



**Town of Weaverville
Planning and Zoning Board
January 3, 2017**

Agenda

1. Call to Order – Chairman Doug Theroux.
2. Approval of the Minutes from the December 6, 2016 Meeting of the Board.
3. Discussion Related to a Zoning Map Amendment Application for Properties in the Vicinity of Garrison Branch and Monticello Roads.
4. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Zoning Map Amendment Application.
5. Discussion Related to Recent Amendments to the Fire Code.
6. Discussion Related to the Proposed Table of Uses.
7. Any Other Business to Come Before the Board.
8. Adjournment.



Agenda Item 2
Minutes from December, 2016

Town of Weaverville

Planning and Zoning Board
Minutes – Tuesday, December 6, 2016

The Planning and Zoning Board of the Town of Weaverville met for its regularly scheduled monthly meeting at 5:45pm on Tuesday, December 6, 2016 in the Fire Department training room at 3 Monticello Road, Weaverville.

Present: Chairman Doug Theroux, Vice Chairman Gary Burge, Board Members Catherine Cordell, Terry Dawson and Leslie Osborne, Town Attorney Jennifer Jackson and Town Planner James Eller.

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 5:45pm. Chairman Theroux also called for the inversion of agenda items 6 & 7. Ms. Jackson introduced Peter Stanz, who intends to serve on the Board should he be appointed by Council.

2. Approval of the Minutes from the November 1, 2016 Meeting of the Board.

Mr. Dawson made a motion to approve the minutes as presented. Mr. Burge seconded and all voted unanimously.

3. Review of Minutes from the November 8, 2016 Town Council Workshop.

Minutes from the November 8 Town Council Workshop show language related to matters to be considered by the Planning and Zoning Board.

4. Discussion Related to the Altering of Triggers Used to Necessitate a Unified Business Development Special Use Permit.

Mr. Eller described to the Board that two principal buildings on the same parcel of land and any commercial facility or structure over 10,000 square feet are automatically treated as a Special Use Permit and must be approved by the Zoning Board of Adjustment.

A lengthy conversation occurred between staff and the Board regarding the 10,000 and 25,000 square feet threshold and no consensus was reached. A consensus was granted that projects presently treated as Unified Business Developments be incorporated into the proposed table of uses.

5. Consideration of a Motion to Incorporate the Aforementioned Unified Business Development Triggers into the Proposed Table of Uses.

It was determined that the issue should be tabled until the January meeting to allow for additional deliberation and research.

6. Discussion Related to Points of Ingress and Egress.

Mr. Burge noted his concern over the safety of inhabitants of projects which have been approved, or may be approved, with only one point of ingress and egress to the property or facility. Ms. Cordell noted that this position was the consensus of the Board.

Mr. Burge expressed his desire to have the Fire Marshall appear before the Board to offer some clarification on the issue of ingress and egress within the Fire Code. Staff will coordinate with the Department to have someone in attendance at the next meeting.

7. Discussion Related to the Proposed Table of Uses.

Ms. Cordell wished for staff to research how similar municipalities treated the uses enumerated in the proposed Table of Uses. Ms. Osborne noted that staff should fill in the individual cells within the Table for the Board's consideration.

Mr. Eller described to the Board that the cells highlighted in yellow noted land uses which have statutory limitations placed upon them limiting local control over their regulation. Those uses include adult establishments, agriculture, alcoholic beverage sales store, child care home (less than six residents), family care home (less than six residents), manufactured home, manufactured home park and wireless telecommunication facilities. The cells within the proposed table of uses had been noted as required by state statute.

8. Any Other Business to Come Before the Board.

Ms. Jackson noted that the next regularly scheduled meeting of the Board will occur on January 3, 2017.

9. Adjournment.

Mr. Burge made a motion to adjourn. Ms. Cordell seconded and all voted unanimously.

**Doug Theroux, Chairman
Planning and Zoning Board**

ATTEST:

**James W. Eller
Town Planner / Deputy Town Clerk**



Agenda Item 3&4
Zoning Map Amendment Application

- Attached you will find an application for a zoning map amendment for properties in the vicinity of Garrison Branch and Monticello Roads.

**TOWN OF WEAVERVILLE APPLICATION FOR
A ZONING MAP OR TEXT AMENDMENT**

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7013— fax (828) 645-4776 --- tgupton@weavervillenc.org

OWNER/APPLICANT NAME: Scott Austin

APPLICATION DATE: 11/30/2016

PHONE NUMBER: 828-707-2796

Austin Development PO Box 9775
MAILING ADDRESS: Greensboro, NC 27408

Application is made to the Town Council of Weaverville to amend:

- The Zoning Map
 The text of the Zoning Ordinance (Ch 36 of Code of Ordinances)

APPLICATION TO AMEND ZONING MAP

PROPERTY ADDRESS: 30 Garrison Branch Rd

PIN: Zoning portion of: 973362693300000

LOT AREA (acres): +/- 2.49 ac of +/- 8.49 ac

CURRENT ZONING DISTRICT: R-12

PROPOSED ZONING DISTRICT: C-2

APPLICATION IS NOT COMPLETE WITHOUT A BOUNDARY SURVEY DEPICITING:

