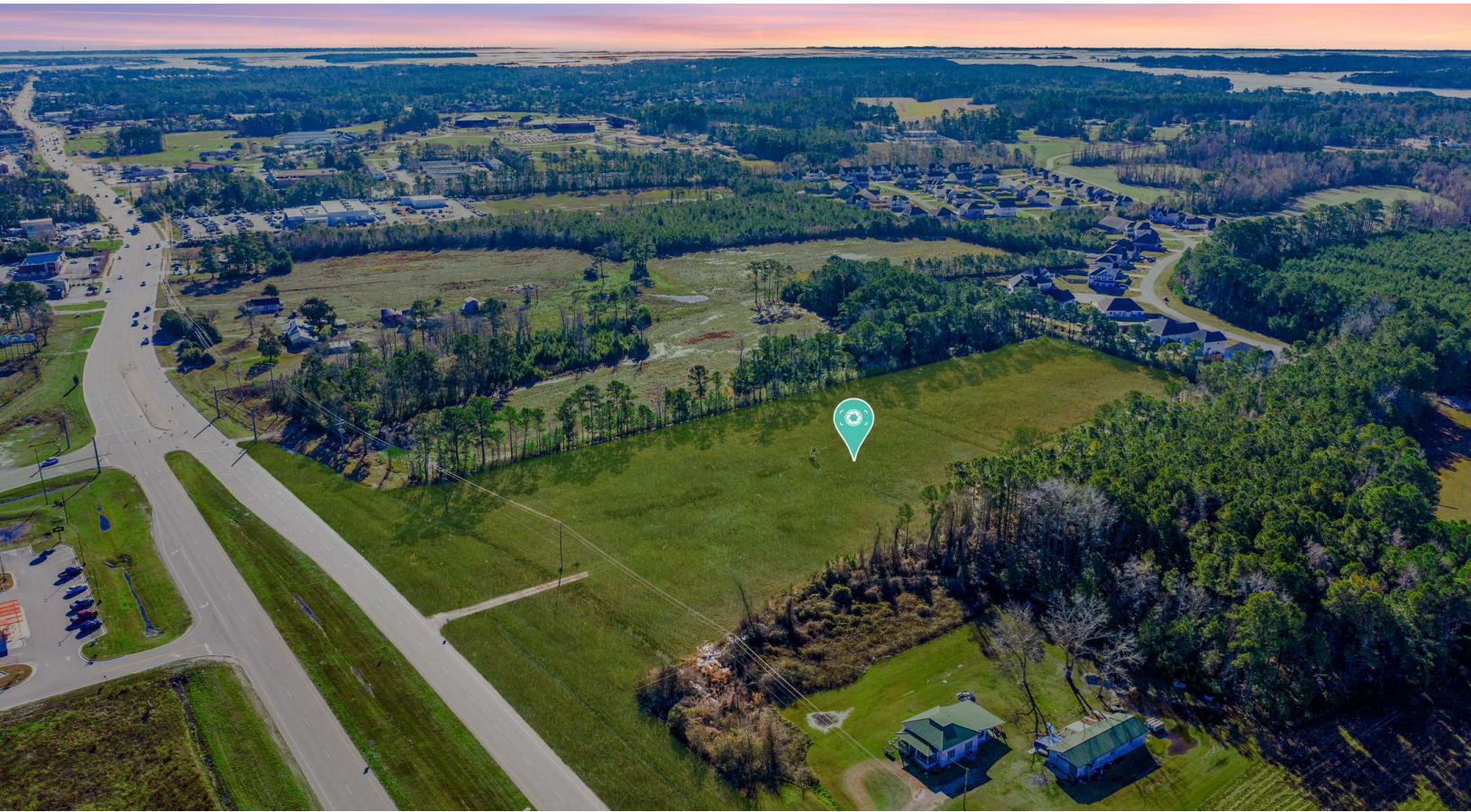
LAND DETAILS

- SWANSBORO ETJ
- SEWER ACCESSIBLE
- ZONED B-1



4178 FREEDOM WAY HUBERT, NC

WELCOME TO SWANSBORO



DISTANCE TO:

- HISTORIC DOWNTOWN SWANSBORO 3.1 MI
 - CAMP LEJEUNE MAIN GATE/JACKSONVILLE 14 MI
 - CAMP LEJEUNE HWY 172 HUBERT GATE 7 MI
 - EMERALD ISLE 8.4 MI
 - CARTERET COUNTY LINE 4 MI
 - WALMART IN SWANSBORO 1.1 MI
 - SWANSBORO ELEMENTARY SCHOOL 1.8 MI
 - SWANSBORO MIDDLE SCHOOL 1 MI
 - SWANSBORO HIGH SCHOOL 1.2 MI
-

