



**Town of Weaverville  
Planning and Zoning Board  
Council Chambers  
Tuesday, April 4, 2017, 5:45pm**

**Agenda**

1. Call to Order – Chairman Doug Theroux.
2. Approval of Minutes from the March 7, 2016 Meeting of the Board.
3. Discussion Related to the Proposed Table of Uses and Related Proposed Revisions of Ordinance.
4. Setting a date and time to change the next regularly scheduled meeting of the Board.
5. Any other business to come before the Board.
6. Adjournment.



**Agenda Item 2**  
**Minutes from March 7, 2017**

Town of Weaverville

Planning and Zoning Board  
Minutes – Tuesday, March 7, 2017

The Planning and Zoning Board of the Town of Weaverville met for its regularly scheduled meeting at 5:45pm on Tuesday, March 7, 2017 within Council Chambers at Town Hall.

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

**1. Call to Order.**

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

Chairman Theroux noted that Mr. Chase and Mr. Dawson would be acting as seated members of the Board in the absence of Mr. Burge and Ms. Osborn and are therefore eligible to vote on matters before the Board during this meeting.

**2. Approval of Minutes from the January 3, 17 and February 2, 8, 23 Meetings of the Board.**

Ms. Cordell motioned to approve the minutes from January 3, 2017 as presented. Mr. Dawson seconded and all voted unanimously.

Ms. Cordell motioned to approve the minutes from January 17, 2017 as presented. Mr. Stanz seconded and all voted unanimously.

Chairman Theroux motioned to approve the minutes from February 2, 2017 as presented. Mr. Dawson seconded and all voted unanimously.

Ms. Cordell motioned to approve the minutes from February 8, 2017 with an amendments made to language found within the Call to Order. Mr. Dawson seconded and all voted unanimously.

Mr. Dawson motioned to approve the minutes from February 23, 2017 with amendments made to language in relation to Open Storage Yards and Adult Establishments. Mr. Stanz seconded and all voted unanimously.

**3. Discussion Related to a Proposed Revision of Code Regarding Temporary Signage and Signage within the R-12 Zoning District.**

Mr. Eller described that the revisions before the Board were to address a time frame for temporary signage and to establish restrictions governing signage within the R-12 Zoning District.

For temporary signage it was determined that such signs shall be limited to sixty days within a calendar year while extending the option to the applicant to choose a configuration of one sixty day period, two thirty day periods or four fifteen day periods.

For signage within the R-12 Zoning District it was determined that attached signage shall only be allowed on common building not primarily used for residential purposes in Sec. 36-203(a); signage within R-12 shall not be considered under Sec. 36-203(h); and Sec. 36-203(i) was added establishing that a building permit may also be required by Buncombe County Permits and Inspections to ensure the proper installation or attachment of signage.

**4. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Revision of Code.**

Mr. Stanz motioned to favorably recommend the aforementioned revision of the Zoning Code upon finding the proposed revisions reasonable and not in conflict with the Town's Comprehensive Plan. Mr. Chase seconded and all voted unanimously.

**5. Discussion Related to the Proposed Table of Uses and Related Proposed Revisions of Code.**

Mr. Eller reviewed the changes made to the definitions and table at the request of the Board during the previous meeting including the definition and treatment of adult establishments.

Agriculture:

Ms. Cordell suggested that agriculture with and without animals should be separated. Mr. Stanz suggested that commercial agricultural uses should be separated from neighborhood agricultural uses. Consensus was granted that categories of agriculture – commercial and agriculture – neighborhood should be created by staff for the Board's consideration.

Event Center:

Consensus was granted that a category should be added for event centers. Additionally it was determined that the use should be treated as a Conditional Zoning District due to the wide range of capacities which could inhabit such a facility.

Automobile Service – Repair:

Automobile body shops were excluded from the definition of automobile service – repair and classified under metal products fabrication, machine or welding shop, automobile body shop.

Farmers Market:

At a location other than where the products are produced was added\_ to the end of the present definition.

Manufacturing – Heavy:

Smoke and fumes were added to the definitions of manufacturing – heavy and light to create consistency with the definition of manufacturing – neighborhood. As determined by the Fire Marshall was added to the definitions of manufacturing – heavy and light to determine hazardous materials.

Metal products fabrication, machine or welding shop, automobile body shop:

Automobile body shop was added to the definition of metal product fabrication, machine or welding shop, automobile body shop.

Mobile Food Vendors:

A prohibition of the sale or consumption of alcoholic beverages was added to the definition of mobile food vendors.

Noxious Uses:

A definition was created for noxious uses and a category noting same was added to the table of uses. Consensus was granted that noxious uses, as defined, should only be permitted via a Conditional Zoning District in the I-1 Zoning District.

Professional Services:

Offices operating in conjunction with a wholesale establishment without warehousing on the property was added to the definition of professional services.

Recreational Facilities Indoor and Outdoor:

Language was added to both definitions to allow same as an accessory use when operated in conjunction with a religious institution, school, or residential development.

Religious Institution:

Language was added to the definition of religious institution which allowed accessory uses in conjunction with same should the use be located on the same or a contiguous parcel of land.

Multi – tenant Development:

Multi-tenant residential developments were excluded from the definition of multi-tenant development.

