



**Town of Weaverville
Planning and Zoning Board
Council Chambers
Tuesday, March 7, 2017, 5:45pm**

Agenda

1. Call to Order – Chairman Doug Theroux.
2. Approval of Minutes from the January 3, 17 and February 2, 8, 23 Meetings of the Board.
3. Discussion Related to a Proposed Revision of Code Regarding Temporary Signage and Signage within the R-12 Zoning District.
4. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Revision of Code.
5. Discussion Related to the Proposed Table of Uses and Related Proposed Revisions of Ordinance.
6. Any other business to come before the Board.
7. Adjournment.



Agenda Item 2
Approval of Minutes

- **Attached you will find minutes reflecting the January 3, 17 and February 2, 8, 23 meetings of the Board.**

Town of Weaverville

Planning and Zoning Board
Minutes – Tuesday, January 3, 2017

The Planning and Zoning Board of the Town of Weaverville met for its regularly scheduled monthly meeting at 5:45pm on Tuesday, January 3, 2017 within Council Chambers at Town Hall.

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. Alternate Board Member Peter Stanz absent.

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 5:45pm.

Mr. Eller presented the Board with a schedule of meetings for the 2017 Calendar year noting conflicts with the regularly scheduled dates in July, November and December. Ms. Cordell noted a correction of dates in February and March and Chairman Theroux requested that the location of the meeting be placed on the agenda. Mr. Burge motioned to approve the schedule of regular meetings of the Board. Ms. Cordell seconded and all voted unanimously.

2. Approval of the Minutes from the December 6, 2016 Meeting of the Board.

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

3. Discussion Related to a Zoning Map Amendment Application for properties in the Vicinity of Garrison Branch and Monticello Roads.

Mr. Eller described to the Board that the application called for the conversion of a portion of a parcel previously zoned R-12 to C-2. Mr. Eller also noted that the proposal would eliminate two apartment buildings consisting of 48 dwelling units from the previously approved plan approved by Buncombe County and recognized by the Town as a vested right.

Wilder Wadford spoke to the Board on behalf of the application and as manager of all properties involved. Mr. Wadford noted that with the recommendation of the Board and approval of Council, the effect would be six acres of commercially zoned properties at the intersection of Monticello Road and US 25/70.

Chairman Theroux noted that should the rezoning be passed, the newly zoned property would be entirely under the purview of the Town's Zoning Ordinance.

4. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Zoning Map Amendment Application.

Ms. Cordell noted that the change would not conflict with the Town's comprehensive land use plan and motioned to favorably recommend the zoning map amendment application of the 2.43 acres noted on the plan presented to Town Council. Mr. Burge seconded and all voted unanimously.

5. Discussion Related to Recent Amendments to the Fire Code.

Fire Chief Ted Williams, Deputy Fire Chief Jayson Harwood and Fire Marshall Kile Davis were present to address the Board regarding recent Fire Code amendments adopted by Council. Mr. Davis noted that absent the express necessity of a second point of ingress and egress, the Fire Code still possesses language which would allow him, as the Fire Marshall, to require additional such points of a projects. Chief Williams noted the history of the Fire Code from its adoption by the Town to the aforementioned recent amendments, specifically that the Town was one of only a few in the State which adopted the entire Code. Chairman Theroux asked if the Fire Code amendments had a negative effect on insurance rates and Chief Williams denied.

6. Discussion Related to the Proposed Table of Uses

- In various sections of the proposed Table of Uses, the following uses were discussed in order to incorporate present language related to unified business development special use permits:

General Retail:

Chairman Theroux recommended General Retail under 10,000 sq. ft. be permitted in C-1, C-2 and I-1; General Retail between 10,000 and 25,000 sq. ft. be permitted with standards in C-1, C-2 and I-1; and General Retail over 25,000 sq. ft. be permitted through a Conditional Zoning District in C-1, C-2 and I-1 as defined. A consensus of the Board was granted toward Chairman Theroux's recommendation.

Shopping Center, Multi-Tenant Development:

Consensus was granted that Shopping Center, Multi-Tenant Development under 25,000 sq. ft. be permitted through a Conditional Zoning District in C-1, and permitted with standards in C-2 and I-1 as defined.

Two Principal Buildings on the Same Parcel of Land:

Consensus was granted that Two Principal Buildings on the Same Parcel of Land be permitted through a Conditional Zoning District in R-12, C-1, C-2 and I-1 as defined.

- In the Residential section of the proposed Table of Uses the following uses were addressed:

Chairman Theroux noted that a definition for household or dwelling unit should be added for further clarification and instructed staff to develop same for next meeting.

Dwelling – Single Family:

Consensus was granted that dwelling – single family should be permitted in the R-1, R-2 and R-3 Zoning Districts as defined.

Dwelling – Duplex:

Consensus was granted that dwelling – duplex should be permitted within the R-2, R-3 and R-12 Zoning Districts as defined.

Dwelling – Multifamily:

Ms. Osborne noted that there should be further distinction made between Two or More Primary Structures on the Same Parcel of Land and Dwelling – Multifamily. A consensus was reached that further distinction should be made for multifamily housing as presently defined, as an apartment complex would be treated the same as a triplex. Staff was instructed to craft language to be presented at the next meeting.

Dwelling – Secondary:

Chairman Theroux suggested that the number of people permitted to live within a secondary dwelling be stricken from the definition of Dwelling - Secondary. Consensus was granted that dwelling – secondary should be permitted within the R-1, R-2 and R-3 Zoning Districts as defined.

Home Occupation:

Consensus was granted to strike the word professional from the definition and to add the prohibition of any retail sales from within the definition of Home Occupation. Additionally it was agreed that Home Occupations should be permitted with standards within the R-1, R-2, R-3 and R-12 Zoning Districts with the revised definition.