- Total acreage
 Current owner(s) and date of survey
 Property location relative to streets
 North arrow
 Existing easements, rights of way, or other restrictions on the property
 Areas located within the floodplain
 Natural terrain of 15% or greater grade
 Adjoining property owners, addresses, and Buncombe County PINs

APPLICATION TO AMEND TEXT

SECTION(S) OF CHAPTER 36 TO AMEND:

PROPOSED CHANGE TO TEXT (attach additional documentation if necessary):

JUSTIFICATION OF PROPOSED AMENDMENT(S):

**TOWN OF WEAVERVILLE APPLICATION FOR
A ZONING MAP OR TEXT AMENDMENT**

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7013 --- fax (828) 645-4776 --- tgupton@weavervillenc.org

I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner.

[Handwritten Signature]

12-8-16

SIGNATURE OF APPLICANT

DATE

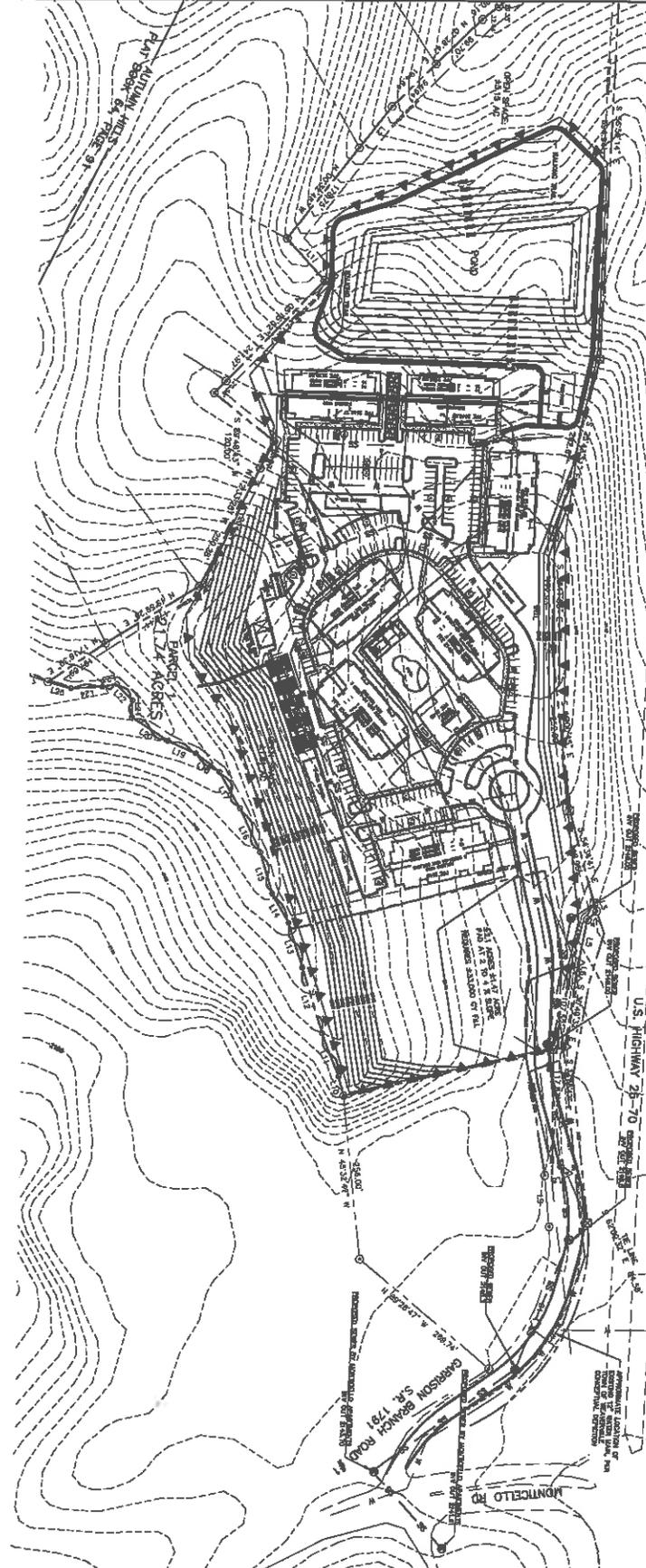
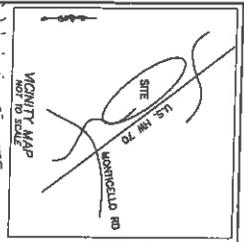
It is the applicant's responsibility to obtain a copy of the Town of Weaverville Zoning Ordinance and to be fully aware of the regulations detailed therein.