Vehicle/Heavy Equipment Sales – Outdoor:

This term included establishments which rent or lease space for the outdoor storage of vehicles was stricken from the definition of vehicle/heavy equipment sales and transitioned to outdoor storage yard.

**6. Any Other Business to Come Before the Board.**

A determination was made that the next step would be the creation of additional standards for the uses noted within the table. Staff will begin work on same and present to the Board at the next regularly scheduled meeting.

**7. Adjournment.**

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

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

**ATTEST:**

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



**Agenda Item 3**  
**Proposed Table of Uses, Definitions, Additional Standards**

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**TABLE OF USES PROPOSED, Last Revised 3.30.17**

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
<b>Residential</b>							
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 (six or fewer residents)	P	P	P	-	-	-	-
Child Care Home (six or fewer children)	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
<b>Office / Service</b>							
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 (more than six residents)	-	-	-	-	C	P	P
Government Services	PS	PS	PS	PS	PS	P	P
Kennels	-	-	-	-	-	PS	PS
Medical Services - Clinic, Urgent Care Center, Hospital	-	-	-	-	-	P	P
Medical Services - Doctor Office	-	-	-	-	P	P	P







**Proposed Table of Uses**  
**Last Revised 3.30.17**

**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 – Commercial* - any establishment as defined in N.C. General Statute, § 106-581.1 or any successor thereto.**

***Agriculture – Neighborhood* – parcel of land which is used for the cultivation of the soil for production of crops, including but not limited to fruits, vegetables, flowers and ornamental plants for individual use. Livestock may also be permitted under this use provided that the additional standards established herein are also met.**

*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, bowling alleys and facilities designed to accommodate live

performances of the arts. **Gaming terminals, as defined herein are expressly prohibited from consideration under the definition of amusements, indoor.**

*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, water rides and facilities designed to accommodate live performances of the arts.

*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 not more 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:* Any assembly, conference, or convention center used for the purpose of accommodating a number of individuals for a special event or purpose. Such a facility used for this purpose may have accommodations for sleeping, food preparation and eating, recreation, entertainment, resource facilities and meeting rooms.

*Farmers Market* - A food market at which local farmers sell items, including but not limited to fruit and vegetables and often meat, cheese, and bakery products at a location other than that where the products are produced.

*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.

*Gaming terminal.* Electronic machines, including, but not limited to, computers and gaming terminals, where one may play games including, but not limited to, sweepstakes, lotteries, games and/or games of chance where cash, merchandise, or other items of value are redeemed or otherwise distributed, whether or not value of such distribution is determined by electronic games played or be predetermined odds which have a finite pool of winners. This term includes, but is not limited to, internet cafes, internet sweepstakes, or cybercafés. Gaming terminal operations do not include operations associated with the official N.C. State Education Lottery or any nonprofit operation that is otherwise lawful under state law (for example, church or civic organization fundraisers), nor shall it include arcade games of skill.

*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 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.

*Kenel* – 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, designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities including the plumbing, heating, air conditioning and electrical systems and which is 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.

*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 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 is not required to completely confine noise, odor, dust, glare, **smoke and fumes** of such operation within an enclosed building. An outdoor storage yard may be permitted in conjunction with a heavy manufacturing operation.

*Manufacturing, light* - A use that involves or requires the use or storage of any hazardous materials, **as determined by the Fire Marshall**, 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, glare, **smoke and fumes** of each operation are completely confined within an enclosed building.

*Manufacturing, neighborhood* - The assembly, fabrication, production or processing of goods and materials using processes that ordinarily do not create noise, odors, glare, smoke, fumes 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 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; **automobile body 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.

*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 of food and beverages. The

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

*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 including but not limited to shopping or office centers. **This definitional shall not include multi-family residential developments.**

*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 or recycling facilities. Outdoor firing ranges, junk yards or salvage yards, rendering plants and slaughterhouses, 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. **This term includes establishments which rent or lease space for the outdoor storage of same.**

*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 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.

*Recreation facilities, outdoor* - Parks and other open space used for active or passive recreation such as ball fields, playgrounds, greenway trails, tennis courts 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 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. Accessory uses operating in conjunction with a religious institution may be permitted only on the same parcel as the religious institution or on a contiguous parcel to the primary use.

*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.

*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.

*Temporary structure*: A structure intended to serve a specific event and to be removed upon the completion of that event. This term includes, but is not limited to, bleachers, perimeter fencing, vendor tents/canopies, judging stands, trailers, portable toilets, sound/video equipment, stages, platforms, and other impermanent devices, which do not involve grading or landform alteration for installation, and which are not permanently affixed to the ground.

*Temporary use*: An activity or use of land which, having met certain requirements and conditions, may be permitted for a period of limited duration, and which may utilize "temporary structures" for the duration of the event.

*Theater, Motion Picture* - A specialized facility designed for the interior showing of 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.

*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. Transmission lines (above and below ground) including cable, electrical, natural gas, and water distribution lines, pumping stations, lift stations, and telephone switching facilities, elevated water storage tanks, package treatment plants, telephone switching facilities, 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.

*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 but is not limited to dealers for compact automobiles and light trucks, buses, trucks, 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 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.

*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.