Manufactured Home:

Consensus was granted that a manufactured home should be permitted with standards within the R-3 Zoning Districts as defined.

Manufactured Home Park:

Consensus was granted that manufactured home parks should be prohibited in any zoning district as defined.

Recreational Vehicle:

Consensus was granted that a recreational vehicle shall not be used as a permanent dwelling unit in any zoning district.

Recreational Vehicle Park, Campground:

Consensus was granted that a Recreational Vehicle Park, Campground should be permitted by a Conditional Zoning District in the C-2 and I-1 Zoning Districts as defined.

Boarding House:

Consensus was granted that a Boarding House should be permitted within the R-1, R-2 and R-3 Zoning Districts as defined.

Hotel, Motel, Inn:

Consensus was granted that a Hotel, Motel, Inn should be permitted by a Conditional Zoning District in the C-1, C-2 and I-1 Zoning Districts.

7. Any Other Business to Come Before the Board.

The Board determined that an additional meeting will need to be held on the third week of January and will be coordinated by Mr. Eller. Once a date and time is determined Chairman Theroux will be contacted so the Special Called meeting may be organized and noticed.

8. Adjournment.

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

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

ATTEST:

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

Town of Weaverville

Planning and Zoning Board
Minutes – Tuesday, January 17, 2017

The Planning and Zoning Board of the Town of Weaverville met for a special called meeting at 3:30pm on Tuesday, January 17, 2017 within Council Chambers at Town Hall.

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

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 3:30pm.

Chairman Theroux suggested the following order to facilitate the conversation related to the proposed Table of uses and definitions: Mr. Eller would read the definition; any comments or revisions to the definition would be made; how the use is categorized in the Table of Uses would be addressed; and any use determined to be permitted with standards, staff would be directed to develop same and report back to the Board.

2. Discussion Related to the Proposed Table of Uses

- In the Office/Service section of the proposed Table of Uses the following uses were addressed:

Animal Services, Veterinary Clinic:

Chairman Theroux suggested the word “interior” be added prior to boarding services within the definition. Consensus was granted that Animal Services, Veterinary Clinic should be permitted within the C-1, C-2 and I-1 Zoning Districts as identified by the amended definition.

Automated Teller Machines:

Consensus was granted that Automated Teller Machines should be permitted within the R-12, C-1, C-2 and I-1 Zoning Districts as defined.

Automobile Services:

Through conversation it was determined that Automobile Services should be split into two categories; Automobile Services - Gas Station and Automobile Services - Repair. The Board instructed staff to provide definitions making this distinction and to propose use standards within the Table.

Banks, Credit Unions, Financial Services:

Chairman Theroux suggested that the term “including but not limited to” should be added to the definition to allow for interpretation and not lock in those services specifically stated. Ms. Jackson noted that the inclusionary

language discussed should be decided upon and then kept common throughout the definitions. Ms. Osborne noted that a pawn shop would meet the use description identified by this definition and suggested that pawn shops be treated as a separate and distinct use. Staff was instructed to accomplish same and present to the Board at their next meeting. Consensus was granted that Banks, Credit Unions, Financial Services should be permitted with standards within the C-1 Zoning District, and permitted within the C-2 and I-1 Zoning Districts as defined.

Child Care Center (six or more):

Ms. Cordell instructed staff to amend the definition in a fashion which would recognize child care centers operated within religious institutions. Consensus was granted that a Child Care Center should be permitted within a Conditional Zoning District in the C-1 Zoning District and permitted with standards in the C-2 and I-1 Zoning Districts with the revised definition.

Child Care Home (less than six):

Consensus was granted that Child Care Home (less than six) should be moved to the Residential section of the Table as same is allowed as an accessory use within a primary dwelling. Child Care Home (less than six) should be permitted within the R-1, R-2 and R-3 zoning districts as defined.

Community Service Organization:

Consensus was granted that Community Service Organizations should be permitted within the C-2 and I-1 Zoning Districts.

Equipment Rental:

Consensus was granted that Equipment Rental should be separated into two distinct uses. The result being establishments displaying goods to be rented internally and externally will be defined and permitted differently. The Board instructed staff to provide definitions reflecting same and to permit equipment rental, exterior storage within the I-1 Zoning District and equipment rental, interior storage within the C-2 and I-1 Zoning Districts.

Funeral Home:

Consensus was granted that Funeral Homes should be permitted with standards within the C-1 Zoning District and permitted within the C-2 and I-1 Zoning Districts as defined by an amended definition. The Board instructed staff to include an exclusionary statement further separating Funeral Home and Crematory.

Group Care Facilities:

Consensus was granted that Group Care Facilities should be permitted through a Conditional Zoning District in the C-1 and permitted in the C-2 and I-1 Zoning Districts as defined.

Government Services:

Consensus was granted that Government Services should be permitted within the C-1, C-2 and I-1 Zoning Districts as defined.

Kennels:

Chairman Theroux noted that the definition should include the word interior to further insure that kennels operating as an accessory use to veterinary clinics or other animal services must board the animals within the facility. Consensus was granted that Kennels should be permitted with standards within the C-2 and I-1 Zoning Districts with the amended definition.

Medical Services, Clinic, Urgent Care Center, Hospital:

Mr. Stanz recommended that hospitals be included within the definition. Staff suggested that hospitals were defined in the present ordinance and that definition would be included in this use. Consensus was granted that Medical Services, Clinic, Urgent Care Center should be permitted within the C-2 and I-1 Zoning District with the amended definition.