UTILITY & SEWER INFORMATION

POC FOR WATER & SEWER

**ONSLOW WATER AND SEWER
AUTHORITY (ONWASA)**

**WYNNE RAY:
(910) 937-7526**

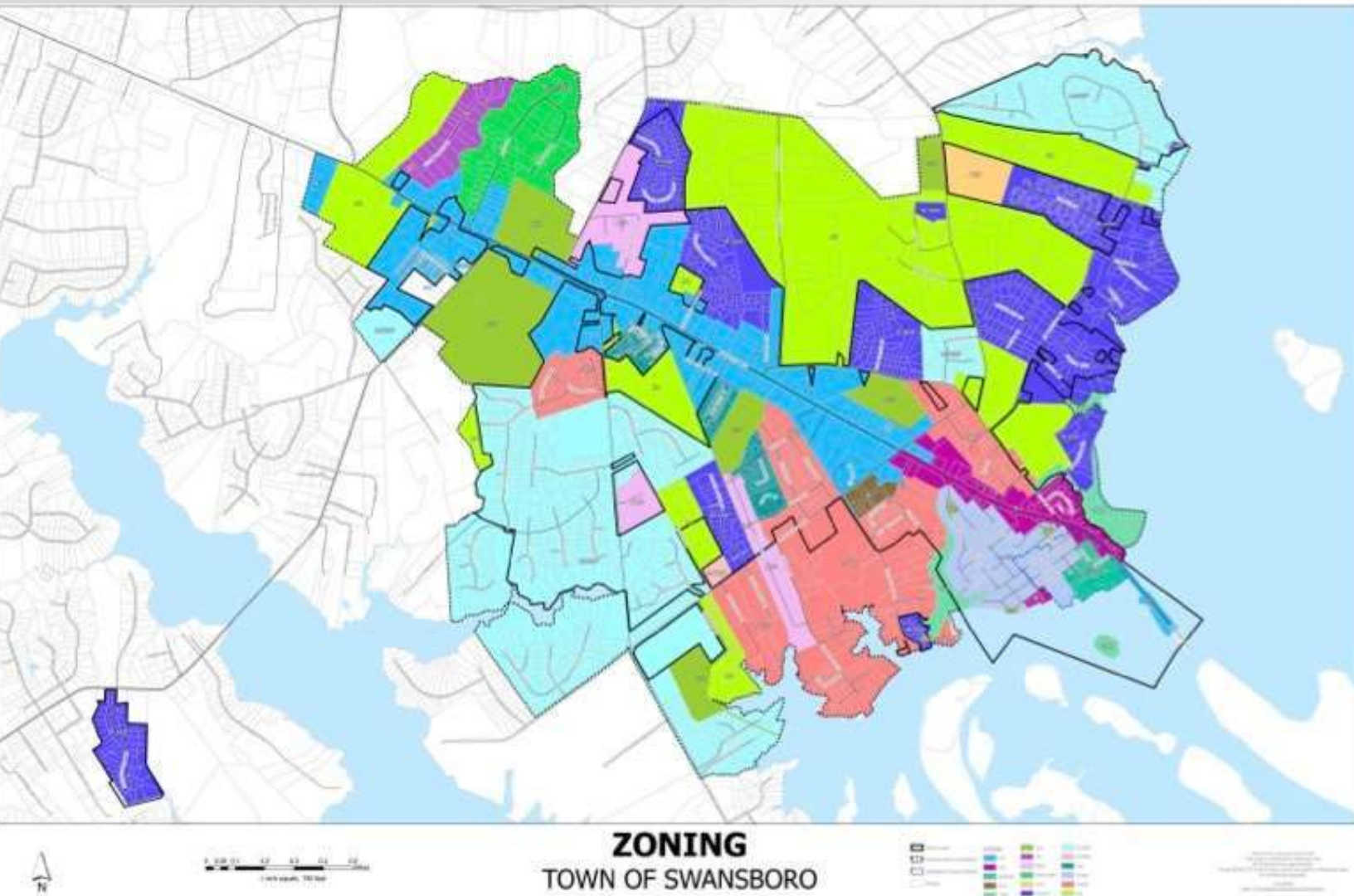
POC FOR ELECTRIC

**DUKE PROGRESS
ENERGY**

**BUILDER LINE
800-636-0581**

SWANSBORO ZONING

ZONE CODE: B-1



SUITABLE USES

See Attached PDF

HELPFUL WEBSITES

WWW.SWANSBORO.NC.ORG

WWW.ONSLOWCOUNTYNC.GOV

WWW.ONLYINONSLOW.COM

WWW.CARTERETCOUNTYNC.GOV

WWW.LEJEUNE.MARINES.MIL

WWW.JACKSONVILLENC.GOV

WWW.EMERALISLE-NC.ORG

LOCAL POPULATION

ONSLOW COUNTY

206,160

(2021 Census)

CARTERET COUNTY

68,541

(2021 Census)

JACKSONVILLE

72,876

(2021 Census)

SWANSBORO

3,825

(2021 Census)

CEDAR POINT

1,782

(2021 Census)

HUBERT

16,872

(2021 Census)

CONTACT ME:

Cynthia Lacorte

RAYNOR, LACORTE & ASSOCIATES  REALTOR®

910-467-3847

CYNTHIALACORTE910@GMAIL.COM

WWW.BUYANDSELLWITHCYNTHIA.COM

*Information found in this report is deemed reliable but not guaranteed and was found using multiple resources. Buyer and/or buyers agent/representative should verify all information provided.



ORDINANCE 2023-06
AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE
§ 152.179 TABLE OF PERMITTED/SPECIAL USES, §152.180 NOTES TO THE TABLE OF
PERMITTED USES, § 152.211 SPECIFIC CRITERIA FOR CERTAIN SPECIAL USES,
§ 152.212 USE STANDARDS, AND § 152.312 APPLICABILITY

WHEREAS North Carolina General Statute 160D-605 and 160D-701 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS the Board of Commissioners finds that the proposed text amendments to the Unified Development Ordinance regarding referenced above to be consistent with the Town of Swansboro CAMA LAND USE Plan updated January 22, 2019.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Town Unified Development Ordinance be amended.

Minor alphabetical, clerical and numerical changes may occur after the fact in an ordinance of this size.

TITLE XV: LAND USAGE
CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE
§ 152.179 TABLE OF PERMITTED/SPECIAL USES.