REZONING FEE SCHEDULE:

1 Lot < 1 acre	\$350.00
2-4 Lots or 1-3 acres	\$450.00
4-9 acres	\$550.00
10-25 acres	\$750.00
25+ acres	\$900.00

OFFICE USE ONLY

FEE: \$	DATE PAID:	<input type="checkbox"/>	CHECK	<input type="checkbox"/>	CASH
DATE OF INTIAL COUNCIL MEETING:		ACTION TAKEN:			
DATE OF PLANNING BOARD MEETING:		ACTION TAKEN:			
DATE OF PUBLIC HEARING & COUNCIL DECISION:		FINAL ACTION:			



- GENERAL NOTES:**
1. CONTRACTOR TO VERIFY ALL DIMENSIONS AND EXISTING FEATURES FROM TO CORRESPONDENCE.
 2. ALL DIMENSIONS SHALL BE GIVEN IN FEET AND INCHES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES.

- GENERAL NOTES:**
1. PRELIMINARY GRADING PLAN WAS OBTAINED FROM FIELD SURVEY PROVIDED BY HAGEN ENGINEERING, PA. ALL DIMENSIONS AND ELEVATIONS ARE BASED ON THE DATUM OF MEAN SEA LEVEL. ALL DIMENSIONS AND ELEVATIONS ARE BASED ON THE DATUM OF MEAN SEA LEVEL.
 2. EXISTING STREAM DATA SHOWN IS BASED ON PRELIMINARY SURVEY DATA AND IS NOT INDICATIVE OF A PROFESSIONAL DETERMINATION OF HYDROLOGICAL DATA FOR DESIGN PURPOSES.
 3. ALL NECESSARY PERMITS FOR ANY DISTURBANCE TO JURISDICTIONAL WGS MUST BE OBTAINED.
 4. THIS PLAN HAS NOT BEEN SUBMITTED FOR REVIEW BY JURISDICTIONAL COUNTY. JURISDICTIONAL REQUIREMENTS HAVE BEEN MET.

- GENERAL NOTES:**
1. ALL DIMENSIONS SHALL BE GIVEN IN FEET AND INCHES UNLESS OTHERWISE NOTED.
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 8. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES.



NO.	BY	DESCRIPTION	DATE

C-3.0

PRELIMINARY GRADING PLAN
BLUE RIDGE CROSSING
 GARRETT BRANCH RD
 GREENSBORO, NC 27410
 HAGEN ENGINEERING, PA

H HAGEN ENGINEERING, PA
 3859 BATTLEGROUND AVE, SUITE 300
 GREENSBORO, NC 27410
 PHONE (336) 404-9796 FAX (336) 899-7890
 hagen@hagen-cng.com

PRELIMINARY FOR REVIEW ONLY
 NOT FOR CONSTRUCTION



Agenda Item 5
Recent Fire Code Amendments

- No supporting documents. A member of the Fire Department will be in attendance to address the Board.



Agenda Item 6
Proposed Table of Uses

- Cells with orange background reflect the incorporation of present unified business development triggers into the table of uses.
- Cells with yellow background reflect uses with statutory limitations on local zoning authority. Additional information will be provided.
- Examples of uses permitted with standards: Dwelling – Secondary, Kennels, Mobile Food Vendors, Home Occupations, Child Care Homes, Farmers Market.
- Proposed definitions.

TABLE OF USES PROPOSED

C=Conditional Zoning, P=Permitted, PS=Permitted with Standards, "-"= Not Permitted

USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1
Residential							
Dwelling - Single Family	P	P	P	-	-	-	-
Dwelling - Duplex	-	P	P	P	-	-	-
Dwelling - Multifamily	-	-	P	P	-	-	-
Dwelling - Secondary	PS	PS	PS	PS	-	-	-
Family Care Home (less than six residents)	P	P	P	-	-	-	-
Home Occupation	PS	PS	PS	PS	-	-	-
Manufactured Home	-	-	PS	-	-	-	-
Manufactured Home Park	-	-	-	-	-	-	-
Recreational Vehicle	-	-	-	-	-	-	-
Recreational Vehicle Park, Campground	-	-	C	-	-	-	-
Boarding House	P	P	P	-	-	-	-
Hotel, Motel, Inn	-	-	-	C	C	C	C
Office / Service							
Animal Services, Veterinary Clinic	-	-	-	-	P	P	P
Automated Teller Machines	-	-	-	P	P	P	P
Automobile Services	-	-	-	-	P	P	P
Banks, Credit Unions, Financial Services	-	-	-	-	PS	P	P
Child Care Home (less than six)	P	P	P	-	-	-	-
Child Care Center (six or more)	-	-	-	-	-	PS	PS
Community Service Organization	-	-	-	-	-	P	P
Equipment Rental	-	-	-	-	-	P	P
Funeral Home	-	-	-	-	P	P	P
Group Care Facility (6 or more residents)	-	-	-	-	-	P	P
Government Services	-	-	-	-	P	P	P
Kennels	-	-	-	-	-	PS	PS
Medical Services - Clinic, Urgent Care Center	-	-	-	-	-	P	P
Medical Services - Doctor Office	-	-	-	-	P	P	P
Post Office	-	-	-	-	-	P	P
Personal Services	-	-	-	-	-	P	P
Professional Services	-	-	-	-	P	P	P



Agenda Item 6
Proposed Table of Uses

Example 1: Dwelling – Secondary, Permitted with Standards in R-1, R-2, R-3 and R-12

Definition:

Dwelling – Secondary – A dwelling unit designed for occupancy by one or two persons, not exceeding 800 square feet of gross floor space and located on a lot with an existing single family dwelling. No more than one such dwelling shall be situated on any lot.