Medical Services, Professional Office:

Ms. Jackson noted that the definition should be broadened to include psychological services and the label of the use changed to Medical Services, Professional Office from Doctor Office. Consensus was granted that Medical Services, Professional Office should be permitted within the C-1, C-2 and I-1 Zoning Districts.

Personal Services:

Consensus was granted that Personal Services should be permitted within the C-1, C-2 and I-1 Zoning District as defined.

Post Office:

Consensus was granted that a Post Office should be permitted within the C-2 and I-1 Zoning Districts as defined.

Professional Services:

Ms. Jackson noted that several uses wrapped in the definition were defined elsewhere and should be removed from Professional Services. Consensus was granted that Professional Services should be permitted within the C-1, C-2 and I-1 Zoning Districts with the amended definition.

Studio – Art, Dance, Martial Arts, Music:

Ms. Osborne noted that, in relation to yoga studios, parking standards should be applied in the C-1 Zoning District. Consensus was granted that Studios should be permitted with standards in the C-1 Zoning District and Permitted within the C-2 and I-1 Zoning Districts.

3. Adjournment.

The Board determined that a special called meeting would be necessary to continue the conversation expeditiously. A date of February 2nd at 4:00 pm within Council Chambers was established. Mr. Eller noted that the special called meeting notice would be prepared, presented to the Chairman for execution, and posted accordingly.

Ms. Osborne motioned to establish a special called meeting at the aforementioned date, time and location. Mr. Burge seconded and all voted unanimously.

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

Doug Theroux, Chairman
Planning and Zoning Board

ATTEST:

James W. Eller
Town Planner / Deputy Town Clerk

Town of Weaverville

Planning and Zoning Board
Minutes – Thursday, February 2, 2017

The Planning and Zoning Board of the Town of Weaverville met for a special called meeting at 4:00pm on Thursday, February 2, 2017 within Council Chambers at Town Hall.

Present: Chairman Doug Theroux, Vice Chairman Gary Burge, Terry Dawson and Leslie Osborne, Alternate Member Peter Stanz and Town Planner James Eller. Board Member Catherine Cordell was absent.

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 4:00pm.

Chairman Theroux noted that in order to reach a quorum the next regularly scheduled meeting of the Board had been moved from Tuesday, February 7 to Wednesday, February 8, 2017 at 5:45 within Council Chambers.

2. Discussion Related to the Proposed Table of Uses

Mr. Eller noted the revisions which had been made at the request of the Board following the January 17, 2017 meeting.

- In the Retail / Restaurants section of the proposed Table of Uses the following uses were addressed:

Accessory Retail:

Consensus was granted that Accessory Retail should be permitted within the C-1, C-2 and I-1 Zoning Districts as defined.

Alcoholic Beverages Sales Store:

Consensus was granted that an alcoholic beverages sales store should be permitted within the C-1, C-2 and I-1 Zoning Districts as defined.

Auto/Mechanical Parts Store:

Chairman Theroux noted that the installation of parts sold should not be permitted in conjunction with this use. Mr. Stanz noted that parts to be sold should be kept on the interior of the structure at all times. Consensus was granted that Auto/Mechanical Parts Stores should be permitted within the C-1, C-2 and I-1 Zoning Districts with the amended definition.

Bar/Tavern/Nightclub:

Consensus was granted that Bar/Tavern/Nightclub should be permitted within the C-1, C-2 and I-1 Zoning Districts as defined.

Drive-Thru Retail/Restaurant:

Consensus was granted that Drive-Thru Retail/Restaurant should be permitted within the C-2, I-1 Zoning Districts as defined.

General Retail (Under 10,000 sq. ft.)

Consensus was granted that General Retail (Under 10,000 sq. ft.) should be permitted within the C-1, C-2 and I-1 Zoning Districts as defined.

General Retail (10,000 – 25-000 sq. ft.)

Consensus was granted that General Retail (10,000 – 25-000 sq. ft.) should be permitted with standards within the C-1, C-2 and I-1 Zoning Districts as defined.

General Retail (Over (25,000 sq. ft.)

Consensus was granted that General Retail (Over 25,000 sq. ft.) should be permitted by a Conditional Zoning District within the C-1, C-2 and I-1 Zoning Districts as defined.

Pawn Shop:

Consensus was granted that Pawn Shops should be permitted within the C-2, and I-1 Zoning Districts as defined.

Restaurant:

Ms. Osborne suggested that Mobile Food Vendors should be excluded from the definition. Consensus was granted that restaurants should be permitted within the C-1, C-2 and I-1 Zoning Districts with the amended definition.

Shopping Center, Multi-tenant Development (Under 25,000 sq. ft.):

Consensus was granted that a Shopping Center, Multi-tenant Development (Under 25,000 sq. ft.) should be permitted as a Conditional Zoning District within the C-1 Zoning District and permitted with standards within the C-2 and I-1 Zoning Districts as defined.

Shopping Center, Multi-tenant Development (Over 25,000 sq. ft.):

Consensus was granted that a Shopping Center, Multi-tenant Development (Over 25,000 sq. ft.) should be permitted as a Conditional Zoning District within the C-1, C-2 and I-1 Zoning Districts as defined.

Vehicle/Heavy Equipment Sales - Indoor:

Consensus was granted that Vehicle/Heavy Equipment Sales – Indoor should be permitted within the C-1, C-2 and I-1 Zoning Districts as defined.

Vehicle/Heavy Equipment Sales - Outdoor:

Consensus was granted that Vehicle/Heavy Equipment Sales – Outdoor should be permitted within the C-2 and I-1 Zoning Districts as defined.

- In the Entertainment / Recreation section of the proposed Table of Uses the following uses were addressed:

Amusements – Indoor:

Consensus was granted that Amusements – Indoor should be permitted within the C-1, C-2 and I-1 Zoning Districts with the amended definition.