- (A) Districts in which particular uses are a permitted use-by-right are indicated by “P.” Uses with certain conditions may include a reference to a footnote to this table.
- (B) Districts in which particular uses are a special use upon approval of the Town Board of Commissioners are indicated by “S”. See the Table of Regulations for Special Uses , § 152.211, for details of each special use .
- (C) Districts in which particular uses are reviewed for compliance by the Town Planner are indicated by “US”. See § 152.212 Use Standards for details of each Use Standard.
- (D) Districts in which particular uses are a minor special use upon approval of the Town Board of Adjustments are indicated by “MS”. See the Table of Regulations for Special Uses , § 152.211, for details of each minor special use.
- (E) Districts in which particular uses are prohibited are indicated by not being listed or by a blank.
- (F) Any land use listed in the Table of Permitted Uses that incorporates or utilizes a drive-in facility must have its site design plan and proposed traffic circulation and parking plan approved by the Town of Swansboro. Those plans must be approved prior to construction of the drive-in facility.

| PERMITTED/ SPECIAL USES | CON | RA | R6 | R6SF | R8SF | R10SF | R15SF | R20SF | R40SF | PUD ^b | MHP | MHS | MHS- 15SF | MHS-O ^c | O/I | G/E | B1 ^d | B2 ^e | B3 ^f | B2HDO ^g | MF ^h |
|---|-----|----|----|------|------|-------|-------|-------|-------|------------------|-----|-----|--------------|--------------------|-----|-----|-----------------|-----------------|-----------------|--------------------|-----------------|
| Greenhouse operations | | P | | | | | | | | | | | | | | | P | | | | P |
| Grocery and convenience stores | | | | | | | | | | | | | | | | | P | P | P | P | |
| Hardware, paint, & garden supply sales | | | | | | | | | | P | | | | | | | P | P | P | P | P |
| Hatcheries | P | P | | | | | | | | | | | | | | | | | | | |
| Heating, equipment and plumbing fixtures, sales | | | | | | | | | | | | | | | | | US | US | US | | P |
| Heavy equipment manufacturing (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Home furnishings & appliance sales (no outdoor storage) | | | | | | | | | | P | | | | | | | P | P | P | | P |
| Home occupations (see note 15, § 152.180) | | P | P | P | P | P | P | P | P | P | P | | P | P | P | | P | P | P | P | |
| Horse shows | | P | | | | | | | | | | | | | | | | | | | |
| Hospitals (add note about 160d) | | P | | | | | | | | | | | | | P | P | P | | | | |
| Ice production | | | | | | | | | | | | | | | | | | | | | P |
| Industrial manufacturing the assembly, fabrication, finishing, manufacturing, packaging or processing of goods (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Industrial sales & repair of equipment | | | | | | | | | | | | | | | | | | | | | P |
| Industrial supplies and equipment services | | | | | | | | | | | | | | | | | | | | | P |
| Jewelry manufacturing (see § 152.180, note 38) | | | | | | | | | | | | | | | | | P | | | | P |
| Kennels, breeding/boarding (not related to veterinarian's office) | | MS | | | | | | | | | | | | | | | | | | | P |
| Laboratory operations, medical or dental (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Laboratory research (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Landscape and horticultural services | | P | | | | | | | | | | | | | | | P | | | | P |
| Laundromat | | | | | | | | | | | | | | | | | P | P | | | |
| Law enforcement station | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Leather and leather products (tanning) manufacturing (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Library | | | | | | | | | | | | | | | P | P | P | P | P | | |
| Livestock and horse boarding | | P | | | | | | | | | | | | | | | | | | | |
| Livestock, sales & auction | | MS | | | | | | | | | | | | | | | | | | | |
| Locksmith, gunsmith | | | | | | | | | | | | | | | | | P | | | | P |
| Machine tool manufacturing (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Manufactured home park but excl. any manufactured home sales (see note 21, § 152.180) | | | | | | | | | | P | P | P | P | P | | | | | | | |
| Manufacture of millwork, plywood and veneer (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Marinas (greater than 10 boat slips) | | | | | | | | | | | | | | | | | | | | | |
| Medical, dental and surgical equipment manufacturing (see § 152.180, note 38) | | | | | | | | | | | | | | | | | MS | MS | MS | MS | P |

| PERMITTED/ SPECIAL USES | CON | RA | R6 | R6SF | R8SF | R10SF | R15SF | R20SF | R40SF | PUD ^b | MHP | MHS | MHS- 15SF | MHS-O ^c | O/I | G/E | B1 ^d | B2 ^e | B3 ^f | B2HDO ^g | MI ^h |
|---|-----|----|----|------|------|-------|-------|-------|-------|------------------|-----|-----|--------------|--------------------|-----|-----|-----------------|-----------------|-----------------|--------------------|-----------------|
| Pest or termite control services | | | | | | | | | | | | | | | | | US | | | | P |
| Pet cremation | | | | | | | | | | | | | | | | | | | | | P |
| Photography, commercial | | | | | | | | | | P | | | | | P | | P | P | P | P | |
| Portable storage containers or structures (see note 32, § 152.180) | | | | | | | | | | | | | | | P | P | P | P | | | P |
| Post office | | | | | | | | | | P | | | | | P | | P | P | P | | |
| Pottery and related products, sales | | | | | | | | | | | | | | | | | P | P | P | P | |
| Precision instrument manufacturing (see § 152.180, note 38) | | | | | | | | | | | | | | | | | US | | | | P |
| Printing and reproduction establishments | | | | | | | | | | | | | | | | | P | P | P | | P |
| Private recreation club | | P | P | P | P | P | P | P | P | P | P | P | P | P | | | P | | | | |
| Production of glass products from purchased glass (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Production of manufactured housing and wood buildings (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Public and private utility facilities (see note 27, § 152.180) | | | | | | | | | | | | | | | | | P | P | | P | |
| Public utility stations & substations | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Public utility workshops & storage | | | | P | | | | | | | | | | | | P | P | | | | P |
| Radio & television studio activity without associated tower | | | | | | | | | | P | | | | | | | P | | | | P |
| Radio & television transmitting | P | P | P | P | P | P | P | P | P | | P | P | | P | | P | P | | | | P |
| Recreation or amusement conducted for profit, not otherwise listed | | | | | | | | | | MS | | | | | MS | | MS | MS | MS | | |
| Recreational vehicles (see note 18, § 152.180) | | | P | P | P | P | P | P | P | P | P | P | | P | | | | | | | |
| Recreational vehicle sales | | | | | | | | | | | | | | | | | P | | | | |
| Refrigerated warehousing (see § 152.180, note 38) | | | | | | | | | | | | | | | | | P | | | | P |
| Rehabilitation facility | | P | P | | | | | | | | | | | | P | | | | | | |
| Remote off-street parking | | | | | | | | | | | | | | | US | US | US | US | US | US | |
| Research facilities, including manufacturing incidental to same (see § 152.180, note 38) | | | | | | | | | | | | | | | | | P | | | | P |
| Residential child care facility | | | | | | | | P | | | | | | | | | | | | | |
| Residential family child care home | | P | P | P | P | P | P | P | P | | P | P | P | P | | | | | | | |
| Restaurants (including take-out only establishments) | | | | | | | | | | P | | | | | | | P | P | P | P | |
| Retail fish markets | | | | | | | | | | | | | | | | | P | P | P | P | |