Additional Standards:

Sec. 00.01 Dwelling – Secondary permitted with standards (R-1, R-2, R-3, R-12)

- A. Secondary dwelling units shall be accessory and subordinate to the primary living quarters.
- B. Not more than one secondary dwelling unit is permitted on any lot.
- C. A secondary dwelling unit may only be located within a side or rear yard.
- D. Secondary dwelling units shall not be considered an additional dwelling unit for the purpose of calculating setbacks or minimum lot area within Sec. 36-106 – Table of Dimensional Requirements.
- E. No secondary structure shall exceed two stories in height.
- F. Secondary dwelling units may be created as an independent structure, an addition to an existing primary structure, or a second story within detached garages.
- G. The gross floor space of a secondary dwelling unit shall not exceed 800 square feet. The ground floor area of an attached garage shall not be calculated as part of the total square footage of any secondary dwelling that is built as the second story of a detached garage; provided, such ground floor garage area shall not be converted into a dwelling space.
- H. At least one off street parking space shall be provided.



**Agenda Item 6
Proposed Table of Uses**

Example 2: Kennels, Permitted with Standards in C-2, I-1

Definition:

Kennel – A structure intended to be used for the breeding or accommodation of small domestic animals for sale, training, or overnight boarding for persons other than the owner of the property where the structure is located. This term does not include veterinary clinics or other animal services in which the overnight boarding of is necessary for, or accessory to, the testing and medical treatment of the physical disorders of animals.

Additional Standards:

Sec. 00.02 Kennels permitted with standards (C-2, I-1)

- A. Outside runs, holding pens, exercise areas or other open air type enclosures or shelters shall be located at least 200 feet from any dwelling, other than the property of the owner on which the structure is located, and at least 50 feet from adjoining property lines.
- B. Kennels shall be located in the side or rear yard area of any principal structure and must be on the same parcel of land.



Agenda Item 6
Proposed Table of Uses

Example 3: Mobile Food Vendors, Permitted with Standards in C-2, I-1

Definition:

Mobile Food Vendor – Any mobile food unit, pushcart or motor vehicle, including all machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle, which is purposed for the sale for consumption food and beverages.

Additional Standards:

Sec. 00.03 Mobile Food Vendors permitted with standards (C-2, I-1)

- A. No waste, wastewater or grease shall be distributed into the sanitary sewer system, stormwater system, or other public spaces.
- B. Mobile food vendors shall be situated at least ten feet from all property lines and any road right-of-way, shall not encroach onto any street or sidewalk and shall not obstruct any loading zone or handicapped parking space. This requirement shall not apply to special events approved by the Town which take place on public streets, sidewalks or parking lots or any other public property.
- C. Mobile food vendors shall be located at least 200 feet from any residential structure located within the R-1, R-2 or R-3 Zoning District.
- D. Mobile food vendors shall not be located within ten feet of any fire hydrant.
- E. Hours of operation shall be limited to 7am to 10pm. This requirement shall not apply to special events approved by the Town which take place on public streets, sidewalks or parking lots or any other public property. Such hours may be established in conjunction with the special event.
- F. Each mobile food vendor shall supply at least one receptacle for waste which must be removed or emptied each day. Municipal waste receptacles shall not be used.
- G. Mobile food vendors shall be limited to the following signage:
 - 1. One sign attached to the mobile food unit or vehicle which shall not exceed 32 square feet of surface area.
 - 2. One sign attached to the ground which shall not exceed four feet in height or 8 square feet of surface area. Such a sign shall be placed within ten feet of the mobile food unit or vehicle and must be removed when outside hours of operation.



Agenda Item 6
Proposed Table of Uses

Example 4: Home Occupation, Permitted with Standards in R-1, R-2, R-3

Definition:

Home Occupation - Any use conducted entirely within a dwelling and which use is clearly incidental and secondary to the use of the dwelling for residential purposes and which use does not change the residential character of the dwelling. No more than one employee, other than family members residing on the premises, shall be employed in connection with the home occupation. No mechanical or electrical equipment shall be installed or used except such equipment as is normally used for domestic or professional purposes and not over 25 percent of the total floor space of any residential structure shall be used for such home occupation. Home occupations include child care homes as defined herein.