Amusements – Outdoor:

Consensus was granted that Amusements – Outdoor should be permitted within the C-2 and I-1 Zoning Districts with the amended definition.

Cultural or Community Facility:

Consensus was granted that a Cultural or Community Center should be permitted with standards within R-1, R-2, R-3 and R-12 and permitted within C-1, C-2 and I-1 Zoning Districts as defined.

Recreation Facility – Indoor:

Mr. Burge noted that language presented for both Amusements and both Recreational Facilities would not encapsulate the Reems Creek Golf Course and the accessory structures and uses associated with same. Staff was instructed to amend the definitions to allow both Amusements and both Recreational Facilities to allow such as an accessory use to an approved subdivision or a yet to be permitted subdivision, Dwelling – Multifamily or Conditional Zoning District. Consensus was granted that Recreation Facility – Indoor should be permitted with standards within R-1, R-2, R-3, and R-12 and permitted within C-1, C-2 and I-1 Zoning Districts with the amended definition.

Recreation Facility – Outdoor:

Consensus was granted that Recreation Facility – Outdoor should be permitted with standards within R-1, R-2, R-3, and R-12 and permitted with a Conditional Zoning District within C-1, C-2 and I-1 Zoning Districts with the amended definition.

Theatre:

Mr. Stanz noted that the showing of movies should be conducted within the facility as defined. A consensus was granted that a Theatre should be permitted within the C-2 and I-1 Zoning Districts with the amended definition.

Ms. Osborne requested that staff develop a definition of an Event Center to be incorporated into the proposed Table of Uses.

3. Adjournment.

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

Doug Theroux, Chairman
Planning and Zoning Board

ATTEST:

James W. Eller
Town Planner / Deputy Town Clerk

Town of Weaverville

Planning and Zoning Board
Minutes – Wednesday February 8, 2017

The Planning and Zoning Board of the Town of Weaverville met for a special called meeting at 5:45pm on Wednesday, February 8, 2017 within Council Chambers at Town Hall.

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

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 5:45pm.

Chairman Theroux noted that Mr. Stanz would be acting as a seated member of the Board in Ms. Osbornes absent and is therefore eligible to vote on matters before the Board during this meeting.

2. Discussion Related to a Preliminary Plat for a Minor Subdivision on the Property Commonly Known as 212 North Main Street.

Mr. Eller noted to the Board that the proposed minor subdivision called for the creation of two additional lots for single family dwellings at 212 North Main Street and presented the Board with a checklist of items to be found in order for the proposal to be in compliance with the Code. Each item on the checklist was found to be present with two mistakes made on the information provided. Items to be corrected were the number of lots to be created, and number of parcels shown on the vicinity map.

Mr. McDonald spoke to the Board on behalf of the applicant.

3. Consideration of a Motion Establishing a Recommendation to the Town Planner Regarding the Aforementioned Preliminary Plat for a Minor Subdivision.

Mr. Burge motioned to recommend approval of the presented minor subdivision preliminary plat to the Town Planner with the corrections made to the number of lots listed and number of parcels shown on the vicinity map. Ms. Cordell seconded and all voted unanimously.

4. Discussion Related to a Preliminary Plat for a Major Subdivision on the Property Comonly Known as 173 North Main Street.

Mr. Eller noted to the Board that the proposed major subdivision called for the creation of six additional lots for single family dwellings at 173 North Main Street and presented the Board with a checklist of items to be found in order for the proposal to be in compliance with the Code. Each item on the checklist was found to be present with one mistake made on the information provided. The Item to be corrected was the water easement detail which should be amended to show 10 feet in each direction from the meter rather than the five feet shown. Also

present on the plan presented was a signature from the Fire Marshall, Public Works Director and Town Planner notating that the plat was compliant with the Code from each person's perspective.

Engineer Marvin Mercer and applicant Kevin Kopp also spoke to the Board regarding the plat presented. Inconsistencies were noted regarding what the application for a major subdivision calls for and the appropriate governmental agency which has oversight over the requisite information, review and approval.

5. Consideration of a Motion Establishing a Recommendation to Town Council Regarding the Aforementioned Preliminary Plat for a Major Subdivision.

Mr. Stanz motioned to favorably recommend approval of the major subdivision preliminary plat to Town Council with the correction made to the water easement detail as noted. Mr. Dawson seconded and all voted in unanimously.

6. Discussion Related to the Proposed Table of Uses and Related Proposed Revisions of Ordinance.

Discussion related to the proposed Table of Uses was tabled until the next meeting of the Board.

7. Any Other Business to Come Before the Board.

Mr. Eller noted that at the next meeting the Board would likely be asked to consider language related to temporary signage and signage within the R-12 Zoning District.

The Board determined that a special called meeting would be necessary to continue the conversation related to the proposed Table of Uses. No date was confirmed at the meeting and staff was instructed to communicate with the Board to determine such date. Mr. Eller noted that the special called meeting notice would be prepared, presented to the Chairman for execution, and posted accordingly.

8. Adjournment.

Ms. Osborne made a motion to adjourn. Mr. Stanz seconded and all voted unanimously.

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

ATTEST:

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

Town of Weaverville

Planning and Zoning Board
Minutes – Thursday, February 23, 2017

The Planning and Zoning Board of the Town of Weaverville met for a special called meeting at 4:30pm on Thursday, February 23, 2017 within Council Chambers at Town Hall.

Present: Chairman Doug Theroux, Board Members Catherine Cordell, Terry Dawson and Leslie Osborne, Alternate Member Peter Stanz, Town Attorney Jennifer Jackson and Town Planner James Eller. Vice-Chairman Gary Burge was absent.

