

Sec. 36-28. - Adult oriented business.

- (h) All permitted uses must meet all compliance regulations set forth in this section.
- (1)Adult oriented businesses are only a permitted use within the commercial-2 (C-2) zoning district.
 - (2)Adult oriented businesses will not be a permitted use in the following residential zones:
 - Residential-1 (R-1);
 - Residential-2 (R-2);
 - Residential-12 (R-12);**
 - Residential-3 (R-3);
 - Traditional neighborhood development (TND).
 - (3)Adult oriented businesses will not be a permitted use in the central business district (C-1) zoning district.
 - (4)Adult oriented businesses will not be a permitted use in the light industrial (I) zoning district.
 - (5)Adult oriented businesses will not be a permitted use in any newly created zoning district except commercial-2 (C-2) zoning district.

(Ord. of 5-21-2007)

Sec. 36-56. - Use districts.

For the purpose; of this chapter, The Town of Weaverville, North Carolina, is divided into nine use districts designated as follows:

- R-1 primary residential
- R-2 transition residential
- R-12 multi-unit residential**
- R-3 general residential
- C-1 central business
- C-2 general business
- I-1 light industrial
- TND traditional neighborhood developments
- CZD conditional zoning district

(Ord. of 6-19-1978, Art. VI, § 17-610; Ord. of 4-15-2002; Ord. of 8-20-2007)

Sec. 36-85. - R-12, multi-unit residential district.

- (a) *Intent.* The R-12 multi-unit residential district is established in which the principal use of land therein is for residential purposes. The R-12 district is established in order to:
- 1) Protect existing development.
 - 2) Protect and promote a suitable environment for the public.
 - 3) Discourage any use which would create excessive requirements and costs for public services in excess of that of the surrounding area.
- (b) *Uses permitted.* Within the R-12 multi-unit residential district, a building or premises shall be used only for the following purposes:
- (1) All uses permitted in the R-1 primary residential district.
 - (2) Two-unit dwellings.
 - (3) Multi-family residential buildings provided that such buildings do not exceed 12 dwelling units per acre and meets the requirements of subsection 36-241(d).
- (c) *Special use permits.*
- (1) All special use permits listed for the R-1, primary residential district.
 - (2) Unified housing developments; provided such development meets the requirements of section 36-241.
 - (3) Boarding houses with no more than ten guest rooms.
 - (4) Professional offices and medical offices not used primarily for the treatment of drug addicts or alcoholics.
 - (5) Day care centers operating with more than five children; provided such center meets the requirements of section 36-117
- (d) *Further restrictions within the R-12 multi-unit residential district.*
- (1) For dimensional requirements, see article IV.
 - (2) Height. In the R-12 multi-family residential district, no building or structure shall hereafter be erected or structurally altered to exceed 35 feet in height.
 - (3) For sign requirements, see article VIII.
 - (4) Parking. Two off-street spaces shall be provided for each dwelling unit (see section 36-176).

(Ord. of 6-19-1978, Art. VII, § 17-720; [Ord. of 11-18-2013, § 2](#); Staff Additions 12-1-2015, establishing R-12 district)

ARTICLE IV. - DIMENSIONAL REQUIREMENTS

Sec. 36-106. - Table of dimensional requirements.

Zoning District	R-1	R-2	R-12	R-3	C-1	C-2	I-1
Minimum Lot Area (sq. ft.)	10,000 _{2,7}	7,500 _{1,2,3,4,7}	7,500 _{4,7,8}	5,445 _{1,2,3,4,7}	None	None	None
Minimum Lot Width (ft.)	100	75	75	75	None	50	None
Minimum Front Yard (ft.) (from edge of property line or right-of-way whichever is greater)	30	30	30	30 *	0	0	0
Major Thoroughfare	30	30	30 ₅	30	None	60	35 ₅
Minor Thoroughfare	30	30	30 ₅	30	None		25 ₅
with parking in front						60	
without parking in front						40	
Minimum Side Yard (ft.)							
Abutting Residential District	10	10 ⁶	10 ⁶	10 ⁶	None	30	40
Abutting Commercial or Industrial District	10	10 ⁶	10 ⁶	10 ⁶	None	None	40
Minimum Rear Yard (ft.)							

Abutting Residential District	10	10 ⁶	10 ⁶	10 ⁶	None	<u>30</u>	40
Abutting Commercial or Industrial District	10	10 ⁶	10 ⁶	10 ⁶	None	None	40

Sec. 36-107. - Footnotes for table of dimensional requirements.

See sections: Businesses, subsection 36-81(d)(4); cemeteries, subsection 36-77(c)(4); churches, subsection 36-77(b)(3); dwelling setbacks, sections 36-13 to 36-15; automobile service stations and repair garages, section 36-118; general density, section 36-7; industries, subsection 36-82(d)(3); mobile and manufactured homes, subsection 36-79(b)(3); nonconforming lots, section 36-21; right-of-way, section 36-8; unified business development, section 36-240; unified housing development, section 36-241.

Notes:

1. 10,000 square feet if no public sewerage is available.
2. 20,000 square feet if neither public water or sewerage is available.
3. 5,000 additional square feet for each additional dwelling unit when public water and/or sewer is available.
4. 10,000 additional square feet for each additional dwelling unit when public water and/or sewer is not available.
5. 40 feet if property directly across the right-of-way is zoned residential.
6. 15 feet for two-family dwelling unit; 25 feet for multi-family dwelling unit. (Also see section 36-241(d) for additional requirements for multi-family structures.)
7. Additional square footage may be required by the authority having jurisdiction over private water and/or sewerage systems located on individual lots.
8. 3,280 additional square feet for each additional dwelling unit when public water and/or sewer is available.

(Ord. of 6-19-1978, Art. VIII)

Sec. 36-241. - Unified housing development.

(c) *Requirements.*

- (1) The yard regulations and height regulations set forth in this chapter may be modified for a unified housing development provided that, for such a development as a whole, excluding driveways and streets, but including parks and other permanent open spaces, densities shall not be greater than **twelve** dwelling units per acres on the proposed site on which such development is to be located.