Additional Standards:

Sec. 00.04 Home Occupations permitted with standards (R-1, R-2, R-3)

- A. Home occupations shall be clearly incidental to the residential use of a dwelling and shall not change the residential character of the dwelling or the neighborhood.
- B. Home occupations shall be contained entirely within the interior of the dwelling or accessory structure. Home occupations within a dwelling shall not occupy more than 25 percent of the gross floor area of the dwelling. A home occupation conducted in an accessory structure shall be housed only in structures which meet the requirements of this ordinance.
- C. Only noncommercial vehicles are permitted in conjunction with a home occupation.
- D. Home occupations involving customers on the property or vehicular traffic shall be limited to the hours of 8am to 5pm, Monday through Friday.
- E. Business or product identification signs shall not be permitted.



**Agenda Item 6
Proposed Table of Uses**

Example 5: Child Care Home, Permitted with Standards in R-1, R-2, R-3, R-12

Definition:

Child Care Home - Care or supervision provided on a regular basis, as an accessory use within a primary dwelling, by a resident of the dwelling for less than six children who are not legal wards or foster children of the supervising adult.

Additional Standards:

Sec. 00.05 Home Occupations permitted with standards (R-1, R-2, R-3, R-12)

- A. Client drop off and pick up areas shall be located on site and shall not obstruct the flow of traffic in any way.
- B. All day care establishments shall be properly licensed by the State of North Carolina and any other governmental licensing agency.
- C. All equipment shall be stored in the side or rear yard.
- D. Any open area provided for children's play shall be provided in the side or rear yard.



Agenda Item 6
Proposed Table of Uses

Example 6: Farmers Market, Permitted with Standards in all districts

Definition:

Farmers Market - A food market at which local farmers sell fruit and vegetables and often meat, cheese, and bakery products directly to consumers.

Additional Standards:

Sec. 00.06 Farmers Market permitted with standards in R-1, R-2, R-3, R-12, C-1, C-2, I-1

- A. Vendors may offer seasonal horticultural, agricultural, aquacultural or forest products, including but not limited to raw fruits, vegetable, perennials, annuals bulbs, dried flowers, Christmas trees, and similar products.
- B. Vendors may offer value-added horticultural, agricultural, aquacultural or forest products which were produced by the vendor, including but not limited to baked goods, meat, dairy, honey, cider, preserves, relishes, jams, jellies and similar products.
- C. Vendors may offer hand-made crafts and works of art which were produced by the vendor; provided, however, that such products shall not exceed 25 percent of all products sold within the venue on any given day of operation.
- D. Vendors may offer food items prepared by the vendor; provided, however, that such products shall not exceed 25 percent of all products sold within the venue on any given day of operation, and provided that the vendor shall comply with all applicable requirements of the director of public health and the North Carolina Department of Agriculture.
- E. The sale of live animals is prohibited.



Agenda Item 6 Proposed Table of Uses

Definitions:

Accessory retail - The on-premises, retail sale of products directly to customers, where the retail use is incidental to a primary use conducted upon the same premises. Examples include but are not limited to the following: a furniture manufacturer who operates a show floor for the display and sales of furniture produced by the manufacturer; a bicycle manufacturer who operates a floor for the display and sales of bicycles produced by the manufacturer; a brewery or distillery who operates a tasting room for the sampling and sales of beer or spirituous liquors produced within the brewer or distillery.

Adult establishment - Any establishment having a substantial portion of materials or entertainment characterized by an emphasis on sexual activities, anatomical genital areas, or the female breast as defined in N.C. General Statute, § 14.210.10 (or any successor thereto).

Agriculture - These establishments grow crops, raise animals, harvest timber, and harvest fish and other animals from a farm, ranch, or their natural habitats. They may be described as farms, ranches, dairies, greenhouses, nurseries, orchards, or hatcheries. A farm, as an establishment, may be one or more tracts of land, which may be owned, leased, or rented by the farm operator. Farms may hire employees for a variety of tasks in the production process. Subcategories in this dimension differentiate establishments involved in production versus those that support agricultural production. For agricultural research establishments administering programs for regulating and conserving land, mineral, wildlife, and forest use, apply the relevant institutional or research and development categories.

Alcoholic beverage sales store - The retail sales of beer, wine, and/or other alcoholic beverages for off-premise consumption as a primary use.

Amusements, indoor - Establishments that provide commercial recreation activities completely within an enclosed structure such as pool halls, arcades, ~~movie theaters~~, skating rinks, roller rinks, and bowling alleys.

Amusements, outdoor - Establishments that provide commercial recreation activities primarily outdoors such as miniature golf establishments, go-cart facilities, theme parks, carnivals, fairgrounds and midways, paintball parks, and water rides.

Animal services - Establishments that include services by licensed practitioners of veterinary medicine, dentistry, or surgery for animals, boarding services for pets, and grooming. This term does not include outdoor "kennels."

Automated teller machines - Computerized, self-service machines used by banking customers for financial institutions without face-to-face contact with financial institution personnel. These machines may be located at or within banks, or in other locations.

Auto/mechanical parts sales - Establishments selling new, used, or rebuilt automotive or mechanical parts and accessories. Examples include parts and supply stores, automotive stereo stores, speed shops, truck cap stores, tires and tube shops, and similar shops for other types of motorized or mechanical equipment.