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 4:30pm.

Chairman Theroux noted that Mr. Stanz would be acting as a seated member of the Board in Mr. Burge's absence and is therefore eligible to vote on matters before the Board during this meeting.

2. Discussion Related to the Proposed Table of Uses

- In the Manufacturing/Wholesale/Storage section of the proposed Table of Uses the following uses were addressed:

Manufacturing, Heavy:

Ms. Osborne suggested that language related to noise odor, dust and glare used in the Manufacturing, Light definition should be added to the Manufacturing, Heavy definition. Consensus was granted that Manufacturing, Heavy should be permitted within the I-1 Zoning District with the amended definition.

Mr. Eller noted that a Noxious Use category could be created to address the concerns of the Board related to some issues discussed. The Board instructed staff to accomplish same.

Manufacturing, Light:

Mr. Theroux suggested that insofar as practical should be removed from the definition. Consensus was granted that Manufacturing, Light should be permitted within the C-2 and I-1 Zoning Districts with the amended definition.

Manufacturing, Neighborhood:

Consensus was granted that Manufacturing, Neighborhood should be permitted within the C-1, C-2 and I-1 Zoning Districts as defined.

Metal Product Fabrication, Machine or Welding Shop:

Chairman Theroux suggested that automobile body shops be included with the definition of Metal Products Fabrication, Machine or Welding Shop. Consensus was granted that Metal Products Fabrication, Machine or Welding Shop should be permitted within the I-1 Zoning District with the amended definition.

Mini-Warehouses:

Consensus was granted the Mini-Warehouses should be permitted with standards in the C-2 and I-1 Zoning Districts as defined.

Outdoor Storage Yard:

Ms. Osborne noted that an Outdoor Storage Yard should be allowed as an accessory use operating in conjunction with Manufacturing, Heavy. Consensus was granted that and Outdoor Storage Yard should be permitted with standards in the I-1 Zoning District as defined.

Warehouse, Indoor Storage:

Consensus was granted that the title of the use should be changed to Warehousing and Distribution with Indoor Storage and such use should be permitted within the C-2 and I-1 Zoning Districts..

Wholesaling and Distribution:

Consensus was granted that the title of the use should be changed to Warehousing and Distribution with Outdoor Storage and such use should be permitted within the I-1 Zoning District. Additionally it was determined that Warehousing and Distribution without on site storage should be considered Professional Services.

- In the Civic/Institutional section of the proposed Table of Uses the following uses were addressed:

Cemeteries:

Consensus was granted that Cemeteries should be permitted as a Conditional Zoning District within the I-1 Zoning District as defined.

Public Safety Facilities:

Consensus was granted that a Public Safety Facility should be permitted with standards in R-1, R-2, R-3, R-12 and C-1 Zoning Districts and permitted in the C-2 and I-1 Zoning Districts as defined.

Religious Institutions:

Consensus was granted that Religious Institutions should be permitted as a Conditional Zoning District within all zoning districts as defined.

Schools:

Ms. Jackson suggested Consensus was granted that Schools should be permitted as a Conditional Zoning District within all zoning districts as defined.

- In the Utilities section of the proposed Table of Uses the following uses were addressed:

Utilities – Type 1

It was determined that the types of Utilities should be eliminated. Consensus was granted that Utilities should be permitted with standards in R-1, R-2, R-3, R-12 and C-1 Zoning Districts and permitted in the C-2 and I-1 Zoning Districts with the amended definition.

Utilities – Type 2

Consensus was granted that Utilities Type 2 would be rolled into the new classification, to be created, of Noxious Uses.

Wireless Telecommunication Facility – Stealth

Consensus was granted that Wireless Telecommunication Facilities - Stealth should be permitted with standards in all zoning districts.

Wireless Telecommunications Facility – Tower

Consensus was granted that Wireless Telecommunication Facilities - Tower should be permitted with standards in the C-2 and I-1 Zoning Districts

- In the Miscellaneous Uses section of the proposed Table of Uses the following uses were addressed:

Adult Establishment:

Ms. Jackson noted that she would lift the definition from State Statute to replace the one provided. Consensus was granted that Adult Establishments should be permitted as a Conditional Zoning District within all zoning districts with the amended definition.

Agriculture:

Ms. Jackson noted that agricultural uses could not be regulated by counties but municipalities may exercise some legislative authority. Agricultural uses will be discussed at a later date while the issue is researched further.

Crematories:

Consensus was granted that a Crematory should be permitted as a Conditional Zoning District within the I-1 Zoning District.

Two or More Principal Buildings on the Same Parcel of Land:

Consensus was granted that Two or More Principal Buildings on the same Parcel of Land should be stricken as a use.

- In the Temporary Uses section of the proposed Table of Uses the following uses were addressed:

Farmers Market:

The Board requested that staff work on additional standards which would allow the present farmers market to continue while excluding additional markets within residential districts.

Mobile Food Vendor:

Chairman Theroux suggested that the sale of alcoholic beverages should be prohibited in conjunction with Mobile Food Vendors. Consensus was granted that Mobile Food Vendors should be permitted with standards within the C-1, C-2 and I-1 Zoning Districts.

3. Adjournment.

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

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

ATTEST:

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



Agenda Items 3&4

Proposed Revision of Code Related to Temporary and R-12 Signage

- **Attached you will find aforementioned proposed revisions of Code**

Proposed revision of Code related to temporary signage and signage within the R-12 Zoning District
Changes proposed by staff are noted in red font.

Sec. 36-201. - Temporary signs.

Temporary signs shall be allowable in all zoning districts.