| PERMITTED/ SPECIAL USES | CON | RA | R6 | R6SF | R8SF | R10SF | R15SF | R20SF | R40SF | PUD ^b | MHP | MHS | MHS- 15SF | MHS-O ^c | O/I | G/E | B1 ^d | B2 ^e | B3 ^f | B2HDO ^g | MI ^h |
|---|-----|----|----|------|------|-------|-------|-------|-------|------------------|-----|-----|--------------|--------------------|-----|-----|-----------------|-----------------|-----------------|--------------------|-----------------|
| Retail merchandise sales (greater than 5,000 sq. ft.) | | | | | | | | | | MS | | | | | | | MS | MS | MS | | |
| Retail merchandise sales (less than 5,000 sq. ft.) | | | | | | | | | | P | | | | | | | P | P | P | P | |
| Retail or service, not otherwise listed | | | | | | | | | | | | | | | | | P | | | | |
| Riding school or commercial stable | | P | | | | | | | | | | | | | | | | | | | |
| Salvage and recovery yards (see note 19, § 152.180) | | | | | | | | | | | | | | | | | | | | | |
| Sanitary landfill | | MS | | | | | | | | | | | | | | | | | | | |
| Sawmill or planing mills | | MS | | | | | | | | | | | | | | | | | | | |
| School, business or commercial | | | | | | | | | | | | | | | P | P | P | P | | | |
| School, elementary or secondary & related uses (see note 36, § 152.180) | | P | P | | | P | P | P | P | P | | | | | P | P | P | P | | | |
| School, trade or vocational | | | | | | | | | | | | | | | P | P | P | P | | | P |
| Service establishments (see note 24, § 152.180) | | | | | | | | | | | | | | | | | | | P | P | |
| Shopping centers | | | | | | | | | | | | | | | | | P | | P | | |
| Sign painting and fabrication shop | | | | | | | | | | | | | | | | | P | | | | P |
| Stone manufacturing facility primarily engaged in cutting, shaping and finishing marble, granite and other stone (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Storage or baling of scrap paper, iron, bottles, rags, or junk | | | | | | | | | | | | | | | | | | | | | P |
| Storage, warehouse, including mini storage | | | | | | | | | | | | | | | | | US | | | | P |
| Swimming pools (private/ noncommercial) (see note 20, § 152.180) | | P | P | P | P | P | P | P | P | | P | P | P | P | | | P | | | | |
| Swimming pools (public/ commercial) (see note 20, § 152.180) | | MS | MS | | | MS | MS | MS | MS | MS | MS | | MS | | | MS | MS | MS | | | |
| Tattoo/piercing parlor | | | | | | | | | | | | | | | | | P | | | | |
| Taxicab office or stand | | | | | | | | | | | | | | | | P | P | | | P | P |
| Telephone exchange operations | | | | | | | | | | P | | | | | P | | P | P | P | P | P |
| Temporary family health care structures (see § 152.180, note 40) | | P | P | P | P | P | P | P | P | | | P | P | P | P | P | P | P | | | |
| Temporary residential storage units (see note 33, § 152.180) | | P | P | P | P | P | P | P | P | P | P | P | P | P | | | | | | | |
| Textile manufacturing (see § 152.180, note 38) | | | | | | | | | | | | | | | | | | | | | P |
| Theaters, indoor | | | | | | | | | | P | | | | | P | P | P | P | P | | |
| Theaters, outdoor | | | | | | | | | | | | | | | | | P | | | | |
| Therapeutic massage business | | | | | | | | | | | | | | | | | P | P | P | P | |

§ 152.180 NOTES TO THE TABLE OF PERMITTED/SPECIAL USES.

(B) *Note 2.* The Use Standards (US) identified in the table of permitted uses can be found throughout the notes section below.

(I) *Note 9.* Automobile service stations.

(1) Automobile service stations shall be a permitted use in B1.

(J) *Note 10.* Reserved.

(N) *Note 14.* Golf driving range. All greens and structures shall be setback at least 50 feet from any property line.

(O) *Note 15.* Home occupations.

(f) Signage is prohibited.

(g) Parking is limited to original residential use only.

(P) *Note 16.* Reserved.

(W) *Note 23.* Reserved.

(Y) *Note 25.* Clubs/lodges. Including but not limited to meeting places of fraternal organizations such as Masons, Rotary, Knights of Columbus, Elks, and others. Pools and gyms are allowed in these clubs/lodges.

(Z) *Note 26.* Parks and playgrounds, semi-public. Site plans are required and must be submitted to the Administrator.

(2) Buffering. As specified in §§ 152.525 through 152.544

(BB) *Note 28.* Reserved.

(CC) *Note 29.* Bed and breakfast accommodation, and inns. Bed and breakfast accommodations, and inns include only legitimate lodging businesses available for public reservation and use, although there may be an owner or manager room or living quarters on the premises. Such businesses must:

(1) Possess a current town approved business packet for a bed and breakfast accommodation or inn;

(2) Possess any health department licenses or permits that may be applicable;

(3) Provide, if requested by the town, evidence that lodging is being offered and advertised for public use and is available for same.

(4) Provide evidence, if requested by the town and subject to an audit of documents, that the premises are in actual use for paid short term lodging of guests.

§ 152.211 SPECIFIC CRITERIA FOR CERTAIN SPECIAL USES.

Detailed regulations for certain special uses are set forth in this section.