Automobile service or filling station - Any area of land, including structures thereon, which is used for the retail or wholesale sale of gasoline or any other motor vehicle fuel or oil and other lubrication substances, including any sale of motor vehicle accessories. These may or may not include facilities for lubricating, washing, or otherwise servicing motor vehicles, but may not include the painting thereof by any means. This classification shall not include convenience stores which do not dispense motor fuels.

Banks, credit unions, financial services institutions - Establishments that engage in financial transactions that create, liquidate, or change ownership of financial services. Banks, credit unions, and savings institutions may perform central banking functions, accept deposits, and lend funds from these deposits. In addition to banks and credit unions, financial services institutions may include: credit agencies, trust companies, holding companies, lending and thrift institutions, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies, and investment companies.

Bar/tavern/nightclub - A business where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. This term includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. It may also include beer brewing as part of a microbrewery and other beverage tasting facilities. Entertainment including live music, and/or dancing, comedy, etc. may also be included.

Boarding house - Any dwelling in which three or more persons, either individually or as families, are housed or lodged for hire, with or without meals. A boarding house shall be managed or operated by a person or family who resides on the premises. A "rooming house" and a "bed and breakfast" establishment shall be deemed a boarding house. If such an establishment is not managed by a person who resides on the premises, it shall be considered as a hotel or motel, hereinafter defined.

Cemetery - A parcel of land used for interment of the dead in the ground or in mausoleums.

Crematory: A structure where the technical process of using intense heat and flame to reduce human remains and bone fragments.

Child care center - An individual, agency, or organization providing supervision or care on a regular basis for children who are not legal wards or foster children of, the supervising adults. Child day care centers are designed to accommodate six or more children at a time and are not an accessory to residential use.

Child Care Home - Care or supervision provided on a regular basis, as an accessory use within a primary dwelling, by a resident of the dwelling for less than six children who are not legal wards or foster children of the supervising adult.

Community service organization - A public or quasi-public establishment providing social and/or rehabilitation services, serving persons with social or personal problems requiring special assistance. This term includes counseling centers, welfare offices, job counseling and training centers, vocational rehabilitation agencies, and community improvement and neighborhood redevelopment but does not include any services providing on-site residential or accommodation services.

Cultural or community facility - Facilities designed to promote cultural advancement and serve the community. Examples include the following: live theater; dance or music establishments; art galleries, studios and museums; non-profit civic or fraternal organizations; museums; exhibition or similar facilities; libraries; and community centers, such as the YMCA and YWCA.

Drive-thru retail/restaurants - A facility where food and other products may be purchased by motorists without leaving their vehicles. Examples include fast-food restaurants, drive-through coffee, dairy products, photo stores, pharmacies, etc.

Dwelling—Duplex: A building containing two residential dwelling units designed to have two families living independently of each other, each unit having a separate entrance from the outside or through a common vestibules.

Dwelling—Multifamily (~~less than four units/building~~): A building containing three or more dwelling units designed to have each family living independently of each other. Each unit has a separate entrance from the outside or through a common vestibule. Multi-family dwellings may include apartments, triplexes, town houses or any other configuration of three or more dwelling units in the same structure.

Dwelling – Secondary – A dwelling unit designed for occupancy by one or two persons, not exceeding 800 square feet of gross floor space and located on a lot with an existing single family dwelling. No more than one such dwelling shall be situated on any lot.

Dwelling—Single-family: A free standing building designed for and/or occupied by one household.

Equipment rental - Establishments renting or leasing equipment such as the following: a) office machinery and equipment, such as computers, office furniture, copiers, or fax machines; b) heavy equipment (without operators) used for construction, mining, or forestry, such as bulldozers, earthmoving equipment, etc.; c) other non-consumer machinery and equipment, such as manufacturing equipment and metalworking; d) telecommunications, motion picture, or theatrical equipment; e) institutional (i.e. public building) furniture; and f) agricultural equipment without operators.

Farmers Market - A food market at which local farmers sell fruit and vegetables and often meat, cheese, and bakery products directly to consumers.

Family care home - A home with support and supervisory personnel providing room and board, personal care and rehabilitation services in a family environment for not more than six resident handicapped persons.

Funeral home - A building used for the activity of preparation of deceased human beings for burial and such activity is the primary use of the premises. Secondary uses may include the display of the deceased, consummation of rituals connected therewith before burial, the storage of funeral vehicles and funeral supplies necessary for the preparation of the dead for burial, and for the sale of caskets, urns, and other funeral supplies.

Gas station - An establishment that primarily retails automotive fuels. These establishments may also provide services such as automotive repair, automotive oils, and/or replacement parts and accessories. Gas stations include structures that are specialized for selling gasoline with storage tanks, often underground or hidden. Bays for car washes may also be included.

General retail - A use category allowing premises to be available for the commercial sale of merchandise and prepared foods. Such use category does not include manufacturing.