- (1) Signs used prior to and during construction to identify the name of contractor(s) and/or developer(s) shall be considered temporary signs, and shall meet the following requirements:
 - a. Each contractor shall have no more than one sign per location which shall be removed upon completion of the project.
 - b. Construction signs shall not be placed on trees, rocks, or other natural objects.
 - c. Construction signs shall be either attached to the building or affixed to a secure temporary post.
 - d. Construction signs shall be no greater than 32 square feet per side of the sign up to a maximum of 64 square feet of aggregate surface area for the entire sign.
- (2) Political signs shall be considered temporary signs, and shall meet the following requirements:
 - a. No political sign shall be placed in any town or state public right-of-way which includes utility poles and/or street medians.
 - b. All such signs shall be removed within two days after the election day.
- (3) Real estate signs (signs offering property for sale, lease or development) shall be considered temporary signs, and shall meet the following requirements:
 - a. Real estate signs in residential zoning districts shall not exceed six square feet in surface area per side of sign up to a maximum of 12 square feet of aggregate surface area for the entire sign.
 - b. Real estate signs in all other areas shall not exceed 16 square feet in surface area per side of sign up to a maximum of 32 square feet of aggregate surface area for the entire sign.
 - c. Real estate signs shall be erected only on the property which is being offered for sale, rent, lease and development.
 - d. Real estate signs shall conform to all other applicable provisions of the ordinance not inconsistent with this section.
 - e. Real estate signs shall be removed with seven days after the sale or lease of the property is closed.
 - f. Real estate directional signs (sign indicating the direction to a property being offered for sale) must be located on private property, with written permission of the property owner, at the nearest intersection of the major thoroughfare or collector street to the street upon which the property which is being offered for sale, rent, lease or development is located.
- (4) Any other temporary sign must be approved by the zoning administrator, and shall be of a size and height which is consistent with signs permitted in the neighborhood in which it will be located ~~and limited to a maximum of 30 days.~~ Such signs are limited to a period of fifteen days and shall not be permitted more than once per quarter in each calendar year.

(Am. Ord. of 3-20-2017, Ord. of 6-19-1978, Art. XII, § 17-1230)

Sec. 36-203. - Sign restrictions for C-1, C-2, ~~and I-1 districts.~~ and R-12 Zoning Districts.

- (a) Wall signs shall not cover an area greater than 50 percent of the total surface area of the wall(s) upon which the sign(s) is located. (The surface area of a wall(s) shall be computed excluding windows and doors). All signs attached to a building, including all the visible face of flat signs, and both sides of projecting signs, and suspended signs shall be computed to determine the 50 percent wall coverage limitation.
- (b) Projecting or suspended signs shall be limited to one per business per building front, not to exceed eight square feet per side of sign up to a maximum of 16 square feet of aggregate surface area for the entire sign.
- (c) Signs overhanging any sidewalk shall be placed at least 7½ feet above the sidewalk and shall not extend over the sidewalk for a distance equal to or greater than two-thirds of the width of the sidewalk. In no event shall such a sign extend more than ten feet from the building upon which it is located.
- (d) Changeable copy signs shall be limited to one per store front, not to exceed 50 square feet in surface area per side up to a maximum of 100 square feet of aggregate surface area.
- (e) Detached ground-level signs, excluding private directional signs, shall be limited to one per commercial site. Ground level signs shall not extend more than six feet, at their highest point above ground level and shall not exceed 50 square feet in aggregate surface area per side of sign and shall not exceed a maximum of 100 square feet of aggregate surface area for the entire sign.
- (f) All ground level signs and freestanding pole signs shall be located on the immediate premises of the advertised commercial establishment, and shall be no closer than ten feet to any street pavement, but in no event shall such sign be erected on a street right-of-way.
- (g) Private directional signs on premise shall not be over six feet in sign height, and shall not have a surface area greater than four square feet per side up to a maximum of eight square feet in aggregate surface area for all sides.
- (h) Where two or more business premises share a common courtyard, alley, or access area, the businesses therein shall be limited to one freestanding identification sign, no higher than 20 feet from top of grade, which shall contain no greater than 75 square feet of surface area per side of sign up to a maximum of 150 square feet of aggregate surface area for the entire sign. Each business establishment located within the development shall be permitted one nameplate sign, not to exceed 12 square feet in surface area per side of sign up to a maximum of 24 square feet of aggregate surface area for the entire sign to be attached to (or hung from) the freestanding identification sign for the development as a whole. (Nameplate signs shall not be of changeable copy). The total square footage of the identification sign and all of the attached nameplate signs shall not exceed 150 square feet per side of sign or 300 square feet for both sides.

(Am. Ord. of 3-20-2017, Ord. of 6-19-1978, Art. XII, § 17-1240)



Agenda Item 5

Proposed Table of Uses and Related Revisions of Code

- **Attached you will find the proposed Table of Uses and Definitions related to same last revised on March 2, 2017.**



Proposed Table of Uses
Last Revised 3.2.17

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.

Accessory use - A use of a nature customarily subordinate or incidental to, and located on the same lot as, the principal use of any structure or property.

Adult establishment – any establishment, adult bookstore, adult motion picture theatre, adult mini motion picture theatre, adult live entertainment business, or massage business 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 providing commercial recreation activities completely within an enclosed structure. Such uses include but are not limited to pool halls, arcades, skating rinks, roller rinks, and bowling alleys.

Amusements, outdoor - Establishments that provide commercial recreation activities primarily outdoors. Such uses include but are not limited to miniature golf establishments, go-cart facilities, theme parks, carnivals, fairgrounds, midways, paintball parks, and water rides.