(A) *Use -accessory structures in the front yard or on a double frontage lot.*

(1) *Minor Special use districts:* RA, R6, R6SF, R8SF, R10SF, R15SF, R20SF, R40SF, PUD, MHP, MHS, MHS-15SF, MHS-O.

(2) Minimum lot area: based on zoning classification lot standards.

(3) Topography: topography of the site at contour intervals not greater than two feet.

(4) Structures: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.

(5) Circulation: proposed points of access and egress and pattern of internal circulation.

(6) Other details:

(a) All accessory structures shall be placed a minimum of 20 feet from the edge of the road right of way.

(b) All accessory structures shall be screened from view by a minimum four-foot opaque fence with the finished side facing the street and a landscape screen on the street side of the fence. The screening shall be a type A buffer as required by § 152.528(E)(1) and Table 152.528-1.

(B) *Use - amusement, outdoor.*

- (1) *Special use district:* B1 and B2.
- (2) *Minimum lot area:* a minimum of five acres.
- (3) *Buffering:* as specified in §§ 152.525 through 152.544 of this chapter, buffering shall be required by the Board of Commissioners.
- (4) Plans are required and must show:
 - (a) *Topography:* topography of the site at contour intervals not greater than two feet.
 - (b) *Structures:* location and approximate size of all existing and proposed structures within the site and of all buildings within 1,000 feet adjacent thereto.
 - (c) *Circulation:* proposed points of access and egress and pattern of internal circulation.
 - (d) *Other details:*
 1. Parking standards will be established by the town.
 2. Proposed provision for storm drainage (including retention pond facilities, when applicable) approved by the Swansboro Building Inspector; sanitary sewage approved by the Swansboro Building Inspector or County Health Department, whichever is applicable.
 3. Size and proposed location of any signs.
 4. Proposed solid waste storage facilities.
 5. Proposed water system and firefighting facilities such as hydrants or sprinkler connections.
 6. Types of surfacing for drives, sidewalks, malls, and the like.
 7. The location and height of all fences, walls, and hedges shall be shown.
 8. Other standards for the specific outdoor amusement will be established in the special use permit process.

(C) *Use - dwelling, multi-family and condominiums.*

- (1) *Special use district:* R6, PUD, O/I, B1, B2 and B3.

(D) *Use - dwelling, townhouses.*

- (1) *Special use district:* . R6, PUD, O/I, B1, B2 and B3.

(E) *Use - kennels, breeding/boarding (not related to veterinarian's office).*

- (1) *Outdoor facilities.*
 - (a) *Minor Special use district:* RA.
 - (b) *Minimum lot area:* minimum of one acre.
 - (c) *Setback:* A setback of 50 feet shall be maintained on the front, sides and rear of the property.
 - (d) *Screening and fencing:* a screen of dense plant material at least five feet in height at the time of planting or a solid fence or wall shall be installed.
 - (e) Plans are required and must show:
 1. *Structures:* location of buildings and sign, and size of the sign.
 2. *Circulation:* proposed points of access and egress and pattern of internal circulation.
 3. *Parking:* layout of parking spaces.

4. *Lighting*: lighting plan, inclusive of wattage and illumination.
5. *Hours of operation*: days and times.
6. *Number of employees*: total number of employees
7. *Waste management*: method of waste disposal to be used.

(2) *Indoor facilities.*

(a) *Minor Special use district*: RA.

(b) Plans are required and must show:

1. *Structures*: location of buildings and sign, and size of the sign.
2. *Setback*: the area in which animals are to be kept must be 20 feet from the side

property lines.

3. *Circulation*: proposed points of access and egress and pattern of internal circulation.

4. *Parking*: layout of parking spaces.

5. *Lighting*: lighting plan, inclusive of wattage and illumination.

6. *Hours of operation*: days and times.

7. *Number of employees*: total number of employees.

8. *Waste management*: method of waste disposal to be used.

(a) *Other requirements*: it is mandatory that all activities related to indoor facilities be confined within a building.

(F) *Use - livestock, sales and auction.*

(1) *Minor Special use district*: RA.

(2) *Minimum acreage*: 20 acres.

(3) Plans are required and must show:

(a) *Topography*: topography of the site at contour intervals not greater than two feet.

(b) *Structure*: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.

(c) *Circulation*: proposed points of access and egress and pattern of internal circulation.

(d) *Lighting*: proposed lighting location and design.

(e) *Buffering*: shall be required as specified in §§ 152.525 through 152.544.

(f) *Parking and loading*: layout of parking spaces and type of proposed surfacing.

(g) *Drainage*: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.

(4) *Other requirements*:

(a) Public sanitation measures.

(b) Odor control measures.

(b) Health department approval.

(H) *Use - mobile signs.* Refer to § 152.277 Signs Permitted/Special Use

(1) *Special use district*: B1 and MI.

(2) *Requirements*:

(a) No part of a sign shall extend beyond the plane of the property line upon which the sign is located or into any easement.

(b) Display area shall not exceed six square feet.

(c) Mobile sign height measured vertically from ground level to top of sign including trailer or towable device to which sign is attached shall not exceed five feet.

(d) Combination of allowed tenant signage square footage shall not be exceeded.

(e) Signs shall be displayed only during times when the business being advertised is open for business.

(f) The application for approval of a special use shall include:

1. Sign location;
2. Sign size;
3. Sign illumination;
4. Diagram of the sign;
5. Proposed method of anchoring/securing.

(H) Use - *planned unit development*.

(1) *Special use district*: PUD.

(1) *Requirements*: refer to §§ [152.245](#) through [152.253](#) for criteria.

(I) Use - *sanitary landfill*.

(1) *Minor Special use district*: RA.

(2) *Requirements*:

(a) *Parking*: shall conform to §§ [152.290](#) through [152.296](#), Off-Street Parking and Loading Requirements.

(b) *Lighting*: lighting shall be such that it is not directed onto any adjacent residential lot.

