



Proposed Table of Uses

Automobile Services, Repair, Permitted with Standards in C-1, C-2, I-1

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

Automobile Services, Repair permitted with standards (C-1, C-2, I-1)

- A. All building shall be located at least 40 feet from any street right-of-way line.
- B. Gasoline pumps and other appliances shall be located at least 15 feet from any right-of-way line.
- C. All service or any other activity shall be conducted entirely on the premises.
- D. All repair work, if any, shall be conducted within a completely enclosed building.
- E. Open storage of wrecked or inoperable vehicles shall not be permitted.



Proposed Table of Uses

Banks, Credit Unions, Financial Services, permitted with standards in C-1, C-2, I-1

Definition:

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.

Additional Standards

Chapter 36 Article V Additional Use Standards

Banks, Credit Unions, Financial Services permitted with standards (C-1, C-2, I-1)

- A. Drive-through stacking lanes, windows, and associated equipment shall not be permitted within 50 feet of a residential district or residential use.
- B. Drive-through windows and services shall be located and accessed only at the rear or side of the building and shall not be located between the principal structure and a public street. Service lanes shall not be located between the building and the street.
- C. Drive-through service lanes shall provide a minimum of six stacking spaces on site for banking, pharmacies and similar non-food-related uses with drive-through facilities. Each stacking space shall be a minimum of nine feet by 18 feet.
- D. The drive-through shall be limited to a maximum of two service lanes and one additional lane for an automated teller machine (ATM).
- E. Speaker box sounds from the drive-through lane shall not unreasonably disturb the peace and quiet of abutting residential property.



Proposed Table of Uses

Child Care Center permitted as a conditional zoning district in C-1 and permitted with standards in C-2 and I-1

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

Child Care Center permitted with standards (C-2, I-1)

- A. Child care centers shall provide at least 100 square feet of outdoor play area for each child.
- B. The outdoor play area shall be surrounded by a fence not less than four feet in height.
- C. The child care center shall meet all requirements of the State of North Carolina for child care centers.
- D. Child care centers shall provide locations for pick-up/drop off areas for safe access to the center for children and parents and which do not impede traffic on town or state roads.



Proposed Table of Uses

Cultural or Community Facility, permitted with standards in R-1, R-2, R-3, R-12

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

Cultural or Community Facility permitted with standards (R-1, R-2, R-3, R-12)

- A. Off-street parking shall be provided at one space for each two hundred square feet within the principal assembly space.
- B. Where the lot abuts a residential district, a ten foot buffer shall be provided as defined in section 36-5 of this chapter and said buffer may be placed within the setbacks established by the zoning district applicable to the property.
- C. Signage shall be limited to one wall mounted or attached sign and shall not exceed 10 square feet in surface area.



Proposed Table of Uses

Drive-Thru Retail / Restaurant, permitted with standards in C-1

Definition:

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.

Additional Standards

Chapter 36 Article V Additional Use Standards

Drive-Thru Retail / Restaurant permitted with standards (C-1)

- A. Drive-through stacking lanes, windows, and associated equipment shall not be permitted within 50 feet of a residential district or residential use.
- B. Drive-through windows and services shall be located and accessed only at the rear or side of the building and shall not be located between the principal structure and a public street. Service lanes shall not be located between the building and the street.
- C. Drive-through service lanes shall provide a minimum of ten stacking spaces on site for restaurants, food sale, or any retail uses with drive-through facilities. Each stacking space shall be a minimum of nine feet by 18 feet.
- D. The drive-through shall be limited to a maximum of two service lanes.
- E. Speaker box sounds from the drive-through lane shall not unreasonably disturb the peace and quiet of abutting residential property.



Proposed Table of Uses

Farmers Market, Permitted with Standards in all districts

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

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

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



Proposed Table of Uses

General Retail (10,000-24,999 sq. ft.), permitted with standards in C-1, C-2, I-1

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

General Retail (10,000-24,999 sq. ft.) permitted with standards (C-1, C-2, I-1)

- A. Such a development shall abut an existing major thoroughfare maintained by the North Carolina Department of Transportation or the Town of Weaverville and shall have direct access thereto.
- B. Points of ingress and egress shall be located a sufficient distance from road intersections to minimize traffic hazard, inconvenience and congestion. Additionally, each development shall have a minimum of two such points of ingress and egress to facilitate the safe flow of traffic.
- C. Parking and loading spaces shall be provided as established by Chapter 36, Article VII.
- D. Such facilities with a drive-thru window are subject to additional regulations as defined by drive-thru retail / restaurant.



Proposed Table of Uses

Home Occupation, Permitted with Standards in R-1, R-2, R-3 and R-12

Definition:

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

Additional Standards:

Chapter 36 Article V Additional Use Standards

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

- A. Home occupations shall be clearly incidental to the residential use of a dwelling and shall not change the residential character of the dwelling or the neighborhood.
- B. Home occupations shall be contained entirely within the interior of the dwelling or accessory structure. Home occupations within a dwelling shall not occupy more than 25 percent of the gross floor area of the dwelling.
- C. Only noncommercial vehicles are permitted in conjunction with a home occupation.
- D. Business or product identification signs shall not be permitted.