Animal services, Veterinary Clinic - Establishments that include services by licensed practitioners of veterinary medicine, dentistry, or surgery for animals. These services may include but are not limited to the testing and medical treatment of animals and the overnight interior boarding of animals that is necessary for, or accessory to, such testing and treatment; grooming. This term does not include "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 but are not limited to 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 services - gas station - An establishment that primarily retails automotive fuels. 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 but any establishment offering repair services as defined by automobile services – repair are not allowed under this category of use.

Automobile services - repair – An establishment that provides repair and maintenance of automobiles. These may or may not include facilities for lubricating, washing, or otherwise servicing automobiles, but may not include the painting thereof by any means. This classification shall not include convenience stores which do not dispense motor fuels. Gas stations as defined by automobile services – gas station may be permitted in conjunction with this use. **This use does not include automobile body shop as such use shall be classified as Metal Product Fabrication, Machine or Welding Shop, Automobile Body Shop as defined herein.**

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 include, but are not limited to, 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 banking, securities, brokerages and insurance-related services. Pawnshops shall not be considered under this definition.

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 but is not limited to 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.

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. A child care center operating in conjunction with a religious institution shall be considered an accessory use of such a religious institution.

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 but is not limited to 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.

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

Cultural or community facility - Facilities designed to promote cultural advancement and serve the community. Examples include but are not limited to non-profit civic or fraternal organizations, museums, libraries, and community centers.

Drive-thru retail/restaurants - A facility where food and other products may be purchased by motorists without leaving their vehicles. Examples include but are not limited to fast-food restaurants, drive-through coffee, dairy products, photo stores, and pharmacies.

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 more than one but less than four residential dwelling units. Each unit has a separate entrance from the outside or through a common vestibule. Multi-family dwellings may include duplexes and triplexes (buildings under one ownership with two or three dwelling units in the same structure), as well as town houses (a type of structure that has at least three or more separate dwelling units divided vertically, each unit having separate entrances to a front and rear yard).

Dwelling—Multifamily (four or more units/building): A building containing more than four residential dwelling units. Each unit has a separate entrance from the outside or through a common vestibule. These structure may include fourplexes (buildings under one ownership with four dwelling units in the same structure), apartments (five or more units under one ownership in a single building), and townhouses (a type of structure that has at least three or more separate dwelling units divided vertically, each unit having separate entrances to a front and rear yard).

Dwelling – Secondary: A dwelling unit 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 and shall not be considered as an accessory use herein defined.

Dwelling—Single-family: A free standing building designed to accommodate one dwelling unit.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Equipment rental, - Establishments renting or leasing equipment including but not limited to 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. Such establishments displaying equipment to be rented entirely within a structure, at all times, shall be considered equipment rental, interior storage. Such establishments displaying equipment to be rented on the exterior of the structure shall be considered equipment rental, exterior storage.

Event Center:

Farmers Market - A food market, **(operating on property owned by the Town of Weaverville within additional stands?)**, at which local farmers **sell items, including but not limited to** 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 or after burial or other disposition of the body, 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. Funeral homes which also operate a crematory are subject to additional regulations as defined herein under crematory.

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.

Government services - This term includes federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, and/or judicial authority. **This term does not include Public Safety Facilities as defined herein.**

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, but is not limited to, 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.

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. Commercial sale of merchandise and shall not be permitted in conjunction with a 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, sale, training, accommodation or overnight boarding of small domestic animals that are owned by someone other than the owner of the property on which the structure is located. This term shall include animal shelters of any kind regardless of who owns the animals within the shelter. This term does not include veterinary clinics or other animal services in which the overnight interior boarding of animals is necessary for, or accessory to, the testing, treatment and general or specialized healthcare 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 **as determined by the Fire Marshall**, or that is used for the purpose of manufacturing, assembling, finishing, cleaning or developing any product or commodity. **The operation of such a facility may be continuous (24 hours a day/seven days per week) and a not required to completely confine noise, odor, dust, and glare of such operation within an enclosed building. An outdoor storage yard may be permitted in conjunction with a heavy manufacturing operation.**

Manufacturing, light - A ~~nonresidential~~ use that involves or requires the use or storage of any hazardous materials 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 but is not limited to** medical and testing laboratories but does not include more intensive uses that require frequent deliveries by trucks with more than ~~one~~ two axles.

Medical services - clinic, urgent care center, hospital - Facilities that provide ambulatory or outpatient health care, including but not limited to, emergency medical clinics, outpatient family planning services, and blood and organ banks. Any type of *hospital*; facility operated in connection with a *hospital* such as a clinic, including mental health clinics; nursing, convalescent, or rehabilitative facility; public health center; or any facility of a local health department. The term "*hospital facility*" also includes related facilities such as laboratories, outpatient departments, housing and training facilities for nurses and other health care

professionals, central service facilities operated in connection with hospitals, and all equipment necessary for its operation.

Medical services - professional office - An 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, dentists and psychologists or other counselors.

Metal products fabrication, machine or welding shop, automobile body shop - An establishment engaged in the production and/or assembly of metal parts, **including but not limited to**, 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, but are not limited to, blacksmith and welding shops; plating, stripping, and coating shops; sheet metal shops; machine shops; boiler shops; **metal casting. An outdoor storage yard may be permitted in conjunction with metal products manufacturing, machine and welding shop but not an automobile body shop.**

Mini-warehouses - A building containing separate enclosed storage spaces the sizes of which may vary, which are leased or rented on an individual basis. **(residential, retail to be added to standards)**

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. **The sale of alcoholic beverages shall not be permitted by any mobile food vender absent the issuance of the requisite special event permit.**

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.