Group care facilities - A facility that provides resident services to more than six individuals, at least one of whom is unrelated to the others. These individuals are handicapped, aged, or disabled, [or] are undergoing rehabilitation, and are being provided services in the group care facility to meet their needs. This category includes uses licensed or supervised by any federal, state, or county health/welfare agency, such as group dwellings (all ages), halfway houses, nursing homes, resident schools, resident facilities, and foster or boarding homes.

Government services - This term includes federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, and judicial authority.

Home Occupation - Any use conducted entirely within a dwelling and which use is clearly incidental and secondary to the use of the dwelling for residential purposes and which use does not change the residential character of the dwelling. No more than one employee, other than family members residing on the premises, shall be employed in connection with the home occupation. No mechanical or electrical equipment shall be installed or used except such equipment as is normally used for domestic or professional purposes and not over 25 percent of the total floor space of any residential structure shall be used for such home occupation. Home occupations include child care homes as defined herein.

Hotel, motel, inn - Establishments providing lodging and short-term accommodations for travelers. They may offer a wide range of services including overnight sleeping space, food services, convention hosting services, and/or laundry services. Entertainment and recreation activities may also be included.

Kennel - A structure intended to be used for the breeding or accommodation of small domestic animals for sale, training, or overnight boarding for persons other than the owner of the property where the structure is located. This term does not include veterinary clinics or other

animal services in which the overnight boarding of is necessary for, or accessory to, the testing and medical treatment of the physical disorders of animals.

Manufactured home - A structure, transportable in one or more sections, which, in the traveling mode, is eight feet or more in width or is 40 feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein.

Manufactured home park - Any premises where manufactured or mobile homes are parked for living and sleeping purposes, or any premises used or set apart for the purpose of supplying to the public parking space for travel trailers for living and sleeping purposes, and which include any buildings, structures, vehicles or enclosures used or intended for use as part of such park.

Manufacturing, heavy - A nonresidential use that involves or requires the use or storage of any hazardous materials or substances or that is used for the purpose of manufacturing, assembling, finishing, cleaning or developing any product or commodity. Typically the largest facilities in a community which have complex operations, some of which may be continuous (24 hours a day/seven days per week).

Manufacturing, light - A non-residential use that involves or requires the use or storage of any hazardous materials or substances or that is used for the purpose of manufacturing, assembling, finishing, cleaning or developing any product or commodity. Facilities are typically designed to look and generate impacts like a typical office building, but rely on special power, water, or waste disposal systems for operation. Noise, odor, dust, and glare of each operation are completely confined within an enclosed building, insofar as practical.

Manufacturing, neighborhood - The assembly, fabrication, production or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of a building which is visually undifferentiated from an office building. This term includes medical and testing laboratories but does not include more intensive uses that require frequent deliveries by trucks with more than one axle.

Medical services, clinic or urgent care center - Facilities that provide ambulatory or outpatient health care such as emergency medical clinics, outpatient family planning services, and blood and organ banks.

Medical services, doctor office - The office of a member of a recognized profession maintained for the conduct of that profession and licensed by the State of North Carolina, including, but not limited to, the offices of chiropractors, doctors and dentists.

Metal products fabrication, machine or welding shop - An establishment engaged in the production and/or assembly of metal parts, including the production of metal cabinets and enclosures, cans and shipping containers, doors and gates, duct work forgings and stampings, hardware and tools, plumbing fixtures and products, tanks, towers, and similar products. Examples of these include, without limitation, the following: blacksmith and welding shops; plating, stripping, and coating shops; sheet metal shops; machine shops; and boiler shops.

Mini-warehouses - A building containing separate enclosed storage spaces the sizes of which may vary, which are leased or rented on an individual basis.

Mobile Food Vendor – Any mobile food unit, pushcart or motor vehicle, including all machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle, which is purposed for the sale for consumption food and beverages.

Outdoor storage yard - The open storage of various materials outside of a structure as a principal use.

Personal services - An establishment primarily engaged in providing services that are generally related to the care of a person. Such personal services include, but are not limited to, the following: hair salons and barbershops, massage and bodywork therapists, spas, and tanning salons. Personal services shall not include any use which may be defined as an adult establishment.

Post office - Establishments conducting operations of the National Postal Service.

Professional services - Services provided that make available the knowledge and skills of their employees to sell expertise and perform professional, scientific, and technical services to others. Such services include, without limitation, the following: legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; graphic, industrial, and interior design services; consulting services; research and development services; advertising, media, and photography services; real estate services; investment banking, securities, brokerages and insurance-related services; and medical services such as physician's and dentist's offices.

Public safety facility - A facility operated by a public agency the purpose of which is public safety. This term includes, without limitation, fire stations, other fire prevention and firefighting facilities, police and sheriff substations and headquarters.

Recreation facilities, indoor - Uses or structures for active recreation including, without limitation, gymnasiums, natatoriums, athletic equipment, indoor running tracks, climbing facilities, court facilities and their customary accessory uses. This definition is inclusive of both non-profit and for-profit operations.

Recreation facilities, outdoor - Parks and other open space used for active or passive recreation such as ball fields, playgrounds, greenway trails, tennis courts, riding stables, campgrounds, and golf courses, and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses, pools, restrooms, and picnic shelters. This definition is inclusive of both non-profit and for-profit operations.