(c) All buildings, structures, tanks, and pits shall be setback at least 100 feet from all exterior property lines. A natural buffer at least 50 feet in width shall separate all such uses from all exterior property lines. A non-climbable fence, at least six feet in height, shall completely enclose such uses.

(d) Plans are required and must show:

1. *Topography*: topography of the site at contour intervals not greater than two feet.
2. *Structure*: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
3. *Circulation*: proposed points of access and egress and pattern of internal circulation.
4. *Lighting*: proposed lighting location and design.
5. *Buffering*: shall be required as specified in §§ [152.525](#) through [152.544](#).
6. *Parking and loading*: layout of parking spaces and type of proposed surfacing.
7. *Drainage*: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.

(J) Use - *sign, roof*. Refer to § 152.277 Signs Permitted/Special Use

(1) *Special use districts*: B1, MI, and CON.

(2) Plans are required and must show:

- (a) *Size*: must not exceed 32 square feet of viewable area.
- (b) *Lighting*: proposed lighting location, design, and hours of operation.
- (c) *Design*: design including diagram of sign, sign size, sign location, drawing of display area, and method of anchoring or attachment to building/roof.

(K) Use - *swimming pools, public/commercial*.

(1) *Minor Special use districts*: RA, R6, R10SF, R15SF, [R20SF](#), R40SF, PUD, MHP, MHS-15SF, G/E, [B1](#), and [B2](#).

(2) *Requirements*:

- (a) *Parking*: Shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.
- (b) *Lighting*: lighting shall be such that it is not directed onto any adjacent residential lot.
- (c) All buildings and swimming pools must be setback a minimum of 50 feet from all exterior property lines.
- (d) Plans are required and must show:
 - 1. *Topography*: topography of the site at contour intervals not greater than two feet.
 - 2. *Structure*: location and approximate size of all existing and proposed buildings and structures within the site and on the lots adjacent thereto.
 - 3. *Circulation*: proposed points of access and egress and pattern of internal circulation.
 - 4. *Lighting*: proposed lighting location and design.
 - 5. *Buffering*: shall be required as specified in §§ 152.525 through 152.544.
 - 6. *Parking and loading*: layout of parking spaces and type of proposed surfacing.
 - 7. *Drainage*: proposed provision for storm drainage (including retention pond facilities, when applicable), approved by the Administrator.

(L) Use - *wireless telecommunication facilities*.

- (1) Special use districts: RA.
- (2) Requirements:
 - (a) The facility must be setback from adjacent property lines and any residential dwelling(s) at least a distance equal to the fall zone as certified by a structural engineer. Accessory structures shall be setback at least 50 feet from any property line. These measurements shall be taken from the base of the tower or the foundation of the structure, as applicable.
 - (b) Access roads must be improved and meet the applicable standards of the Fire Code for emergency access. Access to any gated or locked enclosures must be provided to the Fire Chief.
 - (c) Lighting on the facility must meet the minimum standards of the Federal Aviation Administration (FAA). Lighting shall be muffled so that no audible sound can be heard beyond the distance of the required setback. Other lighting on the property, including lighting on accessory structures or on the surrounding enclosure, should be shielded so as not to trespass onto adjacent properties. The application must contain certification that the lighting on site has been designed to meet these requirements.
 - (d) Communication equipment or antennas shall meet the emission output levels as specified by applicable federal standard or by the American National Standard Institute (ANSI). The application must contain a certification that these requirements have been met.
 - (e) A Type C buffer yard per § 152.528 shall be installed around any perimeter enclosure.
 - (f) If a proposed facility is to be constructed within five miles or less from the perimeter boundary of a military base, or within any mapped flight path overlay, the town shall provide written notice of the proposal by certified mail, return receipt requested, to the commander of the military base not less than ten days nor more than 25 days before the date fixed for the public hearing on the application.
 - (g) Applications must include the required materials per Appendix IV.
(Ord. 2005-O3, passed 3-15-2005; Am. Ord. 2009-O6, passed 4-21-2009; Am. Ord. 2010-O6, passed 2-16-2010; Am. Ord. passed 7-26-2016; Am. Ord. passed 11-22-2016; Am. Ord. passed 2-28-2017; Am. Ord. passed 4-25-2017; Am. Ord. 2020-O6, passed 8-10-2020; Am. Ord. 2021-O3, passed 5-24-2021)

§ 152.212 USE STANDARDS

(A) Use - Amusement, indoor- permitted as a use standard in B1 and B2.

(1) Requirements:

(a) Minimum lot area: based on zoning classification lot standards.

(2) Plans are required and must show:

(a) Size and location of all outdoor areas used for principal use.

(b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

(c) Structures: location of signs, entrance, and buildings must be shown on the plan.

(d) Circulation: proposed points for access and egress and a parking layout.

(e) Buffering: as specified in §§ 152.528 of this chapter unless the property abuts residentially used or zoned property in which case a Type C buffer is required.

(f) Sign size and location as specified §§ 152.265-152.277 of this chapter.

(g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.

(h) List of all services to be provided.

(i) Security/management plan

(j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06)

(k) Landscaping Requirements, §§ 152.525- 152.544

(l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(B) Use - Assisted living residence – permitted as a use standard in RA, PUD, O/I, B1 and B2

(1) Requirements:

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

(2) Plans are required and must show:

(a) Size and location of all outdoor areas used for principal use.

(b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

(c) Structures: location of signs, entrance, and buildings must be shown on the plan.

(d) Circulation: proposed points for access and egress and a parking layout.

(e) Buffering: as specified in §§ 152.528 of this chapter unless the property abuts residentially used or zoned property in which case a Type C buffer is required.

(f) Sign size and location as specified §§ 152.265-152.277 of this chapter.

(g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.

(h) List of all services to be provided.