Proposed Table of Uses

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

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

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

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



Proposed Table of Uses

Manufactured Home, Permitted with Standards in R-3

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

Manufactured Home permitted with standards (R-3)

- A. No new manufactured home shall be permitted within floodways and nonencroachment areas as determined by the Floodplain Administrator of Buncombe County.
- B. Each new manufactured home shall be placed on an individual lot.
- C. A manufactured home must be built to or exceed the Manufactured Home Construction Safety Standards as developed by the Housing and Urban Development Code of June 15, 1976.



Proposed Table of Uses

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

Definition:

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

Additional Standards:

Chapter 36 Article V Additional Use Standards

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

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

sign shall be placed within ten feet of the mobile food unit or vehicle and must be removed when outside hours of operation.



Proposed Table of Uses

Multi-tenant development (under 25,000 sq. ft.), permitted with standards in C-2, I-1

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

Multi-tenant development (under 25,000 sq. ft.) permitted with standards (C-2, I-1)

- A. Such a development shall abut an existing major thoroughfare maintained by the North Carolina Department of Transportation or the Town of Weaverville and shall have direct access thereto.
- B. Points of ingress and egress shall be located a sufficient distance from road intersections to minimize traffic hazard, inconvenience and congestion. Additionally, each development shall have a minimum of two such points of ingress and egress to facilitate the safe flow of traffic.
- C. Parking and loading spaces shall be provided as established by Chapter 36, Article VII.
- D. Such facilities with a drive-thru window are subject to additional regulations as defined by drive-thru retail / restaurant.



Proposed Table of Uses

Recreational Facilities - Indoor, permitted with standards in R-1, R-2, R-3, R-12

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

Recreational facilities - indoor permitted with standards (R-1, R-2, R-3, R-12)

- A. 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.
- B. Such facilities operating in conjunction with a school or religious institution as defined herein shall be permitted as an accessory use operating in conjunction with same.
- C. 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.



Proposed Table of Uses

Recreational Facilities - Outdoor, permitted with standards in R-1, R-2, R-3, R-12, C-1, C-2, I-1

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

Recreational facilities - outdoor permitted with standards (R-1, R-2, R-3, R-12, C-1, C-2, I-1)

- A. Lighting fixtures for outdoor recreational facilities shall be mounted and aimed so that the illumination falls within the primary playing area and immediate surroundings so that no direct light illumination is directed off site. Lights shall be turned off at the conclusion of any activity.
- B. 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.
- C. Such facilities operating in conjunction with a school or religious institution as defined herein shall be permitted as an accessory use operating in conjunction with same.
- D. 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 at the adoption of this ordinance or approved with the adoption process for each of the aforementioned forms of development.



Proposed Table of Uses

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

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

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

- A. Secondary dwelling units shall be accessory and subordinate to the primary living quarters.
- B. Not more than one secondary dwelling unit is permitted on any lot.
- C. A secondary dwelling unit may only be located within a side or rear yard and within the setback established by the applicable zoning district.
- D. No secondary structure shall exceed two stories in height. The ground floor area of an attached garage shall be calculate as the first story of the structure.
- D. Secondary dwelling units may be created as an independent structure, an addition to an existing primary structure, or a second story within detached garages.
- E. The gross floor space of a secondary dwelling unit shall not exceed 800 square feet. The ground floor area of an attached garage shall not be calculated as part of the total square footage of any secondary dwelling that is built as the second story of a detached garage; provided, such ground floor garage area shall not be converted into a dwelling space.
- F. At least one off street parking space shall be provided.
- G. Properties with multifamily dwellings as defined herein shall not be permitted a secondary dwelling.



Proposed Table of Uses

Wireless Communication Facility - Stealth, permitted with standards in R-1, R-2, R-3, R-12, C-1, C-2, I-1

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

Wireless Communication Facility – Stealth permitted with standards (R-1, R-2, R-3, R-12, C-1, C-2, I-1)

- A. Stealth wireless communication facilities shall be designed and installed in a manner to make them unobtrusive. All facilities shall be mounted so that the personal wireless service facilities do not extend beyond the top of the building or structure on which they are mounted.
- B. Facilities shall be designed to blend in with the existing structure or buildings with similar colors or other techniques as appropriate.



Proposed Table of Uses

Wireless Communication Facility - Tower , permitted with standards in C-2, I-1

Definition:

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.

Additional Standards:

Chapter 36 Article V Additional Use Standards

Wireless Communication Facility – Tower permitted with standards (C-2, I-1)

- A. Wireless communication towers as defined herein are subject to the requirements of Chapter 36, Article XIV Telecommunication Facilities.



Agenda Item 4

Setting a date and time to change the next regularly scheduled meeting of the Board.

- **I will be attending a class at the University Of North Carolina School Of Government from Tuesday, April 18 through Friday, April 21st and Tuesday, May 2nd through Thursday, May 4th.**
- **For the purpose of additional meetings, please keep in mind the aforementioned dates when I will be away from the office in Chapel Hill, including the next regularly scheduled meeting on Tuesday, May 2nd.**