Recreational vehicle - A vehicular-type unit which is primarily designed not for use as a permanent dwelling but as temporary living quarters for recreational, camping, or travel use.

Recreational vehicle park, campground - Establishments accommodating campers and their equipment, including tents, tent trailers, travel trailers, and recreational vehicles. Facilities and services include cabins, washrooms, food services, recreational facilities and equipment, and organized recreational activities.

Religious institution - Any facility such as a church, temple, monastery, synagogue, or mosque used by a non-profit organization for worship and, if applicable customary related uses such as education (pre-schools, religious education, etc.), recreation (gymnasiums, activity rooms, ball fields, etc.), housing (rectory, parsonage, elderly or disabled housing, etc.) and accessory uses such as cemeteries, mausoleums, soup kitchens, and bookstores.

Restaurant - A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant), at their tables (full-service restaurant), and at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars).

School - A public or private institution offering a curriculum of education authorized by the State of North Carolina giving regular instruction at the primary and/or secondary level. This definition includes kindergartens, elementary schools, junior high schools, middle schools and

high schools but does not include day care facilities, individual instruction, or classes in a specialized subject.

Shopping Center, Multi-tenant development – A development in which there exists a number of individual and/or separate activities and in which there are appurtenant shared facilities such as parking areas or pedestrian ways.

Warehouse, indoor storage - Facilities for the storage of furniture, household goods, or other commercial goods of any nature. This term includes cold storage but does not include the following: warehouse, storage, or mini-storage facilities offered for rent or lease to the general public; warehouse facilities primarily used for wholesaling and distribution; or terminal facilities for handling freight.

Studio for art, dance, martial arts, music - Small facilities which provide individual and/or group instruction and training in the arts, including the martial arts. This term also includes the processing of photographs produced only by users of the studio facilities, yoga and similar instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment.

Theater - A specialized theater for showing movies or motion pictures on a projection screen. This category also includes cineplexes and megaplexes, complex structures with multiple movie theaters, each theater capable of an independent performance.

Two or more principal buildings on the same parcel of land - Two or more principal buildings located on a parcel of land not customarily subdivided into individual lots.

Utilities - Publicly or privately owned facilities or systems for the provision of public services, including, without limitation, the following: the distribution of gas, electricity, steam, or water; the collection and disposal of sewage or refuse; and the transmission of communications. Radio transmission facilities for use by ham radio operators or two-way radio facilities for business or governmental communications shall be deemed accessory uses and not utilities, provided no transmitter or antenna tower exceeds 180 feet in height.

Utilities are divided into the following classes:

Type 1. Transmission lines (above and below ground) including electrical, natural, gas, and water distribution lines, pumping stations, lift stations, and telephone switching facilities (up to 200 square feet in area). Elevated water storage tanks, package treatment plants, telephone switching facilities (over 200 square feet in area), substations, or other similar facilities in connection with telephone, electric, steam, and water facilities.

~~Type 2. – Elevated water storage tanks, package treatment plants, telephone switching facilities (over 200 square feet in area), substations, or other similar facilities in connection with telephone, electric, steam, and water facilities.~~

Type 2. Generation, production, or treatment facilities such as power plants, water and sewage plants, and landfills.

Vehicle/heavy equipment sales—Indoor - Establishments which may have indoor showrooms for selling vehicles or heavy equipment. This term includes, without limitation, dealers for compact automobiles and light trucks, buses, trucks, bicycles, motorcycles, mopeds, ATV's and boat and marine craft.

Vehicle/heavy equipment sales—Outdoor - Establishments which may have indoor showrooms or open lots for selling vehicles or heavy equipment. This term includes, without limitation, dealers for compact automobiles and light trucks, buses, trucks, mobile homes, bicycles, motorcycles, mopeds, ATV's and boat and marine craft.

Wireless telecommunication facility, stealth - Equipment that is unobtrusive in its appearance such as the co-location of antennas on existing tower facilities, and the placement of equipment on flagpoles, buildings, silos, water tanks, pole signs, lighting standards, steeples, billboards and electric transmission towers.

Wireless telecommunication facility, tower - Equipment constructed in accordance with Section 332(c)(7) of the Telecommunications Act at a single location by a private business user, governmental user, or commercial wireless service provider to transmit, receive, or relay electromagnetic signals (including microwave). Such facility includes one or more of the following: antennas or antenna arrays, wireless telecommunication towers, support structures, transmitters, receivers, base stations, combiners, amplifiers, repeaters, filters, or other electronic equipment; together with all associated cabling, wiring, equipment enclosures, and other improvements.

Wholesaling and distribution: Establishments engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Examples of these establishments include, without limitation agents, merchandise or commodity brokers, and commission merchants; assemblers, buyers and associations engaged in the cooperative marketing of farm products; merchant wholesalers; and stores primarily selling electrical plumbing, heating, and air conditioning supplies and equipment.