Noxious Uses – Any structure used for the generation, production, or treatment facilities including but not limited to power plants, water and sewage plants, and landfills. **Outdoor firing ranges, junk yards or salvage yards, rendering plants, asphalt or concrete plants shall also be considered noxious uses.**

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

Pawnshop – A business in which a pawnbroker, or one who engages in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders, whether licensed pursuant to Article 45 of Chapter 66 of the NC General Statutes or not, regularly conducts business which includes, but is not limited to making loans on pledges of tangible personal property; dealing in bullion stocks; purchasing merchandise for resale from dealers, traders and wholesale suppliers; and/or any other pawn or pawn transactions.

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 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, but are not limited to, 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; **and offices operating in conjunction with a wholesale establishment without warehousing on the property.** Investment banking, securities, brokerages and insurance-related services are defined under banking, credit unions and financial services institutions. Medical services such as physician's and dentist's offices are defined as Medical Services – Doctor Office.

Public safety facility - A facility operated ~~by a governmental agency~~ for the purpose providing public safety. This term includes **but is not limited to** fire stations, other fire prevention and firefighting facilities, police and sheriff substations and headquarters. **This term does not include Government Services as defined herein.**

Recreation facilities, indoor - Uses or structures for active recreation including **but not limited to** 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. **Such facilities operating in conjunction with a single family home 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 shall be permitted as an accessory use or structure of the dwelling unit. Such facilities operating in conjunction with a school shall be permitted as an accessory use operating in conjunction with same. Such facilities operating in conjunction with a Conditional Zoning District, Special Use Permit, Major Subdivision or any other residential development within a residentially zoned district shall be allowed if presently in use or approved with the adoption process for each of the aforementioned forms of development.

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. Such facilities operating in conjunction with a single family home 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 shall be permitted as an accessory use or structure of the dwelling unit. Such facilities operating in conjunction with a school shall be permitted as an accessory use operating in conjunction with same. Such facilities operating in conjunction with a Conditional Zoning District, Special Use Permit, Major Subdivision or any other residential development within a residentially zoned district shall be allowed if presently in use or approved with the adoption process for each of the aforementioned forms of development.

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 include but are not limited to 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 and child care centers.

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). Mobile Food Vendors, as defined herein, shall not be considered a restaurant.

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 **but is not limited to** kindergartens, elementary schools, junior high schools, middle schools, high schools **and charter schools** but does not include day care facilities, individual instruction, or classes in a specialized subject. **Indoor and outdoor recreational facilities shall be considered an accessory use when operated in conjunction with a school.**

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.

Studio for art, dance, martial arts, music - Small facilities which provide individual and/or group instruction and training in the arts, including 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 designed for the interior showing movies or motion pictures on a projection screen. This category includes but is not limited to 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 but not limited to** the distribution of gas, electricity, steam, or water; the collection and disposal of sewage or refuse; and the transmission of communications. ~~Utilities are divided into the following classes: Type 1.~~ Transmission lines (above and below ground) including **cable**, 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. 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.

~~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 and storage—Outdoor - Establishments which may have indoor showrooms or open lots for selling vehicles or heavy equipment. This term includes but is not limited to dealers for compact automobiles and light trucks, buses, trucks, ~~mobile homes~~, bicycles, motorcycles, mopeds, ATV's and boat and marine craft. **This term includes establishments which rent or lease space for the outdoor storage of same.**

~~Warehousing, indoor storage and Distribution~~ - Facilities for the storage of furniture, household goods, or other commercial goods of any nature. **Such facilities with indoor storage shall be considered Warehousing and Distribution with Interior Storage. Such facilities with outdoor storage shall be considered Warehousing and Distribution with Interior Storage. Warehousing and Distribution without warehousing of any kind shall be considered Professional Services as defined herein. 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.**

Wireless telecommunication facility, stealth - Equipment that **designed to be unobtrusive** in its appearance **including but not limited** to 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 **but is not limited to** 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.*~~

DRAFT

TABLE OF USES PROPOSED, Last Revised 3.2.17

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 (four or less units/building)	-	PS	P	P	-	-	-
Dwelling - Multifamily (more than four units/building)	-	-	C	C	-	-	-
Dwelling - Secondary	PS	PS	PS	-	-	-	-
Family Care Home (less than six residents)	P	P	P	-	-	-	-
Child Care Home (less than six)	P	P	P	-	-	-	-
Home Occupation	PS	PS	PS	PS	-	-	-
Manufactured Home	-	-	PS	-	-	-	-
Manufactured Home Park	-	-	-	-	-	-	-
Recreational Vehicle	-	-	-	-	-	-	-
Recreational Vehicle Park, Campground	-	-	-	-	-	C	C
Boarding House	P	P	P	-	-	-	-
Hotel, Motel, Inn	-	-	-	-	C	C	C
Office / Service							
Animal Services, Veterinary Clinic	-	-	-	-	P	P	P
Automated Teller Machines	-	-	-	P	P	P	P
Automobile Services, Gas Station	-	-	-	-	P	P	P
Automobile Services, Repair	-	-	-	-	PS	PS	PS
Banks, Credit Unions, Financial Services	-	-	-	-	PS	P	P
Child Care Center (six or more)	-	-	-	-	C	PS	PS
Community Service Organization	-	-	-	-	-	P	P
Equipment Rental (Exterior Storage)	-	-	-	-	-	-	P
Equipment Rental (Interior Storage)	-	-	-	-	-	P	P
Funeral Home	-	-	-	-	PS	P	P
Group Care Facility (6 or more residents)	-	-	-	-	C	P	P
Government Services	PS	PS	PS	PS	PS	P	P
Kennels	-	-	-	-	-	PS	PS
Medical Services - Clinic, Urgent Care Center	-	-	-	-	-	P	P
Medical Services - Doctor Office	-	-	-	-	P	P	P