(i) Security/management plan

(j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06)

- (k) Landscaping Requirements, §§ 152.525- 152.544
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(C) Use- Bar, Nightclub or Tavern – permitted as a use standard in B1, B3 and B2HDO

(1) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan
- (j) Hours of operation (refer to Town noise ordinance §§ 92.01- 92.06)
- (k) Landscaping Requirements, §§ 152.525- 152.544
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(D) Use- Bed and breakfast accommodations, & inns- permitted as a use standard in R6 and R8SF

(1) Include only legitimate lodging businesses available for public reservation and use, although there may be an owner or manager room or living quarters on the premises. Such businesses must:

- (a) Possess a current town approved business packet for a bed and breakfast accommodation or inn.
- (b) Possess any health department licenses or permits that may be applicable.
- (c) Provide, if requested by the town, evidence that lodging is being offered and advertised for public use and is available for same.
- (d) Provide evidence, if requested by the town and subject to an audit of documents, that the premises are in actual use for paid short term lodging of guests.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.

- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) Landscaping Requirements, §§152.525- 152.544
- (i) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.
- (j) List of all services to be provided.
- (k) Security/management plan
- (l) Hours of operation (refer to Town noise ordinance §§92.01- 92.06)

(E) Use – Bulk mail and packaging -permitted as a use standard in B1,B2 and B3.

(1) Requirements:

- (a) Buildings, storage, and maintenance areas shall be screened from adjacent residential land and public rights-of-way.
- (b) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(F) Use- Churches and related uses-permitted as a use standard in RA,

R6,R6SF,R8SF,R10SF,

R15SF, R20SF, R40SF, PUD,MHS,MHS-15SF,MHS-O,O/I,G/E,B1 and B2.

(1) Plans are required and must show:

- (a) Minimum setbacks: the structure (if new) shall have minimum side and rear yards of not less than 30 feet; and a front yard at least 15 feet greater than that required for other principal structures within the district.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, if applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.

- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(G) Use - Club or lodge, public or private -permitted as a use standard in RA, R10SF, R15SF, R40SF, O/I, B1, B2, B3 and B2HDO

- (1) Requirements:
 - (a) Clubs or lodges shall have direct access to a federal or state highway.
 - (b) Minimum lot area: minimum lot area shall be the same as required for nonresidential uses in the RA district.
- (2) Plans are required and must show:
 - (a) Size and location of all outdoor areas used for principal use.
 - (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
 - (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
 - (d) Circulation: proposed points for access and egress and a parking layout.
 - (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
 - (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
 - (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
 - (h) List of all services to be provided.
 - (i) Security/management plan.
 - (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
 - (k) Landscaping Requirements, §§152.525- 152.544.
 - (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(H) Use- Colleges, universities, and related uses gas-permitted as a use standard in RA, B1, and B2

- (1) Requirements:
 - (a) Depending on the intensity of the use and proposed access points, a traffic impact study may be required.
 - (b) Sidewalk extensions and connections may be required in an effort to provide pedestrians with a safe means of travel.

- (c) Pedestrian traffic circulation, drive lanes, sidewalks, and other transportation improvements
- (d) Number and location of designated parking spaces for employees
- (e) Number and location of visitor parking spaces
- (f) Number and location of student parking spaces
- (g) Location and extent of open recreation or training areas
- (h) Student capacity of school as designed.
- (i) Total number of employees at time of greatest shift.
- (2) Plans are required and must show:
 - (a) Size and location of all outdoor areas used for principal use.
 - (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
 - (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
 - (d) Circulation: proposed points for access and egress and a parking layout.
 - (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
 - (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
 - (g) Lighting plan which must include ~~inclusive of~~ wattage and illumination. The use of full cut-off luminaries is required.
 - (h) List of all services to be provided.
 - (i) Security/management plan.
 - (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
 - (k) Landscaping Requirements, §§ 152.525- 152.544.
 - (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements

(I) Use- Crude petroleum & natural gas-permitted as a use standard in MI

(1) Requirement:

- (a) The proposed facility shall conform to the requirements of the Fire Prevention Codes of the North Carolina State Building Code, National Board of Fire Underwriters, and all applicable codes of the National Fire Protection Association and all requirements of the NC Fire Code.
- (b) A security fence at least eight (8) feet in height shall surround all facilities used for the storage and handling of coal.
- (c) In addition to the general requirements, the site plan must also include the location of all structures and water bodies within one thousand (1,000) square feet.
- (d) Stormwater plan.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.

- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C or Type D buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include ~~inclusive of~~ wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(J) Use- Electrical appliance sales and services. (No Outdoor Storage)- permitted as a use standard in B1

(1) Requirement:

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

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(K) Use- Farm machinery sales and service- permitted as a use standard in RA.

(1) Requirements:

- (a) The lot for the proposed Farm Machinery Sales and Servicing use shall meet the minimum yard requirements for the zoning district.
- (b) Customer and employee parking and machinery on display shall not be located in any required street yard or public right-of-way and may not impede vehicular or pedestrian traffic or sign distance triangles, if applicable.

- (c) All machinery display areas shall conform to the landscaping requirements for parking areas as set forth in this ordinance.
 - (d) On-site machinery loading and unloading areas shall be of a sufficient size to ensure that no such loading or unloading will occur in any public right-of-way or impede ingress, egress, or internal circulation.
 - (e) No structure or outside storage, display, or activity area shall be within a distance of thirty (30) feet of any abutting residentially zoned or used lot.
 - (f) Any repair, servicing, maintenance, or other work on machinery shall be conducted within an enclosed structure or behind an opaque fence six (6) feet in height.
- (2) Plans are required and must show:
- (a) Size and location of all outdoor areas used for principal use.
 - (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
 - (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
 - (d) Circulation: proposed points for access and egress and a parking layout.
 - (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
 - (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
 - (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
 - (h) List of all services to be provided.
 - (i) Security/management plan.
 - (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
 - (k) Landscaping Requirements, §§152.525- 152.544.
 - (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(L) Use- Feed and grain sales and storage.- permitted as a use standard in RA

(1) Requirements:

- (a) No structure, outside storage area, or outside activity area shall be within a distance of thirty (30) feet from any adjoining residentially zoned or used lot.
- (b) Plans and specifications for buffer and fencing.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.

- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(M) Use- Fertilizer wholesale and retail sales- permitted as a use standard in RA

(1) Requirements:

- (a) No structure, outside storage area, or outside activity area shall be within a distance of thirty (30) feet from any adjoining residentially zoned or used lot.
- (b) Plans and specifications for buffer and fencing.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(N) Use- Flea market. (indoor)- permitted as a use standard in B1

(1) Requirements:

- (a) A minimum lot area of one (1) acre is required.
- (b) Flea Market use will not be allowed as an accessory use.
- (c) Adequate and safe permanent public restrooms and/or toilet facilities are required. No portable restroom facilities will be allowed.
- (d) No structure, outside storage area, or outside activity area shall be within a distance of thirty (30) feet from any adjoining residentially zoned or used lot.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include ~~inclusive of~~ wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(O) Use- Fuel sales- permitted as a use standard in B1 and B2

(1) Requirements:

- (a) The site shall front a thoroughfare or residential collector street.
- (b) No aboveground equipment for the vehicular service of gasoline, oil, or other petroleum product shall be closer than twenty-five (25) feet to any public right-of-way and ten (10) feet to any exterior property line.
- (c) Pump island canopies shall not be located closer than ten (10) feet to a public right-of-way or exterior property line.
- (d) All accessory uses shall be subject to all ordinance requirements as stated in this ordinance.
- (e) In addition to the general requirements, the site plan must also include the location and size of gasoline, oil, or other petroleum product tanks.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(P) Use- Heating, equipment and plumbing fixtures, sales. (No outdoor storage)- permitted as a use standard in B1, B2, and B3

(1) Requirements:

- (a) Outside processing or repair activities shall not be permitted.
- (b) Limited to retail sales.

(2) Plans are required and must show:

- (a) Location of any combustible materials
- (b) Size and location of all outdoor areas used for principal use.
- (c) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (d) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (e) Circulation: proposed points for access and egress and a parking layout.
- (f) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (g) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (h) Lighting plan which must include ~~inclusive of~~ wattage and illumination. The use of full cut-off luminaries is required.
- (i) List of all services to be provided.
- (j) Security/management plan.
- (k) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (l) Landscaping Requirements, §§152.525- 152.544.
- (m) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(Q) Use- Multi-unit assisted housing with services- permitted as a use standard in R20SF and O/I

(1) Requirements:

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

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.

- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(R) Use- Nursing home- permitted as a use standard in RA, PUD, O/I, B1, and B2

(1) Requirement:

- (a) Minimum lot area: the lot size shall be at least two acres and the structure shall have minimum side and rear yard requirements of 50 feet and a front yard requirement of at least 25 feet greater than that required of principal structures within the district.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(S) Use- Pest or termite control services. (No Outdoor Storage)- permitted as a use standard in B1

(1) Requirement:

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

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.

- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.
- (m) Proposed storage location of combustible materials.

(T) Use- Precision instrument manufacturing- permitted as a use standard in B1.

(1) Requirements:

- (a) Buildings, storage, and maintenance areas shall be screened from adjacent residential land and public rights-of-way.
- (b) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties.
- (c) Hazardous waste plan (including proposed storage of combustible materials).

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§ 152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(U) Use- Remote off-street parking- permitted as a use standard in O/I, B1, B2, B3 and B2HDO

(1) Requirement:

- (a) Minimum lot area: none

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).

- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(V) Use- Storage, warehouse, including mini storage - permitted as a use standard in B1

- (1) Requirements for open storage of recreational and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within the Storage, Self-Service use, provided that the following standards are met:
 - (a) The storage shall occur only within a designated area. Th designated area shall be clearly delineated.
 - (b) The storage area shall not exceed twenty-five percent (25%) of the buildable area of the site.
 - (c) No dry stacking of boats shall be permitted on the site.
 - (d) Boats shall be stored in a manner so as to prevent the collection of rainwater.
 - (e) The storage area shall be entirely screened from view from adjacent residential areas and public roads by a building and/or opaque fencing or fencing with landscaping along the fence's exterior side.
 - (f) Storage shall not occur within the area set aside for minimum building setbacks.
 - (g) If separate structures are constructed, there shall be a minimum separation of ten (10) feet between the buildings within the facility.
 - (h) Interior parking shall be provided in the form of aisles adjacent to the storage bays. These aisles shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aisles shall be thirty (30) feet.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.

- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.

(W) Use- Warehouse. (general storage, enclosed) - permitted as a use standard in B1

(1) Requirements:

- (a) Buildings, storage, and maintenance areas shall be screened from adjacent residential land and public rights-of-way.
- (b) The facility is constructed, designed, and located on the site to minimize noise, odor, and other impacts on neighboring properties.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§152.290 through 152.296, Off-Street Parking and Loading Requirements.

(X) Use- Windmills. - permitted as a use standard in RA

(1) Requirements:

- (a) Windmills are used to pump ground water to the surface for irrigation in the RA zoning district. The wind turns the blades to utilize wind energy.
- (b) No wind turbines are allowed.

§ 152.312 APPLICABILITY.

A traffic impact study shall be required for all projects where the Town Manager or his or her designee has determined from the information submitted that the site generated traffic will have a significant impact on the transportation network. Determinations shall be based on the following criteria:

(A) *Business and manufacturing uses.* Estimated traffic generated by the use exceeds 200 trips/day.

(B) *Single-family residential.* Estimated traffic generated by the development exceeds 400 trips/day.

(C) *Planned unit development.* Estimated traffic generated by the development exceeds 400 trips/day.

(D) *Apartments, condominiums, townhouses.* Estimated traffic generated by the development exceeds 400 trips/day.

(E) *Manufactured home parks.* Estimated traffic generated by the development exceeds 400 trips/day.

(Ord. 2005-O3, passed 3-15-2005) (Am. Ord. 2016-O14, passed 4-12-2016)

This Ordinance shall be effective upon adoption.

Adopted by the Board of Commissioners in regular session, May 22, 2023.

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk